In the Waiting Room of Humanity:

Rupturing Cosmopolitan Ethics,
Revisiting Kant, Refracting (In)Human Rights

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“...a horizon is both the opening and the limit that defines either an infinite progress or a waiting and awaiting.”

In accordance with Subrule 2.50(2)

I, Ida Nursoo submit that

This thesis contains no material which has previously been accepted for the award of any other degree or diploma in any university of other institution and, to the best of my knowledge, contains no material previously published or written by another person, except where due reference has been made in the text of the thesis.
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Abstract

By asking the question “who is the subject of humanity upon whom human rights are attached?” this thesis poses to cosmopolitan ethics an ontological question of how the being of the human of human rights is formulated. It inquires into the conditions of possibility of the anomaly of the cosmopolitan appeal to a universal right to humanity. This is an anomaly exposed by the aporias of war fought in the name of humanitarianism, dispossession of land as the consequence of an entitlement to hospitality and detention for an “unauthorized” assertion of the right to asylum. The thesis argues that the anomaly of universal human rights can be explained by the diagram of (in)humanity that has, like an abstract machine, circulated alongside the history of cosmopolitanism, constituting humanity as a human-inhuman complex that makes possible its denial. Rather than extending outwards, the boundary that divides inside from outside (human from inhuman) so as to make humanity a more encompassing and inclusive category for its legal-political mobilization, this thesis seeks to make sense of the boundary as a liminal space-time where human and inhuman come into conflict as the (in)human condition underlying the human rights conundrum. I describe this diagram as the “Anthropocentric Waiting Room” in order to designate how it is that humanity can be a condition for which some must wait. My central aim is to advance, in four phases, its theoretical importance to cosmopolitan studies. The first involves rupturing cosmopolitan ethics to highlight the space the (in)human occupies within contemporary discourses of cosmopolitan ethics. The second concerns recovering the archive to give the (in)human a history alongside cosmopolitanism’s humanity. The third engages in revisiting Kantian cosmopolitanism to establish its contribution to the intellectual history of the (in)human via a racist anthropology concerned with the production of the subject “Man” as “citizen of the world.” The fourth returns to the question of human rights through the problem of the anomaly by way of refracting this (in)human presence onto our contemporary dilemma.
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Writing in the aftermath of war, Immanuel Kant proclaimed that the future of humanity could only be guaranteed by a cosmopolitan outlook in general and with “the idea of cosmopolitan right” in particular. This idea, in his words, is

…not fantastic and overstrained; it is a necessary complement to the unwritten code of political and international right, transforming it into a universal right of humanity. Only under this condition can we flatter ourselves that we are advancing towards a perpetual peace.¹

This concept of “cosmopolitan right” appears in the Third Definitive Article of Kant’s Perpetual Peace. “Cosmopolitan Right shall be limited to the Conditions of Universal Hospitality,” he asserts. Kant is here stressing that “cosmopolitanism” is a matter of right and not philanthropy. He qualifies it further in terms of hospitality, which he defines as “the right of a stranger not to be treated with hostility when he arrives on someone else’s territory.”² Basically, in this article, Kant sets out a code of conduct that strangers should follow when one party arrives at the territory of another. Kant says that as long as the arriving party behaves peacefully, he must not be treated “with hostility.” Yet, Kant continues, neither may he claim “the right of a guest to be entertained”; he may only claim the “right of resort.” The latter is a right that manifests, says Kant, from the right of “all men” to “communal possession of the earth.” For Kant, hospitality is an expression of legality. It is a “right” of the stranger or guest and therefore may be endowed with the force of law.

Although Kant had penned these words in 1795, it was not until 1945, almost two centuries later, that this cosmopolitan promise seemed to have arrived in the form of the international human rights framework following the atrocities of the Second World

² Kant, “Perpetual Peace,” 106.
War. Paradoxically, protection for humans, as a subject of right, came out of the violation of humanity in the Nazi persecution and genocide of Jews and other minorities. Until then, the allied powers, although aware of what was happening within German borders, maintained the Westphalian principle of non-interference in the internal affairs of other countries. The historic moment had arrived for a global reassertion and re-definition of the rights and protection of persons.

The Charter of the United Nations (UN), a post-war peace initiative led by the United States, Britain, China and the Soviet Union, was designed to introduce into international relations a system of security, law and order. It promoted and encouraged “respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.” Accordingly, the Universal Declaration of Human Rights (UDHR) was adopted by the UN General Assembly on December 10, 1948 as the common standard for observing the human rights of all individuals. These instruments were futural in their outlook. Unable to redress what had already occurred as violations to the integrity of human persons, they set standards urging states to ensure protection of human beings in the future.

As a general phenomenon, human rights are characterized by three basic properties. First they are universal – they belong to each person regardless of “race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” or the status of the country to which they belong. That is to say they are predicated on the assumption that, in essence, there is a common and pre-social core to what makes us human. They are rights to which all people have a claim, by virtue simply of being “human.” Second, they are inalienable – they are absolute and permanent. Since they are not given to people by political authorities, they cannot be removed by them either. Again, these rights derive simply out of being human. Third, they are subjective – they are the properties of rational individuals, which is to suggest that the condition of being human is closely related to the condition of being an individual endowed with the capacity for reason.

1 Article 1(3), Charter of the United Nations 1945.
2 Article 1 Universal Declaration of Human Rights 1948, (UDHR).
3 Article 29(2) UDHR.
4 Article 1 UDHR.
Expressed more specifically in terms of the UDHR, human rights are listed in thirty articles, which can be grouped into two groups of rights. The first are negative rights, which include the right to life, liberty, security of the person; freedom from torture and slavery; political participation; the right to own property; the right to equality and freedom before the law, freedom of movement; and freedom of expression, opinion, thought, religion and conscience. The second group are positive rights, which appeal to governments to actively enable on behalf of their citizens. These include the right to social security; the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment; the right to equal pay for equal work; the right to form and join trade unions; the right to rest and leisure; the right to education; and the right to freely participate in the cultural life of the community and to share in the benefits of scientific advancement. However, since the UDHR is a standard and not a treaty with enforceable status in international law, its recommendations were incorporated into the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights* and entered into international law in 1976. As legally binding treaties, state signatories are expected to give legal effect to their provisions within national laws.

Other major innovations of the international legal human rights movement included recognition of “crimes against humanity” which first appeared as a concept of international law in the 1945 *Charter of the International Military Tribunal* during the Nuremberg Trials of the Nazi war criminals. It encompassed “namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated.”¹⁷ Then in 1948 the UN introduced the *Convention on the Prevention and Punishment of the Crime of Genocide* recognizing, as a crime that can be tried under a tribunal of the state in which the acts occurred or by an international tribunal, acts committed “with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.”¹⁸

¹⁷ Article 6, *Charter of the International Military Tribunal* 1945.
By 1951, the UN established the *Convention Relating to the Status of Refugees*, which makes a demand upon nation-states to protect the rights of persons who are not their nationals and, as non-citizens, have not been selected by a particular state to make rights claims upon it under that exclusive jurisdiction. The *Refugee Convention* has two primary aspects. First it enshrines in international law a universalistic and internationally agreed definition of “refugee” as any person who “…owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to return to it.” Second, it recognizes that such persons are entitled to rights to safety, both from the fear of persecution, and upon crossing national borders to escape these fears. Its intent is to enable the provision of rights for stateless persons by acknowledging that this is the responsibility of the international community of states and allowing such persons to make rights claims upon states to which they did not belong. In signing the *Refugee Convention*, a nation-state was, in theory, surrendering some of its sovereignty in determining exactly who could enter its territory and who was entitled to make claims upon it.

The number of acts and conventions addressing human rights concerns, such as the elimination of racial discrimination, protection from torture, elimination of discrimination against women and the protection of children’s rights, have increased and human rights have expanded into a rich body of international and regional laws. It can be said that, prior to these post-Second World War developments, as Hannah Arendt observes looking back on the persecution of the Jews in Nazi Germany, “The very phrase “human rights” became for all concerned – victims, persecutors, and onlookers alike – the evidence of hopeless idealism or fumbling feeble-minded hypocrisy.”

The recognition and defense of human rights has since been identified as the defining feature of a new era: a new modernity and a postmodern condition in which the

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traditional subject of right is recast. Prior to their development, with the exception of some criminal matters, international law had not been concerned with individuals and provided them with little by way of protection. As Ulrich Beck interprets its universalist claims, human rights are rights to which all individuals are entitled to irrespective of their differences.13 Beck argues that the emergence of the international human rights regime represents a shift in the way that the nature of “society” has been conceptualised from a “first modernity” conception of society to a “second modernity” conception of society. In his view, the basis of the first modernity was a nation-state world order where international law was only concerned with regulating relations between states. As a result of the Westphalian principle of non-interference, the idea that social life was limited to the boundaries of the nation-state prevailed. Nation-states developed a “container” or “closed-society” mentality, Beck argues, that created the problem of human rights abuse within state borders as well as the conditions for the production of political, economic and environmental refugees. A second modernity, Beck claims, is based on the principle that “human rights precedes international law”14 such that, as NATO’s 1999 Kosovo campaign demonstrated, military intervention is carried out in terms of human rights rather than a state-centric regime of international law.

Since the advent of the modern human rights regime, it appears that international law now extends its reach into the nation-state container so that it is individuals, not just states that are its subjects. Anna Yeatman takes the claim that human rights are rights to which all individuals are entitled to irrespective of their differences to mean that human rights “is a conception of rights driven by the idea of the integrity of the human individual.”15 Again, noting the shift in the traditional subject of right, this is to say that it is specifically the human person that is the subject of human rights. This makes it very different from the historical subject of citizenship who is a person positively discriminated for by the state as a person entitled to make rights claims upon the state.

Thus, the juridical innovation of human rights discourse is that it transcends the boundaries of the nation-state so that the “human,” rather than the “citizen,” becomes recognized, and indeed privileged, as the subject of right invested with protection by the

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14 Ibid. p. 83.
law. The humanist innovation of human rights discourse, it would appear then, is that “the human” transcend the boundaries of the law and enters the domain of the sovereign so that the sovereign comes now to be confronted with the “human person,” rather than the “citizen-subject,” as its object of concern. For Beck and many other cosmopolitan thinkers alike, the human rights regime positively brings into focus Kant’s long overdue cosmopolitan vision as one that expands our sense of moral and political responsibility to persons beyond our borders such that we can now properly characterize our condition as a “cosmopolitan” one.

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Despite situating the modern human rights framework within a genealogy of Kantian cosmopolitanism at the outset, this thesis does not set out to evaluate human rights as if they were an achievement to be measured against a positive cosmopolitan standard set by Kant. Neither does it subscribe normatively to the recent cosmopolitan turn in the humanities and social sciences which finds in this ancient idea either a new way to describe the interconnected and interdependent nature of the world in which we live; a vision of world citizenship and global democracy beyond the anarchical order of nation-states; or a cultivation of post-identity politics that emphasizes the embrace of difference and multiplicity within a shared humanity in an attempt to formulate an ethical guide for political practice. To be certain, while it may be an effect, this thesis is not concerned with making an evaluation of the development of human rights, for their realization is far from fulfilled. Rather, this thesis is concerned with the question: “how do we account for the anomaly of a universal right to humanity?” Instead of feeling helpless against the violence wielded overtly by oppressive governments or covertly by economic, social and political structures, and instead of placing such a burden of salvation on an institution that is itself a subject of political manipulation as the discourse of human rights has been; this is to ask not of the failures of human rights, but of their ontological sabotage. This is a more helpful way of framing the ethico-political demand before us than the recuperation of the tenuous rhetoric of cosmopolitanism, which traces back to Kant not the genealogy of the protection of human rights, but the conditions of possibility of their denial.

“Anomaly” and “universal” would, at first instance, seem incongruous when uttered in
the same sentence. The Oxford English Dictionary expresses “universal,” in its most basic sense, as “Extending over or including the whole of something specified or implied, esp. the whole of a particular group or the whole world.”16 “Anomaly,” however, conveys a sense of “Irregularity, deviation from the common order, exceptional condition or circumstance” and the anomaly is “A thing exhibiting such irregularity; an anomalous thing or being.”17 If a universal, such as a universal right, extends over a whole group, such as humanity, how then can departures from such a condition be possible?

Hannah Arendt had taken up the question in a chapter devoted to “The Decline of the Nation-State and the End of the Rights of Man” in one of the most important works of post-Holocaust political theory, The Origins of Totalitarianism. Considering the concept of human rights, particularly with respect to the plight of refugees produced by the war, Arendt argues that the Rights of Man meant very little to persons outside the juridical boundaries of the nation-state, if ultimately the assertion and protection of those rights depended upon existence within and membership of a nation-state. In her view, the fundamental problem with the system is that the right to asylum, and the nation-state before which that right is asserted, are fundamentally at odds. Not only does the regime of human rights prove unable to accommodate persons not tied to a state, but it is also unable to bear even the very condition and identity of statelessness. Instead, the dilemma of the stateless person can only be solved in one of two ways: “repatriation or naturalization” to rid them of the “stateless” condition. However, as Arendt points out, history shows that it is not so easy to send people back to conditions from which they are fleeing or to find for them new homes when they are everywhere unwanted, neither can they so easily erase the traces of their histories to become like the natives of an established political community. Ultimately, and paradoxically, in her words “since he was the anomaly for whom the general law did not provide, it was better for him to become an anomaly for which it did provide, that of the criminal.”18 The irony that Arendt points to is that, having no legitimate status to enforce the Rights of Man

18 Arendt, The Origins of Totalitarianism, 286.
(referring here also to human rights), the stateless person has more claim to protection under the law as an offender of the law.

The plight of the stateless underscores key problems concerning the legitimacy and enforceability of human rights in a political order dominated by nation-states. The first is a jurisdictional problem of how can we expect a state to decide matters affecting “humanity,” which is a sphere beyond its territoriality. The second problem concerns the dualist nature of the system of laws and the tense interrelationship between national and international legal systems. Although it has been argued that international law should prevail over national law in cases of conflict ultimately, particularly in so far as human rights are concerned, it is the national jurisdiction, which has tended to have supreme authority. Usually the constitutional arrangements of a state determine how the international treaties it enters into apply domestically. If the state follows the doctrine of incorporation, then a rule of international law automatically operates as part of the national law unless there is a contrary provision in the national law. Some states, like the one in which I reside — Australia — follow the doctrine of transformation, which holds that a state must legislate to incorporate rules of international law into its domestic law before international law can be binding domestically. The third is a problem of validity and trust. How can we invest in states the authority to enforce human rights standards when it is precisely states that abuse them and undermine, by their violence, the existence and importance of human rights? Ultimately what is put at stake here by the idea of human rights, is the question of state-sovereignty, which in its traditional restrictive mode as “sovereignty as absolute autonomy” is under threat in an international or globalized system of laws that demands a reconceptualization of “sovereignty as the responsibility to protect.”

Despite the establishment of international committees to monitor the adherence of state parties to human rights standards, as long as there is no supra-statist body to enforce human rights law, we are reliant upon nation-states to promote and protect them. These

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19 For example the International Court of Justice held in the *Applicability to Arbitrate* case that it is the fundamental principle of international law that international law prevails over domestic law. Also, Article 27 of the *Vienna Convention of the Law of Treaties* 1969 provides that a state “may not invoke its internal law as justification for its failure to perform a treaty.”


apparent obstacles to the administration of human rights affirm Arendt’s observation that the conditions of their existence are akin to the non-existence of human rights. Furthermore, they also raise a fundamental theoretical problem striking at the core of the very concept of human rights — their humanness. In Arendt’s view, to be human as a subject of human rights is to be recognized as such by the sovereign power of the state. To this end, the abstractions of “the human” and “humanity” in human rights are merely products of modern politics: just as they can be granted by power; they can also be removed by power.

Thus, if human rights are a statement of the properties of being human, then their loss is the deprivation of the status of being human and the eradication of the “human” in human being. For Arendt “This new situation, in which “humanity” has, in effect, assumed the role formerly ascribed to nature or history, would mean in this context that the right to have rights, or the right of every individual to belong to humanity, should be guaranteed by humanity itself.” But there is no inherent nor inalienable foundation for human rights either in nature or in the simple fact of birth; human rights can only be constituted, granted and protected through the system of laws guaranteed by the state. In this regime, rightlessness means something quite unique to Arendt:

The calamity of the rightless is not that they are deprived of life, liberty, and the pursuits of happiness, or of equality before the law and freedom of opinion – formulas which were designed to solve problems within given communities – but that they no longer belong to any community whatsoever. Their plight is not that they are not equal before the law, but that no law exists for them; not that they are oppressed but that nobody wants even to oppress them.

Although Arendt is here emphasizing that the condition of rightlessness as a condition of exclusion from political community is equivalent to a condition of exclusion from humanity such that to be human is to be a member of a political community, Jacques

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22 Arendt, The Origins of Totalitarianism, 298.
23 Ibid., p. 296.
Rancière finds in Arendt’s remarks here not only a “contemptuous tone,” but also a fundamental conceptual error. In his reading, “It is as if these people were guilty of not even being able to be oppressed, not even worthy of being oppressed.” He is quite right to point out that in fact “there were people who wanted to oppress them and laws to do this.” In his view, Arendt’s conceptualization of such a “state beyond oppression” is a result of her conceptualization of the political sphere in opposition to a private sphere, which sets an “ontological trap” that treats politics as an uncontestable regime of power. To avoid this trap, Rancière suggests that we have to reset the question of “who is the subject of the Rights of Man?” as a question that addresses also “who is the subject of politics?” He poses an alternative response: “the Rights of Man are the rights of those who have not the rights that they have and have the rights that they have not.” In this equation, the source and bearer of rights are not one and the same such that the Rights of Man would be the rights of a single subject, which can be cancelled out as it was for Arendt. Rather, it is to locate the very moment of entitlement to or denial of right, as a political instance. “Politics” here is taken to have an aesthetic character, not in the sense of beauty, but in the sense of offering a new way of seeing the dynamics of the interval between Citizen and Man.

Reconfiguring the question as Rancière suggests is to inquire into that interval that separates “bare life” from “political life,” not to depoliticize the former as a “state of exception” as Giorgio Agamben (after Arendt) in his account of the Nazi death camps does. Citing the example of the female enemies of the French Revolution, Rancière argues that the border between bare life and political life is not so clear, for “If they could lose their “bare life” out of a public judgement based on political reasons, this meant that even their bare life – their life doomed to death – was political.” Instead of depoliticizing the situation, Rancière seeks to reconceptualise the political, since it is at the borders of this margin that power can be called to question. In Rancière’s terminology, this allows the “construction of a dissensus,” where dissensus “is not a conflict of interests, opinions, or values; it is a division put in the “common sense”: a dispute about what is given, about the frame within which we see something as

25 Ibid., p. 299.
26 Ibid.
27 Ibid., p. 302
28 Ibid., p. 302.
Thus, if Arendt’s identification of an anomaly of human rights is to retain its theoretical significance for our historical conjuncture, it must be read as the identification of a state of exception that puts into question not only the beholding of human rights to power, but as a state of exception which demands an interrogation into the limits of the human as an ethical category.

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The question can be rearticulated as follows: what are the boundaries of humanity around which human rights have been drawn? Three recent cases confront this question. Each case tests the access to human rights by certain classes of persons, which not only puts into question their claim to universality, but poses the question of the limits of humanity in whose name the Kantian proposal of a cosmopolitan law, hospitality ethic and cosmopolitan outlook apply. Denied the rights of the human, are they also denied the humanity that constitutes the subject of right? Together these cases present an important figure central to the cosmopolitan law of human rights — the “anomaly” of a universal right of humanity — which emerges in that moment when the sovereign is confronted, not with the citizen, but with the “human” as its object of concern yet fails to recognise it as such. The first case concerns indigenous land rights, the second the right to asylum and the third concerns crimes against humanity in the context of war.

1. Mabo v Queensland (1992) No 2

Since the early Nineties, indigenous rights movements and appeals to self-determination gained momentum on the international stage. Mabo is the leading case in Australian law addressing whether Aboriginal rights to land had survived the assertion of British sovereignty upon colonisation. In 1982, the plaintiffs Eddie Mabo, James Rice and David Passi, initiated a test case before the High Court of Australia on behalf of themselves and the Meriam people asserting that the state of Queensland’s annexation of the Murray Islands in the Torres Strait had not interfered with their traditional title to that land. In an attempt to terminate the proceedings, the Queensland government passed the Queensland Coast Islands Declaratory Act in 1985, which retrospectively

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29 Ibid., p. 304.
30 Mabo v Queensland (1992) No 2 175 CLR 1
31 In July 1993 the UN adopted the Draft Declaration on the Rights of Indigenous People.
and without compensation, abolished any right to the land they may have had prior to the 1879 annexation. The High Court held that the legislation contravened the Commonwealth Racial Discrimination Act 1975 and decided that it was invalid.\(^{32}\) When the initial action returned before the High Court, the Court held (with only one judge dissenting) that existing rights to land survived unless they were expressly extinguished by the Crown at the time of settlement or annexation and that, subsequently, the traditional native title of the Meriam people survived.

The High Court affirmed that Australian colonies were, in accordance with international law, acquired by settlement, not conquest. But most significantly for Australian legal history, the Court found to be historically inaccurate the claim that the land was uninhabited prior to the British acquiring it. The Court proceeded to overturn the doctrine of *terra nullius*\(^{33}\) which had previously been regarded as settled law\(^{34}\) and which had determined, not only the relationship of indigenous peoples to the land under the common law, but a constitutional personality that denied them equal status as citizens under the law.\(^{35}\) Although the Court found in favour of the plaintiffs in this particular case, the finding did not doubt that the Crown did have the capacity to extinguish native title and thereby dispossess indigenous peoples of their lands through explicit legislation. And this is precisely what the Commonwealth then proceeded to do in the *Native Title Act Amendment Bill 1993* following the *Wik*\(^{36}\) decision in which it was found that a grant of pastoral leases did not necessarily extinguish native title at common law. The Commonwealth sought to reclaim from the courts authority over determining native title. The effect of the Bill was to make claims more onerous on claimants and native title more vulnerable to extinguishment.

\(^{32}\) Mabo v Queensland (No 1) (1988) 166 CLR 186.

\(^{33}\) This has been usually defined as “land belonging to no one.”

\(^{34}\) The doctrine of *terra nullius* had been applied in a native title case preceding *Mabo*, as the basis for rejecting Aboriginal interest in land that was subject of a contract between the Commonwealth and a mining company. In that case, *Milirrpum v Nabalco Pty Ltd and Commonwealth* [1971] ALR 65, Justice Blackburn decided that land prior to settlement, which included uninhabited as well as inhabited lands “in which live uncivilised inhabitants in a state of society” (p. 201) would be declared *terra nullius*.

\(^{35}\) For instance the names of Aboriginal people could not be entered on the electoral rolls unless they held title to land under the Western Australian *Constitution Acts Amendment Act 1899* and the Queensland *Elections Act 1885*. But since Aboriginal people could not hold title under the doctrine of *terra nullius*, they could not be eligible to vote either. For a more detailed account of the disenfranchisement of Aboriginal people see John Chesterman and Brian Galligan, *Citizens Without Rights*, (Melbourne: Cambridge University Press, 1997); Louise Chappell, John Chesterman and Lisa Hill, “The Rights of Indigenous Australians” in *The Politics of Human Rights in Australia* (Melbourne: Cambridge University Press, 2009), 117-149.

A very complex but significant case, *Mabo* has raised questions that cut deep into the foundations of the Australian system of law. It strikes at the sovereignty of the colonial law; it asks whether the original inhabitants had sovereignty; it reflects on whether it is possible to have two concurrent legal systems; and it ponders to what extent is the law a prisoner of history or whether it can be freed of a racist history to achieve social justice for the present. Concerning human rights, the High Court in *Mabo* took positive steps to expand the role of international human rights law in domestic law by using it as a tool of interpretation, but this was limited to expressing a view that, where possible, the court should develop Australian law in line with international human rights standards.\(^{37}\) The Court ultimately erred on the side of caution, tradition and norm and where conflict arose between the two legal systems, opted in favour of retaining the domestic law. As Justice Brennan held: “In discharging its duty to declare the common law of Australia, this Court is not free to adopt rules that accord with contemporary notions of justice and human rights if their adoption would fracture the skeleton of principle which gives the body of our law its shape and internal consistency.”\(^{38}\)

The Court ruled that it could not fracture the legal skeleton that holds our society together. But what if racism and the infringement of the human rights are integral to its frame? In *Mabo* the Court could only recognize native title by constructing it as recognizable within the terms of the colonial law, that is, within its own image, not according to aboriginal and islander meanings of their relationship to the land. Paradoxically, in order to overturn the doctrine of *terra nullius*, indigenous peoples were nevertheless, in the first instance, evaluated in terms of it: “This Court can either apply the existing authorities and proceed to inquire whether the Meriam people are higher “in the scale of social organization” than the Australian Aborigines whose claims were “utterly disregarded” by the existing authorities or the Court can overrule the existing authorities, discarding the distinction between inhabited colonies that were *terra nullius* and those which were not.”\(^{39}\)

Although the Court took the second option, to overturn *terra nullius*, the standard applied was the colonial one. The problem for human rights is that although the court


\(^{38}\) Brennan J in *Mabo* at 29.

\(^{39}\) Brennan J in *Mabo* at 40.
was, in this case, confronted with indigenous persons as humans first, having historically been denied status as citizens; there was nevertheless something unrecognizable in their humanity. By steering away from human rights, the Court demonstrated first that it could not (or not yet) recognize the traditional owners as fully human, even if it tried to improve their status under current common law, and second, that acquiring justice could ultimately only rest upon the traditional rights of the citizen, not on the rights of the human, and certainly not in terms of any cultural particularities of indigeneity.

2. The MV Tampa Crisis

On 30th August 2001 in a letter signed by “Afghan Refugees Now off the coast of Christmas Island,” the authors wrote to the Australian government:

You know well about the long time war and its tragic human consequences and you know about the genocide and massacres going on in our country and thousands of us innocent men, women and children were put in public graveyards, and we hope you understand that keeping view of above mentioned reasons we have no way but to run out of our dear homeland and to seek a peaceful asylum. And until now so many miserable refugees have been seeking asylum in so many countries. In this regard before this Australia has taken some real appreciable initiatives and has given asylum to a high number of refugees from our miserable people. This is why we are whole heartedly and sincerely thankful to you.

We hope that you do not forget that we are also from the same miserable and oppressed refugees and now sailing around Christmas Island inside Australian boundaries waiting permit to enter your country.

But your delay while we are in the worst conditions has hurt our feelings. We do not know why we have been regarded as refugees and deprived from rights of refugees according to International Convention (1951).

We request from Australian authorities and people, at first not to deprive us from the rights that all refugees enjoy in your country. In the case of rejection due to not having anywhere to live on the earth
and every moment death is threatening us. We request you to take mercy on the life of 438 men, women and children.40

The issue of unauthorised arrivals of “boat people” seeking asylum reached a political climax with the arrival of the MV Tampa on 26th August 2001. That day 43341 people were rescued, at the request of Australian coast guards from a sinking wooden fishing boat by a Norwegian container ship, the MV Tampa, 140 kilometres north of Christmas Island. The Australian government refused the ship entry into the migration zone and ordered it to leave Australian territorial waters.42 But without enough food, water or medical facilities for the “rescuees,”43 the ship’s captain, Arne Rinnan, refused to comply. Hence, Australian troops boarded and took control of the ship preventing any one from disembarking.

Meanwhile, an action was brought before the Federal Court by the Victorian Council for Civil Liberties and a Melbourne lawyer, Eric Vardarlis, on behalf of the rescuees. Justice North held, in a decision handed down on 11th September 2001 that they were being unlawfully detained and ordered that they be released onto the Australian mainland. However, this decision was overturned on appeal to the full bench of the Federal Court.44 The Australian government then entered into an arrangement with the governments of Nauru and New Zealand to have the rescuees processed there in what came to be known as the “Pacific Solution” and they removed the rescuees accordingly.

Following the event, the Australian government and opposition adopted a legislative and policy package retrospectively legalizing the government’s treatment of the Tampa asylum seekers,45 which included validating the interception and deflection46 (albeit

40 Cited in Victorian Council for Civil Liberties Incorporated v Minister for Immigration & Multicultural Affairs & Ors; Eric Vardarlis v Minister for Immigration & Ors [2001] FCA 1297 at para. 41.
41 Note the discrepancy in numbers: 433 is the number reported by the Federal Court, government and media, but 438 is the figure provided in the refugees’ letter.
42 The Australian government even attempted to introduce the Border Protection Bill 2001 authorizing an officer of the state to direct a ship to be removed from the Australian territorial sea, but it was defeated.
43 Their status was so uncertain under the law that the court adopted this term to refer to the asylum seekers.
44 Minister for Immigration and Multicultural Affairs & Ors v Eric Vardalis; Minister for Immigration and Multicultural Affairs & Ors v Victorian Council for Civil Liberties Incorporated & Ors [2001] FCA 1329
45 For a more thorough account see Chapter 7 of Mary Crock and Ben Saul, Future Seekers: Refugees and the Law in Australia. (Sydney: The Federation Press, 2002).
46 The Border Protection (Validation and Enforcement) Act 2001
contrary to obligations under the *Refugee Convention* of asylum seeker boats and the excision of parts of the migration zone so that persons arriving in these territories were exempt from applying for an Australian visa. In their letter, the asylum seekers requested not to be deprived of the rights that asylum seekers enjoy in Australia. The government responded by erasing those rights through law and policy, which was in effect to dissolve their human rights and to strip them of whatever humanity they might have once had.

3. War and the Hanging of Saddam Hussein in the Name of Crimes Against Humanity

It can be said that the ultimate paradox of cosmopolitan right occurs when a country can be invaded and thrust into war in the name of bringing to justice crimes committed against humanity. Yet this was one of the reasons claimed for the invasion of Iraq led by US and British forces on 20th March 2003. For example, former U.S. President George W. Bush and his administration sought to make a preventative case for war against Iraq before the US Congress and the UN, by alleging that Saddam Hussein held weapons of mass destruction; posed an imminent threat to the US and the rest of the world and had committed gross human rights atrocities against his own people. Despite the UN’s objection to the use of military force against Iraq, the US and its allies proceeded to attack. Saddam Hussein, was subsequently captured in December 2003, brought to trial in October 2006 and then at 6:10am Iraqi time, on December 30th, 2006, he was hanged having been convicted of committing “crimes against humanity.” These were crimes relating to the genocide of Kurdish Iraqis in the town of Dujail in the 1980s. The paradoxes of this case that I wish to highlight concern first, the waging of war to prevent crimes against humanity and, second, the imposition of the death penalty to bring justice for those crimes. If war and the death penalty share something fundamental with crimes against humanity – the violation of the human – how can they be invoked in the name of a justice that would exceed such crimes? The only way to circumvent the paradox would be to deny the status of humanity to those against whom the war is waged and those subject to the death penalty.

47 Migration Amendment (Excision from Migration Zone) Act 2001
“Crimes against humanity” expresses a sentiment of cosmopolitan law in so far as it extends its reach over the jurisdictional borders of states and, in such circumvention of the traditional restrictive form of state sovereignty, treats an individual as the subject of international law. But in the same moment, as the example of the war against Iraq and the hanging of Saddam Hussein suggests, the appropriation of this law can be used deny the status humanity. Notably, the possibility of denying of humanity by means of this law is inherent to the definition of crimes against humanity stipulated by the Charter of the International Military Tribunal as “namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war…” Note that the authority of this law rests upon the presumption of “humanity” where “humanity” is constituted as a “civilian population,” which often refers to the population of a state. This is to presume that “humanity” exists in the historical condition of statehood and excludes those peoples that do not live in a modern state form, from the category “humanity.” In other words, the identity or status “humanity” is inextricably linked with the state. This rationale permits, in the name of “humanity,” the subjugation of people into the system of states and often into a particular type of state: the liberal democratic nation-state. The invasion of Iraq offers a contemporary example of how this process of incorporation into humanity can occur, where Iraq, having been declared a “failed state” by the US-led Coalition of the Willing was to be restored to “civilized” statehood through the process of war and the occupation of foreign forces until democratic stability could be achieved.

This instance points to a rather disconcerting paradox, or to what I will refer to in this thesis as an aporia: this cosmopolitan law claims to protect humanity from crime but commits its own violence in the process. After all, does not the invasion of another country by means of dropping bombs or firing guns at its people effect the “murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during a war” that our international legal definition of crimes against humanity renders criminal or illegal? If the latter is not recognized as such a crime, then it would seem that the application of our definition of crimes against humanity and the “humanity” that is its subject, is subject to double standards. The

48 Article 6, Charter of the International Military Tribunal 1945.
discursive effect of the law is that the people who were subject to it as it applied to the
charge against Saddam Hussein, were now thrust into war and regressing to a pre-social
condition, no longer qualify as “humanity.” The question is whether, in the same
gesture, exclusion from the aggregate “humanity” is also a ban from the category
“human” that is upheld as the subject of rights?

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If, in the cosmopolitan era of human rights, law is a mark of humanity and yet it cannot
recognize the humanity of indigenous people, asylum seekers or members of a state
under occupation, is this to suggest that first they are outside the law and second they
are not human? If there is a class of persons denied access to human rights, as the
figures of stateless persons, as well as indigenous persons and inhabitants of a state
under occupation in a time of war illustrate, under what conditions then, can these laws
claim to be universal? Who then is the subject of a right that claims to serve humanity?
How is the qualification for membership of humanity decided? If, as Arendt’s insights
suggest, the stateless person is precluded from human rights, for he or she does not have
the legal personality to assert them, is he or she thereby also precluded from the
category “human” in the sphere of human rights?

The tendency in scholarly work has been to examine the conundrum of human rights as
a question concerning the subject of right, whereupon it is often argued that it follows a
Western-centric liberal conception of personhood in terms of “the individual” that
becomes cosmopolitanized. But my aim in this thesis is to suggest that, in light of the
paradoxes of human rights, which are brought out by the cases of Mabo, the Tampa
refugees and the hanging of Saddam Hussein in the name of “crimes against humanity,”
attention now needs to be given to the question concerning the subject of “humanity.”
This is to shift the question “who is the subject of human rights?” to ask “who is the
subject of humanity upon whom human rights are attached?” and “what is the process of
subjectivization that it undergoes?” This is to pose to cosmopolitan ethics an ontological
question of how the being of the human of human rights gets worked out. Hence, the

49 See Chapter 9 of C.G. Weeramantry, An Invitation to the Law (Sydney: Butterworths, 1982), 194-206;
Abdullahi An-Naim (ed.) Human Rights in Cross Cultural Perspective: A Quest for Consensus
(Philadelphia: Pennsylvania University Press, 1992); and Richard A. Wilson (ed.), Human Rights,
human rights conundrum that motivates this thesis to examine contemporary cosmopolitan ethics can be expressed as follows: what does it mean to have a cosmopolitan regime of rights in the name of “humanity” if there can be a class of persons that find themselves outside its framework? Or, to put it in slightly more theoretical terms, how does the cosmopolitan promise articulate the threshold that identifies, isolates and separates what is inside (included within) from what is outside (excluded from) humanity?

Considering that, at the time of writing, we are amidst two major and now longstanding wars, one in Afghanistan and one in Iraq; noting that the Australian government continues to pursue a policy of “offshore” processing of asylum seekers through a proposed refugee swap with Malaysia, and further, but less prominent in public discourse now, remembering that the Australian government continues the controversial Intervention into indigenous communities, the question remains whether the discourse of human rights is, echoing Arendt, evidence of a hopeless idealism or insulting hypocrisy? But, as it informs this thesis, this is not a question posited against the spirit of human rights or against the ethic that the dignity of persons is worthy of being treated as an inviolable property to the degree that it warrants the highest standard of protection available in society as the status of law affords. This thesis does not inquire into the body of human rights law as its object of study, but rather, set against this backdrop of war and human rights anomalies, it examines conceptualisations of “humanity” underscoring the field of cosmopolitan thinking, which nevertheless inform and are informed by the human rights ideal, by taking the figure outside human rights, let us call it the “anomaly,” as its conceptual point of departure and subject of inquiry. That is to say that conceptually, this study begins at that point at which the existence of human rights can be the non-existence of human rights, which is to ask the question whether this is also a moment in which the existence of a human can also be its non-existence? To put it another way, this thesis is concerned with the question of how it is that classes of people can be excluded from the status “human” and how does such exclusion leave its trace in cosmopolitan thinking such that a cosmopolitan ethics, which strives for inclusion, perpetuates exclusion?

Since human rights are often claimed as a product of cosmopolitan ethics, it is the proposal of this thesis that the anomaly of the universal right to humanity demands a
reconceptualization of cosmopolitan ethics. If the anomaly points to a humanity threatened and in disarray, in what terms then can we understand the ethical demand confronting us if “the human” has failed? In response, this thesis makes the claim that cosmopolitan ethics is the ethics of the anomaly, that is, the ethical demand of the \textit{(in)human}. 
Introduction

Reviewing Cosmopolitan
(In)humanism

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”

By reviewing the conditions of possibility of the (in)human in cosmopolitan ethics, this thesis explores the question of what it means to be human as a subject of right and if it is worth upholding the idea of the human in the post-Holocaust and postcolonial conjuncture. As philosophical justifications for human rights, this thesis argues that “cosmopolitanism,” “Humanism” and the discourse of “right” are inherently aporetic positions that have reached their ethical limits. The recent scholarly contestation over cosmopolitanism’s standardizing claim to universality attests to its rather “uncosmopolitan” traits. Humanism’s ontological prejudices over who qualifies for the privileged status as “human” and membership of the exclusive group “humanity” demonstrates its defining “inhumanism.” The reliance of “right” upon state sociality creates the condition of the rightless, which, as Hannah Arendt was correct to point out, undermines the efficacy of the very notion of human rights.

My declaration of their limits, however, is not to reject cosmopolitanism nor to assert misanthropy against humanism, nor is it to oppose the notion of rights, particularly as the possession and protection of rights may be the only security we can hope for against the violation of our being in the power structures within which we find ourselves. Rather, standing at the limits of cosmopolitan human rights, my purpose in this thesis is

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1 Article 5, UDHR.
to highlight that the anomaly of the universal right to humanity demands a reconfiguration of the way we interpret its ethical demand. This process involves an inquiry into the intellectual history of the cosmopolitan-humanity nexus, wherein this thesis uncovers, in its Kantian moment, the fundamental aporia obstructing human rights: a racist anthropology. I take the position that thinking through the limits of human rights entails a rethinking of the limits of cosmopolitan humanism, a horizon that I name the “waiting room of humanity.”

**Locating the (In)human Condition**

The title of this thesis *In the Waiting Room of Humanity: Rupturing Cosmopolitan Ethics, Revisiting Kant, Refracting (In)human Rights* describes a project that hesitates at the margins of the human. The metaphor of the waiting room conveys a condition outside, prior to, and in anticipation of, but ultimately a denial from inclusion within and possession of humanity. This is the place of the “(in)human.” To explain what I mean by this, let me first begin by setting out three ways in which contemporary scholars have adopted the term and written about the “inhuman,” albeit offering different perspectives on the subject within each.

The first approach treats the inhuman as the violation of human rights. In a positive engagement with the notion of human rights, inhuman conditions are usually conceived of as oppressive conditions, such as colonialism, slavery, poverty, institutionalization, incarceration, torture, racism, sexism, homophobia and other forms of discrimination. Inhumans therefore are usually conceived of as those beholden to these oppressive conditions. But, empirically, as Antonio Cassese noted of his experience as an inspector of the *European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment* monitoring the compliance with international human rights standards of Western European state institutions that had deprived people of their freedom,³ defining what constitutes inhuman conditions is not so easy. If we take the wording of Article 5 of the 1948 *Universal Declaration of Human Rights* (UDHR) quoted above, the most obvious question that arises is what is the standard determining

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³ These include prisons, psychiatric hospitals and detention centres.
torture, cruelty, inhuman or degrading treatment or punishment? Confronted with this issue, in comparison to the identification of torture, Cassese remarks,

> It is more difficult to discover 'inhuman' or 'degrading' situations. First, because, unlike torture, which takes the form of single acts against an individual, these situations are the result of numerous acts and circumstances combined. They are often caused by the cumulative effect of the behaviour by many different persons. Second, in cases of 'inhuman' or 'degrading' treatment, the intent to humiliate, offend or debase the victim is almost always absent. Although such situations are, in effect, contrary to one's sense of what is human, it is often hard to discern a malevolent purpose in the perpetrators.\(^4\)

What is inhuman, it would appear here, is a subjective assessment based on one’s conception of what is human. However, such subjectivism is problematic when universalized, as Winin Pereira observes. In a critical examination of the articles of the UDHR, speaking from a “Two Thirds World” perspective Pereira, recasts “human rights” as “inhuman rights.” He argues that the UDHR does not reveal a genuine concern for human rights because it is designed in such a way as to further the interests of the West. In his view, although the West claims to promote human rights, the West cannot extend human rights to all the peoples of the world because Western expansion actually depends upon the denial of human rights to a proportion of the people of the world — namely the Two Thirds World, as two thirds of the world's population live in the Third World and do not have the economic conditions to uphold the liberal system of human rights articulated by the West.

Although both Cassese and Pereira seem to imply an understanding of what makes one inhuman vis-à-vis the human as a subject of specific human rights instruments, neither has attended to a theoretical development of the idea of the inhuman in their studies. Cassese describes three broad categories to identify what kinds of situations could constitute inhuman or degrading treatment for purposes of applying the relevant human

Pereira’s analysis of the human rights framework occurs within a convenient but simplistic polarization of Western and non-Western Worlds that treats universal human rights as a tool of cultural imperialism, which coopts the rest of the world into the ambitions of Western expansion. While it is widely accepted that the state parties that had drafted the UDHR were largely the rich states of the West or global North and many non-Western peoples, or what is often now designated as the global South, were not independent states with a seat at the UN, but colonial subjects of the rich states; it is also widely contested that the philosophical values of human rights are exclusively “Western” or that it is the aim of human rights initiatives to cut across the West/non-West or North/South divide. As Gayatri Spivak argues “it is still disingenuous to call human rights Eurocentric, not only because, in the global South, the domestic human rights workers are, by and large, the descendants of the colonial subject, often culturally positioned against Eurocentrism, but also because, internationally, the role of the new diasporic is strong, and the diasporic in the metropolis stands for “diversity,” “against Eurocentrism.” The dynamic of the world picture within which a reflection on human rights is to be undertaken is more complex than the resistance/hegemony paradigm that an anti-Western postcolonialism allows.

More recently, Pheng Cheah, attuned also to postcoloniality, has addressed the theoretical relationship of the inhuman to human rights by considering how globalization demands a rethinking of what it means to be human. Concerned with the social inequalities produced by global capitalism, Cheah takes the view that human rights gives globalization a human face, but obstructions like the global division of labour cast doubts over whether humanity can be achieved and confront us with the question of whether it is time to give up the very idea of the human.

The second approach identifies the inhuman as a categorical disruption of the human.  

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5 These are: 1. “Situations that are not intrinsically unacceptable, but which could become so, either because they combine with other factors, or because they can degenerate.” 2. “Situations that are inadmissible because they are not compatible with the concept of respect for the basic human rights of the individual.” 3. “Situations that are inhuman or degrading.” Ibid., pp. 48-49.


9 This approach may also encompass popular culture’s representations of the inhuman such as aliens, mutants, cyborgs and digital technology. For example see Inhuman reflections: Thinking the limits of the
Also using the notion of human rights as his point of departure, Paul Sheehan offers that human rights, for all their imperfections, present a certain kind of phenomena: a coming to be human. This “becoming human,” as the collection’s title suggests, is also the time of the inhuman as “…an ever-changing entity, an entity that is forever in the process of becoming.”\(^\text{10}\) Neither definitive, known, static, nor finite, Sheehan questions “But becoming what, exactly? And is the process of this becoming a destiny, a condition, or a predicament?”\(^\text{11}\) By taking, as their point of departure the crisis of humanism in Western philosophy, the perspectives offered in this collection seek to challenge the essentialism of the human as it has come to be relied upon by humanism. For instance, Simon Critchley examines how humour, usually conceived of as a distinctly human capacity can blur the distinction between human and animal. That we laugh at the bestialization of humans and the anthropomorphization of animals, Critchley offers, conveys that the human may not be a category in and of itself, but may be defined as “a dynamic process produced by a series of identifications and misidentifications with animality.”\(^\text{12}\) Kate Soper explains how our current ecological crisis disrupts the neat boundary often drawn between the human and nature, to reveal a human creature that is both a part of nature in the sense that humans are a natural species and reliant upon natural resources, yet it is also apart from nature in so far as what distinguishes it from other animals is its need to transcend nature through culture.\(^\text{13}\) Steven Connor illustrates how demonic possession and practices of exorcism disrupt the boundary between human and inhuman by highlighting the vulnerabilities of the human in its susceptibility to invasion by the inhuman demon and restoration through the demon’s expulsion.\(^\text{14}\)

Despite signaling an intellectual engagement with the notion of “becoming,” (that is, as a subject in the process of formation), the notion of temporality, (that is the time between inhuman and human), has been left unexamined in these essays. The

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\(^\text{11}\) Ibid.


opportunity had also been missed in Jean-François Lyotard’s earlier collection *The Inhuman*. This leads us to the third approach, which adopts the inhuman to address existential anxiety or the crisis of our times. For Lyotard, two kinds of inhuman are to be distinguished. The first is the socially produced inhumanity of the pursuit of progress. Here inhumanity is the condition of determination. The second is the inhuman of the soul, a condition prior to the interference of the first. Here inhumanity is a state of indeterminism. Competing together in the constitution of the subject, they signal freedom (or the idea of it) in conflict. Lyotard illustrates this conflict metaphorically in terms of the developmental distinction differentiating children from adults:

…endowed with the means of knowing and making known, of doing and getting done, having interiorized the interests and values of civilization, the adult can pretend to full humanity in his or her turn, and to the effective realization of mind as consciousness, knowledge and will. That it always remains for the adult to free himself or herself from the obscure savageness of childhood by bringing about its promise — that is precisely the condition of humankind.

Subtitled *Reflections on Time*, Lyotard’s account of the inhuman serves to critique the expansion of development and to oppose the narrative that has dominated modern thought: that progress is the means through which humanity is realized. But Lyotard falls short of discussing how the inhumanity central to the logic of progress may be conceived more broadly as a historical effect of the temporalization of humanity along a divisive, hierarchical and evolutionary scale, so that some classes may be deemed to be more advanced or civilized than others.

Keith Tester takes a contrasting approach to the inhumanity of the world created by progress. In his book *The Inhuman Condition*, an attempt to write a sociology of enchantment with, rather than disenchantment with, the post-modern world in the pursuit of rediscovering ethical life, Tester contends that the problem of the inhuman occurs in the process of dehumanization. “Dehumanization,” as he defines it, is the

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obstruction of the primary characteristic that constitutes the human, which, in his view, is the individual’s “duty to himself to make himself.” Unlike Lyotard, who critiques the values of humanism in his confrontation with the inhuman, Tester still relies upon humanism’s values to promote this quest for the “human condition,” an idea borrowed from Arendt, by experiencing, paradoxically, the “inhuman condition.” As he explains it:

Ironically then, the human condition in the fabricated-turned-reified world only makes sense for the individual to the extent that it is allowed to possess some inhuman qualities. It is only through this resort to the traces of enchantment that individuals can possibly come to terms with the ultimate contingency of everything they do and are, everywhere they are, all that they believe to be completely self-evident. It is only through a resort to the bad faith of love and other forms of enchantment that the human condition is endurable. Or, put another way, the human condition is inhabitable by humans only in so far as it is itself open to being experienced as being quite inhuman. We can only endure the world we have made if we can allow ourselves to believe that actually we did not make it at all.

The common thread running through these different perspectives on the inhuman is that there is an inextricable link between the human and inhuman: the constitution of the human and the making of the human world necessarily involves the creation of inhuman conditions.

The “(in)human” that I address in this thesis works with the same thread to explore further the themes of disillusionment with humanism, confrontation with alterity and the problematization of subjectivity. My objective is to open up the concern for the inhuman to the discourses of cosmopolitan ethics that grapple with it yet which have, thus far, left its intellectual history unaccounted for in relation to the history of cosmopolitan thought. With the exception of Cheah’s book *Inhuman Conditions*,

examinations of cosmopolitan ethics have been pursued through the category of the human and remained fixated on it. Although there has been an increasing awareness of the inhuman in both the promotion as well as the refutation of a normative cosmopolitan ethics, the desire to retain some idea of the human as the cornerstone of a cosmopolitan ethics has taken precedence over what theoretical possibilities embracing the inhuman might offer ethics. Consequently, the inhuman has retained a somewhat silent and spectral presence in cosmopolitan studies.

For this reason, my purpose is to address the theoretical absence of, what I refer to as, the “(in)human” in four movements. The first involves rupturing cosmopolitan ethics to highlight the space the (in)human occupies within contemporary discourses of cosmopolitan ethics. The second concerns re-covering the archive to give the (in)human a history alongside cosmopolitanism’s humanity. The third engages in re-visiting Kantian cosmopolitanism to establish its contribution to the intellectual history of the (in)human. Then, having attempted to address key moments in the intellectual history of the (in)human, I will return to the question of human rights through the problem of the anomaly by way of refracting this (in)human presence onto the present dilemma in order to offer a statement of the ethical challenge we face. But before explaining the methodological course taken by the thesis any further, some remarks about my adoption of the unique concept “(in)human” are required. For this purpose, I want to return to an earlier point and pause on the notion of the “temporalization of humanity.”

What is it to speak of humanity as a “temporalized” concept as distinct from a “historical” concept? The answer rests on the question of ontology. There is much difference of opinion over the nature, object, method and purpose of history and without getting caught up in these debates here, the point that I want to make is simply that in order to recount its history, the “historicization” of humanity presumes its unity and objectivity, and inevitably runs into conflicts over facts, truth claims, value judgements, interpretation and narrative styles. In the alternative, treating humanity as a temporalized concept does not take for granted its unity, but puts into question the very idea of humanity by considering its subjectification to time, including that of historical time. Importantly, this is not to say that an inquiry into the temporalization of humanity is devoid of historical analysis, for to ask of the history of the temporalization of humanity is, in the spirit of Michel Foucault, to ask of the history of a dividing
practice.\textsuperscript{19}

One instance can be found in rationalities of colonial government, such as the civilizing mission of the Nineteenth Century parading under the sign of “liberalism.” The case of John Stuart Mill (1806-1873) illustrates liberalism’s contribution to dividing humanity into more and less advanced groups. As a key figure in the classical liberal tradition, social reformer, utilitarian philosopher, but also parliamentarian and official of the East India Company, Mill is most commonly identified, particularly amongst postcolonial critics, as expressing not only the complicity of liberalism with colonialism, but also an attitude of superiority over non-European peoples. Although we can find traces of this attitude in reading his philosophical writings on the nature of government and society alone, it becomes even more explicit by comparing these with his India writings produced in his official capacity with the East India Company.\textsuperscript{20} For Mill, to be human was to exercise liberty in the quest for improvement. This involved freedom of expression, freedom of thought and freedom of actions. Liberty was only to be limited by the duty not to harm others.\textsuperscript{21} He argued that the best form of government for promoting freedom and protecting it from tyrannical and corrupt rule was “representative government.” It enabled the exercise of individual wills in the collective interest as popularly elected representatives would strive to achieve understanding, resolve conflict, find truth, and seek the common good on behalf of citizens. In his view, not only was it utilitarian, striving to maximize human happiness, but representative government aimed for the continual improvement of society. However, for Mill, this was not a universal or absolute ethic, but was relative to the level of civilization any particular society had reached:

We have recognized in representative government the ideal type of the most perfect polity, for which, in consequence, any portion of mankind are better adapted in proportion to their degree of general improvement. As they range lower and lower in development, that form of government will be, generally speaking, less suitable to them;
though this is not true universally: for the adaptation of a people to representative government does not depend so much upon the place they occupy in the general scale of humanity as upon the degree in which they possess certain special requisites; requisites so closely connected with their degree of general advancement, that any variation between the two is rather the exception than the rule.\(^{22}\)

With respect to non-European peoples, his view was that the only way they could improve was to be ruled by a “more civilized” people. Although he claimed to be against despotism, Mill found it perfectly legitimate for free states, such as his own, to possess and govern dependencies acquired by conquest or colonization.\(^{23}\) For example, having decided that the Indians were not fit to govern themselves, and therefore unfit for the system of liberal democratic government he was promoting for Britain, Mill’s attention in his writings on India was devoted to defending the East India Company as a more legitimate authority than the remote British Parliament. Mill claimed to be not in favour of direct rule as such, but to develop a system of giving “backward peoples” good rulers.\(^{24}\) For Mill, Indians were, as Dipesh Chakrabarty has discussed, “not yet” ready for the gift of liberal democracy, but had to wait in the “imaginary waiting room of history.”\(^{25}\) More precisely however, Mill did regard Asians to have achieved high levels of civilization in the past, but unlike European societies, he felt that they had not shaken off their primitive form of despotic government to improve as humanity should. In his view, they were stuck in time. Underlying Mill’s political thought is therefore a progressive and hierarchical view of humanity.\(^{26}\)

While it is a widely held view that Nineteenth Century theories of humanity’s progress promoted imperialism’s racism, there is a lack of consensus amongst intellectual historians on the complicity of race with imperialism in Eighteenth Century political thought.\(^{27}\) This thesis will demonstrate that the temporalization of humanity is most

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\(^{22}\) John Stuart Mill “Considerations of Representative Government” in *Utilitarianism, Liberty, Representative Government*, 218.

\(^{23}\) Ibid. See in particular Chapter XVIII “Of the Government of Representatives by a Free State,” 376-393.

\(^{24}\) Ibid., p. 388.


\(^{27}\) I take up this discussion further in Chapter 5.
prominent in the stadial theories of the Eighteenth Century that brought the two ideologies together such that a hierarchization of races was mapped onto a hierarchization of civilizations according to a temporalized logic wherein one race (and corresponding civilization) constituted later stages of humanity than others and therefore came to regard itself as bearing the burden of raising those in earlier stages to the same standard of humanity.

The following remark by the Marquis de Condorcet conveys an attitude quite similar to Mill’s: “The peoples of America, Africa, Asia, and other distant countries seem to be waiting only to be civilized and to receive from us the means to be so, and find brothers among the Europeans to become their friends and disciples.” What was in the Nineteenth Century the colonizer’s program to civilize; had been, in the Eighteenth Century, cast as the future colonial subject’s desire to be civilized. In the Nineteenth Century it is the colonizer that tells the subject to wait, whereas in the Eighteenth Century (at least in the colonizer’s view) the future colonial subjects have already positioned themselves as subjects-in-waiting.

The following question therefore arises for the study of intellectual history: what was the Eighteenth Century European view of humanity such that non-Europeans could be posited according to a similar sense of superiority that Nineteenth Century political thinkers have usually been charged with? In this thesis I examine the significance of Kant’s theory of race to the temporalization of humanity into advanced humans and backward inhumans that became the cornerstone of imperialist mentalities. My aim will be to show how “humanity,” as a temporalized aggregate, can also be disaggregated so that to be “human” is a condition for which one must wait.

My approach and these examples will be made clearer in Part II of the thesis and my concern with the influence of stadial theories on the crisis in cosmopolitan ethics signaled by the anomaly of a universal right to humanity will be explored thereafter with respect to Kant’s thought in particular. But for now, let me define in a few words as possible, what I mean by the “temporalization of humanity” as the time in between inhuman and human. It is this “time in between” that takes my interest in this thesis.

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which I convey by the metaphor of the “waiting room of humanity.”

How is it possible for humanity to be a condition for which one must wait? It should first be noted that, in the way it is applied in this thesis, the concept of the “(in)human” should not be conceived of as a subject as such. This is to acknowledge the metaphysical problem of the subject. As Martin Heidegger observed, this is the problem that, like an “object” the subject’s identity has already been determined prior to the manifestation of its presence. The error lies in having already attributed an identity to what it is we might be trying to identify. Again, one might, in response to the metaphysical problem of the subject, adopt a Foucauldian approach and inquire into the history of “subjectivity,” that is, to explore the formation of the subject, rather than undertake a study of a subject as such. This approach influences my own.

Another way of putting it is that, in unsettling proximity to the human, enclosed within parentheses, as if in a waiting room, the “in” of the term (in)human used in this thesis denotes a negated yet also relational subjectivity: outside the human, alongside the human, but also hidden inside the human, within humanity. Is this a relationship in conflict, for how can the inhuman be both within and divorced from the human? What does it suggest of the character of humanity? What work does the concept “humanity” do in ethical and political thought? What conceptual tools might we use for “rethinking” humanity and the human? With these questions in mind, I attempt to work through the nature of this co-presence by studying the theoretical and historical formulation of the (in)human in relation to cosmopolitan ethics. Thus, rather than asking “what is the human,” my approach is to ask “when” is the human and “why,” “where” and “how” does humanity come to be?

The Field of Cosmopolitan Studies

This thesis is situated within an interdisciplinary field of cosmopolitan studies. As we move through the new millennium, still marked by conflict, inequalities and injustices,

the plight of humanity’s future continues to be of critical concern. Within the humanities and social sciences contemporary scholars have been turning to “cosmopolitanism” for guidance on how to think about humanity’s destiny. But the question is whether “cosmopolitanism” can retain its ethical currency?

The term “cosmopolitanism” has been tied to a conception of the ethical life of the human subject and has asserted its appeal as the conceptual basis for cultivating an ethical political project in the interests of “humanity’s future.” A perspective that strives to be humane, learned and even anti-imperial, cosmopolitanism has acquired much ethical appeal in contemporary scholarship. It claims openness to the world; a love for humanity; a respect for all that is different; an embracing of life. Some of the ideas it has encompassed include: the ideas of a world community; one world culture; a humanist utopia of one united world; an organization of world government; a world community of peace; respect for difference; openness to otherness; to be outward looking as opposed to parochial; and a worldly intellectual outlook. But while these intentions and aspirations might all sound ideal, cosmopolitanism has also a dangerous side that has not gone unnoticed by its critics.

In my assessment, I take as my point of departure the claim by Sheldon Pollock, Homi K. Bhabha, Carol Breckenridge and Dipesh Chakrabarty that “cosmopolitanism is not some known entity existing in the world, with a clear genealogy from the Stoics to Immanuel Kant…” Effectively a problematization of cosmopolitanism’s identity, the claim serves to rupture the presumption that cosmopolitanism was once a coherent and unified idea, demanding that attention be paid to its intellectual history. A “Stoic-Kantian genealogy” of cosmopolitanism is another name for the orthodox Western tradition of cosmopolitan thought. In casting it in terms of genealogy, the hegemonic character of the tradition is brought to attention. The task of genealogy, as Foucault described it, is to serve as an alternative to traditional historical method. Standing alongside “history” (also defined here as the dominant version of events), the purpose of genealogy is to oppose the treatment of history as a continuous and linear development; reject its truth claims and reject its search for origins. Rather, genealogy relies upon “history” only to the extent that it works within the spaces that “history” had left

unspoken for, drawing on sentiments, silences, power relations and struggles for its task of presenting alternative versions(s) of events.\(^\text{32}\)

But where Pollock and his colleagues go on to advance a method for finding alternative genealogies for cosmopolitanism; I want to explore the intellectual conditions that have brought about the rupture and what it means ethico-politically. It is not that I disagree with Pollock and his colleagues, but I am supporting their call for the rethinking of cosmopolitanism from a different approach and one which identifies an absence in the field of cosmopolitan studies created by their project of cultivating alternative, cross-cultural cosmopolitanisms in reaction to a philosophical orthodoxy. My concern is that even if they disagree with the Stoic-Kantian genealogy, or what is effectively a dominant Western tradition of cosmopolitan thought (where “West” has come to stand for a set of predominantly Christian cultural traits and liberal political values rather than a geographical description)\(^\text{33}\), as the founding tradition of cosmopolitanism, that they should react against it in their appeal to cosmopolitanism, nevertheless gives it a place in the genealogy of their own attempts to cultivate alternative cosmopolitan theories, histories, perspectives and ethics. The point is that regardless of whether cosmopolitan theorists support or reject it; appropriate or react against it, that it has warranted such a pervasive presence in the domain of cosmopolitan thought, suggests that the Stoic-Kantian tradition constitutes something of an orthodoxy in the field requiring an examination of how it has come to occupy this position. I take up this inquiry in the first chapter. Rather than displacing the so-called Stoic-Kantian tradition of cosmopolitan thought, my approach in this thesis will be to deconstruct cosmopolitanism from within Western thought and to bring competing cosmopolitan theories into conversation with each other in order to glean the ethico-political demand emerging from their differences.

In this thesis I approach cosmopolitanism as a discursive field. Over the last two decades interest in cosmopolitanism has re-emerged in the humanities and social sciences generating a proliferation of publications offering different perspectives on the theme. Given the diversity of intellectual interest in cosmopolitanism spanning


\(^{33}\) For a more detailed account of the idea of the ‘West’ and the history of its polarization against the East, see Anthony Pagden, *Worlds at War: The 2,500-Year Struggle Between East and West*, (New York: Random House, 2008).
anthropology, cultural studies, law, literature, philosophy, politics and sociology, the activity of mapping the field could follow different models and schemas. But in the attempt to offer an overview of contemporary discourses of cosmopolitanism, they can generally be grouped into five strands of intellectual inquiry each taking an approach to conceptualizing human interaction and disciplinary or intellectual orientation.

The first discursive area treats cosmopolitanism as a moral philosophy of liberal-democratic universalism. Here the idea of cosmopolitanism tends towards the formation of a single moral community of human beings wherein each human being is conceptualized as a moral subject that has a moral obligation to other human beings regardless of their race, national, religious, cultural or ethnic ties.\(^{34}\) The moral dimension of cosmopolitanism has attained a political character, usually along the lines of liberal democratic thought, in attempts to practically ground this approach to cosmopolitanism.\(^{35}\) The second discursive area adopts cosmopolitanism as a transnational institutional embrace of a world beyond Europe or beyond the nation-state. Here the cosmopolitan theme has supplemented sociological interest in globalization\(^{36}\) by offering both a theory and method of investigating social processes,\(^{37}\) in particular, the question of its impact on the nation-state. Where the nation-state was once considered to be the key institution structuring spatial order as well as social, political, legal and economic relations and citizenship; transnational developments have meant that states have had to become more flexible in their management of these domains. European Union developments have presented an instance for this type of interest in cosmopolitanism.\(^{38}\) The third discursive area adopts cosmopolitanism in response to the socio-political encounter with foreignness in national and post-national


contexts. The friend–stranger (often enemy) relationship has been a dominant mode of conceptualizing human and inter-state relationality in the system of nation-states.\textsuperscript{39} Cosmopolitan theories addressing it aim to overcome their perceived animosity by conceptualizing democratic interaction between the friend and the stranger.\textsuperscript{40} The fourth approach, also takes the self-other problematic as something to be recognized and then overcome. But unlike the previous approach, here cosmopolitanism is not appealed to in the direction of a governmental or legislative interest, but in terms of a reflexive, intercultural anthropology attempting to overcome its encounters with others as Others in its travels.\textsuperscript{41} The fifth approach takes an interest in the artistic cosmopolitan imagination or a cosmopolitan aesthetic found in the worldliness of literature\textsuperscript{42} or music.\textsuperscript{43}

For the present study however, I have had to narrow my scope. The selection of cosmopolitan discourses that I have examined is oriented to human rights, ethics, their political implications and their relationship to Kantian cosmopolitanism. I base my analysis on four phases of post Cold War cosmopolitan thinking, classified and named accordingly to emphasize their conceptual orientations. The first is \textit{Universal Cosmopolitanism} – the most adamant production of the orthodox Stoic-Kantian tradition of cosmopolitan thought embedded in moral analytical philosophy and normative ethics. The second is \textit{Institutional Cosmopolitanism} – a liberal-democratic style of cosmopolitan theorization following a Kantian tradition focused on achieving world order. The third is \textit{Cultural Cosmopolitanism}, which includes postcolonial critical interventions from disciplines outside mainstream philosophy, politics and sociology. This group rejects the presumption made by the previous two groups that

\textsuperscript{39} For a theory of the political and the state in terms of the friend-enemy antithesis see \textit{Carl Schmitt, The Concept of the Political}, trans. George Schwab (Chicago: The University of Chicago Press, 1996).
cosmopolitanism has ever been an exclusively Western ideal. They argue that cosmopolitanism has a particular meaning concerned with the situated cosmopolitanisms of the colonial and postcolonial worlds as local cultures respond to their encounters with outside cultures and find a place in a globalized world. The fourth is *Aporetic Cosmopolitanism*, which puts cosmopolitanism into question at its metaphysical core.

By critically examining a selection of literature representative of each group, my research examined the tensions between the first two groups and groups three and four to foreground the theoretical conditions of the (in)human and their indebtedness to Kant’s cosmopolitan thought. Given that my training is limited to “Western” thought, following the intervention of aporetic cosmopolitanism, I bring the concerns of postcolonial interventions to an analysis of the so-called Western tradition of cosmopolitan thought (that which follows a Stoic-Kantian genealogy) rather than polarizing the historical claim to cosmopolitanism as a struggle between West and non-West and displacing one tradition in favour of cultivating an alternative.

It is also the intention of this thesis to respond to what Chantal Mouffe has termed as the “post-political vision.” In her words, this is the view that “Thanks to globalization and the universalization of liberal democracy, we can expect a cosmopolitan future bringing peace, prosperity and the implementation of human rights worldwide.”44 It is a cosmopolitanism representative of a particular strand of political theory where, in the aftermath of the Cold War, we stand on the horizon of a “New World Order,” where the collapse of Cold War bipolarity gives way to the completion of the project of globalization of the liberal democratic system of states. Under the sign of “cosmopolitan democracy,” the cosmopolitanism conveyed here is, for its advocates, unification of the world in terms of one political culture, one ideology and one humanity. It is a cosmopolitanism that is in Michael Hardt’s and Antonio Negri’s terms a “new imperialism,” where imperialism is disguised as serving the interests of humanity, but where the condition of humanity nevertheless remains a political battleground.45 What has been missing from this field of studies is an examination of

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the underlying theory of humanity that brings alternative cosmopolitanisms into conflict. This thesis responds by examining its intellectual history.

**A New Direction in Intellectual History**

Two recent publications have posed the questions “what was the History of Ideas?” and “what is intellectual history now?” The first question implies extinction, reminiscing and perhaps even mourning for a study that is no longer carried on in the present, while the second signals a shift in terminology, perhaps a reformulation but nevertheless an assertion of its contemporaneity. In his response, Donald R. Kelley, a leading intellectual historian and longstanding editor of the *Journal of the History of Ideas*, considers that it is more the case that “the old-fashioned history of ideas has seen its best days, as have old-fashioned social, economic, and political history and crypto-Marxist or liberal efforts to connect the ideal and the real in any reductionist or simplistically ‘reflective’ way.” Instead, he maintains the use of the term “intellectual history” in part to avoid the high-minded connotations of the very idea of a history of Ideas, but also to reflect upon the discipline’s own scholarly trajectory. Dating back to the Eighteenth Century, Kelley observes that intellectual history has, for the most part, been situated in the gap between philosophy and history, predicated on the notion that:

*Ideas* begin in the heaven of contemplation and end, for students of the human condition, in the sublunar realm of historical experience. Philosophers try to preserve the transcendent vision of Plato and the dialectical wisdom Aristotle, but historians have discovered that they must remain in the cave of human discourse in which words and not ideas provide the medium of exchange and targets of inquiry.  

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49 Ibid., p. 1.
Acknowledging that this characterization makes somewhat crude generalizations of philosophy and history, the point of Kelley’s study is to highlight the misconception that is often made of intellectual history as the attempt to bridge the gap between them. This tendency, he argues, is the result of a polarization of methodologies as a distinction between internalist-intellectualist modes of inquiry against externalist-conceptualist approaches, what he also refers to as the “inside-outside conceit” of intellectual history.\(^{50}\) To challenge it, Kelley offers a detailed and comprehensive historiography of the field that accounts for its interdisciplinary developments as well as the emergence of rivaling schools of thought. He outlines how shifts in historical inquiry and literature, as much as those in philosophy, particularly the “linguistic turn” (or the idea that language does not merely reflect the world but also constitutes it), have had significant effects on the practice of intellectual history such that concerns about texts, their contexts and authorship, as well as philological and literary approaches to the reading of philosophical and political works, have gained currency in the field.\(^{51}\) However, although Kelley acknowledges that these shifts cannot be ignored, he nevertheless retreats from drawing out their implications for a radical rethinking of the discipline. Initially, Kelley argues for treating the two approaches as complementary such that “…intellectual history is the inside of cultural history, cultural history (is) the outside of intellectual history…”\(^{52}\) but ultimately he appeals to intellectual historians to return to the concerns of their own tradition and practice, the imagination of which is located in one of the classical schools of thought:

> Intellectual history should indeed be concerned with human self-understanding and perhaps (in the light and heat of more recent sensibilities about class, gender, race, and other elements of a “postmodern” condition) make contributions to the question which Lovejoy posed in connection with his original agenda – “What’s the matter with man?”\(^{53}\)

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\(^{50}\) Ibid., p. 7.


By contrast, Annabel Brett reflecting on intellectual history in a broader context of revisiting E.H. Carr’s question “what is history?” treats intellectual history as a contemporary branch of history in its own right that enables “the possibility of a fruitful interchange” between cultural history (or the history of ideas and discourses) and social and political history (the history of events and human actions). What distinguishes it from other branches of history, she identifies, is the philosophical dimension of its inquiry into conceptual and material aspects of human being. Philosophy here is not only an interpretative tool, but a creative and transformative one such that intellectual history need not be beholden to the past, but opens up possibilities for the future. Posited in terms of “now,” Brett’s attempt to define the field suffers from much less despair than Kelley’s permitting her to treat the shifts and rivalries in its intellectual trajectories as enabling rather than disabling developments in the practice.

Sharing Brett’s outlook, I want to reframe the debate slightly and reflect on the question “what is the task of the intellectual historian?” Although my title for this section implies that I am proposing a “new” direction or approach for the study of intellectual history, I must qualify my use of the word “new” here. At various points in the thesis, I question claims to the newness of ideas by addressing the complexity of their invention as entailing a triple function of first presenting originality and singularity; second performing an iteration of what has gone before and third lending itself to repeatability in the future such that reference to the “new” ultimately involves undecidability. Thus, in keeping with a deconstructive mode of inquiry, which concerns itself with the dynamics of undecidability, I nevertheless use this word “new” here in so far as I want to signal a break with earlier approaches in intellectual history. My reference to a “new direction” in intellectual history, is in part also a response to Kelley’s somewhat rhetorical question of a “New Intellectual History?” But first, allow me to briefly sketch out the “old,” at least in the sense of Twentieth Century approaches, to the study of intellectual history, highlighting problems they have encountered in the field.

Despite a general consensus on the importance that ideas have had in shaping the world, the field that we call History of Ideas and/or Intellectual History, is like its subject, characterized by continuities, discontinuities, ruptures, crises and rival schools of thought. For the sake of convenience, they can generally be classified into two common traditions: Anglophone and Continental. Although often placed in an antagonistic
relationship, that is not my purpose here, for it is often the case that their different approaches may be complementary. It is more likely that divisions occur around the perception of what the task of the intellectual historian is: on the one side there are those who think it is their job to explain the past; on the other those who regard it as their task to interpret it. Then there are those that regard it as something more complex. I hold the latter view.

In the Anglophone tradition, as a modern (here Twentieth Century) discipline, the History of Ideas may be dated to the pioneering work of Arthur O. Lovejoy and the History of Ideas Club established at John Hopkins University in 1923. In the very first volume of the club’s journal, Lovejoy had described as the central character of the history of ideas “homo sapiens.” In his view, the central task of intellectual historiography was “to exhibit, so far as may be, the thinking animal engaged – sometimes fortunately, sometimes disastrously – in his most characteristic occupation.”54 However, the pursuit of these studies was not so straightforward as George Boas, Lovejoy’s colleague, would later outline in his introductory text to the History of Ideas.55 There he notes that the first problem a historian of ideas must face is “Just what am I writing the history of?”56 As he grapples with the different and contested meanings of “ideas,” Boas is only able to offer an account of the history of ideas in terms of what it is not: it is not a history of words, nor is it the history of a science or a philosophy, neither is it literary criticism, psychoanalysis or the sociology of knowledge. As for a more positive account, Boas contends that it is “the history of beliefs, assertions of either fact or policy,”57 which are accepted, questioned, rejected and change over time. But the lack of certainty was unsatisfactory to many in the field.

54 Arthur O. Lovejoy, “Reflections on the History of Ideas,” Journal of the History of Ideas, 1,1 (1940) 3-23 at p. 8. Such demonstrations were to be made in terms of four defining features of the new discipline:

1. The influence of classical on modern thought, and of European traditions and writings on American literature, arts, philosophy, and social movements.
2. The influence of philosophical ideas in literature, the arts, religion, and social thought, including the impact of pervasive general conceptions upon standards of taste and morality and educational theories and methods.
3. The influence of scientific discoveries and theories in the same provinces of thought, and in philosophy; the cultural effects of the applications of science.
4. The history of the development and the effects of individual pervasive and widely ramifying ideas or doctrines, such as evolution, progress, primitivism, diverse theories of human motivation and appraisals of human nature, mechanistic and organismic conceptions of nature and society, metaphysical and historical determinism and indeterminism, individualism and collectivism, nationalism and racialism.” See p. 7.


56 Ibid., p. 3.

57 Ibid., p. 20.
For John Dunn the dilemma had more dire consequences of characterizing the field “by a persistent tension between the threats of falsity in its history and incompetence in its philosophy.”

The problem for Dunn was that we bring our own perceptions, interests and understandings to a text and thereby risk contaminating and distorting the meanings the author had intended. Thus two key questions: “what is its subject matter?” and “how should it be approached?” would continue to trouble the field.

By the late 1960s the Cambridge School would make meaning and understanding in the history of ideas its methodological focus. Engaged primarily in the study of the history of political thought, echoing Dunn, Quentin Skinner identified that the concern for historians of ideas was to ascertain “what a given writer may have said, and what he may be said to have meant by saying what he said.”

Influenced by speech-act theories, Skinner regarded that “to make a statement is to perform an action” and that it was therefore possible to recover an author’s intention in writing by taking a contextual approach to its interpretation. This included taking into consideration the author’s biography as well as the historical context in which his or her statements were uttered. Importantly, Skinner distinguished between the notion of an author’s intention recoverable from text from the notion of an author’s intention as a psychological state. Although emphasizing the former, his method did claim to recover the latter. Without the application of such a methodology, Skinner argued that attempts at writing the history of ideas would lapse into mythology.

John Pocock extended the contextualist methodology to take into account the meanings and associations that the author’s audience could have made with the work. As he described it, there “is a gap between thinking and experience; but it is the business of the historian of political ideas to inhabit that gap and try to understand its significance.”

In a more recent contribution to the debate on the history of ideas, Mark Bevir has disagreed with the contextualist approach and its belief in the possibility to define a

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60 Especially John Austin’s How to do Things with Words and John Searle’s Speech Acts.
62 Ibid.
standard method for recovering the meaning of a historical text. But neither is Bevir sympathetic to poststructuralist approaches that challenged the very notion of an author or the possibility that a text could remain in his or her control. He has instead suggested attending to the “logic” of the history of ideas instead of its heuristics. Bevir positions himself as a “(post-)analytic philosopher” informed by Wittgenstein’s association of logic with the grammar of concepts. He claims an interest specifically in studying the “logic” of the discipline called history of ideas; that is as a “metaphilosophical exploration” which, he maintains, is distinct from studying its content. His purpose is to offer a normative account of the history of ideas, which utilizes analytical philosophy to uncover the assumptions concealed by the grammar of the discipline. The result, as he describes it, consists of: “a (weak) intentional theory of meaning”; three rules of thumb for achieving objectivity; an argument for the conceptual priority of sincere, conscious and rational beliefs in the recovery of meaning and finally, the explanation of meaning by locating it in a broader web of beliefs and intellectual traditions. Bevir’s ability to draw a distinction between a philosophical inquiry that will arrive at a valid method for studying the history of ideas and actual intellectual historical inquiry is perhaps possible, not only as a result of a preference for an exclusive analytical method that sees itself outside of the epistemological trappings it finds in the history of ideas, but also because it is predicated upon a rather limited understanding that: “Historians of ideas study relics from the past in order to recover historical meanings.” It seems to be more the case that Bevir’s contribution is to promote a form of positivism in yet another arena of the human sciences, than it is to undertake the study of intellectual history as such.

66 In particular Derrida’s earlier works such as Writing and Difference (Chicago: The University of Chicago Press, 1978).
67 As Bevir defines it “…when we investigate the logic of the history of ideas, our concern must be with the way historians of ideas reason about historical data, not with historical data itself,” in The Logic of the History of Ideas, at p. 8.
68 Ibid., p. 101. The rules are as follows: first rule: “objective behaviour requires a willingness to take criticism seriously”; second rule: “objective behaviour implies a preference for established standards of evidence and reason, backed up by a preference for challenges to these standards which themselves rest on impersonal, consistent criteria of evidence and reason”; third rule: “objective behaviour implies a preference for positive speculative theories which suggest exciting new predictions rather than negative ones which merely block criticisms of existing theories.”
69 Ibid., p. 31
Continental approaches have demonstrated less of a concern with finding a single or best approach to the study of intellectual history. Further, they have retained as the primary concern of the study, a focus on the history of ideas and thought rather than slippage into the history of words, utterances or language games. For example in Germany, since the Eighteenth Century, the historical study of concepts or “conceptual history,” known as *Begriffsgeschichte*, is not simply a historical study in its own right, but it is as much intertwined with other historical studies as it does influence them. While Anglophone scholars have often been troubled by the relationship between social history and the history of ideas, Reinhart Kosselleck notes that this tension is irreducible and necessary; in fact it is not possible to engage in any kind of historical analysis without also the history of concepts that define it. Two of the fundamental differences of *Begriffsgeschichte* from some of the Anglophone approaches to intellectual history are that, first, although it recognizes that history occurs through speaking, this does not mean that history and speech are identical and neither are they reducible to one another.\(^{70}\) Second, *Begriffsgeschichte* relies upon a distinction between word and concept and concerns itself with inquiry into the latter. As Kosselleck explains the difference:

A word presents potentialities for meaning; a concept unites within itself a plenitude of meaning. Hence, a concept can possess clarity but must be ambiguous.\(^{71}\)

Embracing undecidability as the cornerstone of the field, the text-context dilemma that has troubled many Anglophone scholars so much is, in Continental traditions, precisely what makes intellectual history an innovative study demanding constant critical engagement with one’s own methods and practice.

In France, rethinking intellectual history was tied up with rethinking history more generally. The *Annales* school, founded in 1929 under Lucien Febvre (1878-1956) and March Bloch (1886-1944), promoted a new kind of history, one that was problem-

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oriented, interdisciplinary, holistic and suspicious of the claim to “facts.” Recognizing that the thought of an individual was inseparable from his or her social conditioning, by the 1960s, the Annales historians rejected the notion of a “history of ideas” and reformulated it in terms of a “history of mentalities” (mentalité). As Roger Chartier describes, its mode of inquiry tended to be framed in psychological terms with an interest in the relationship between consciousness, emotion and thought rather than founded on the “idea” as a category privileging the intellect. However, despite being highly influential within French historiography, it was its psychologism and reliance on the sovereignty of the subject that sparked Foucault’s break with the Annales intellectuals and the advancement of “archaeology” as a new method for the history of ideas and then a shift to “genealogy” before stating that:

For a long time I have been trying to see if it would be possible to describe the history of thought as distinct both from the history of ideas – by which I mean the analysis of systems of representation – and from the history of mentalities – by which I mean the analysis of attitudes and types of action (schemas de comportement). It seemed to me there was one element of problems or, more exactly, problemizations.

This notion of “problemization” (also expressed as “problematization”) informs my understanding of the contribution that intellectual history can make to cosmopolitan studies. Accordingly, the new direction that I propose for intellectual history is a mixture of what has come before. I find value in the Cambridge School notion that ideas inform action, particularly when we consider how political ideas like “democracy,” “communism” or “National Socialism” have been translated into the exercise of power over populations. I consider as equally illuminating in offering an account of intellectual

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74 Michel Foucault, “Polemics, Politics and Problematizations: An Interview with Michel Foucault” in The Foucault Reader, at p. 388.
history, the mapping of concepts like “cosmopolitanism” and “humanity” in the style of Begriffsgeschichte. But, as I intimated earlier, it is an interest in the spaces of what is left unsaid, such as the interval between human and inhuman, that weighs the most heavily on what I regard as the task of the intellectual historian. This requires, in the first instance, philosophical reflection upon how such spaces might be approached alongside traditional history. Such reflection often results in the formation of new categories as the conceptual vehicles that would facilitate the generation of an alternative point of view from the History that has been written from the point of view of Man or the Human. Considering some of the critical philosophical developments I address in this thesis regarding the figure of the human, rather than the “History of Ideas,” might we instead refer to writing a history of discourses and their spaces? The idea of the Anthropocentric Waiting Room proposed later in this thesis aims to perform a similar categorical function in the context of intellectual history.

Rupture, Repetition and Refraction
as Method and Structure

In examining the battleground of humanity as it occurs within contemporary cosmopolitan ethics, and acknowledging the importance of intellectual history, this thesis moves through a sequence of rupture, repetition and refraction as its methodological framework. Each is a phase in the course of my analysis of the (in)human’s production of the anomaly of the universal right to humanity and justification for the value of the concept of the (in)human as a tool for critical analysis as well as an ethico-political demand.

Rupture conjures up images of the bursting of a vessel, the tearing of a membrane, the breaking of skin, the tearing of flesh. No doubt these images suggest that a rupture is a rather violent event, quite like the irruption of a volcano or the shattering of glass. A rupture makes an interruption. It signals a disturbance. And once the disturbance is released, the conditions of violation are exposed. The lava bursts forth. The rash breaks out. The silence is heard. It is precisely for the purpose of discovering the disturbing
silence of the (in)human that the rupturing of an ideal like cosmopolitan ethics is meant to serve. As Jacques Lacan had, most poignantly, explained its function “Rupture, split, the stroke of the opening makes absence emerge – just as the cry does not stand out against a background of silence, but on the contrary makes the silence emerge as silence.” However, I prefer to situate the intellectual work of rupture in relation to the Derridean vocabulary of deconstruction, which seeks to challenge the tendency in Western thought to promote continuity of thought, unity of identity and logical coherency. As Derrida described it: “The volcano is irruption, but irruption is that which the coming of an event initiates, rupture and hence interruption in the totalizing synthesis.”

In this thesis, I use the metaphor of “rupture” for the conceptual force that it offers my analysis of contemporary attempts at developing a cosmopolitan ethic for political practice. I employ it to signal challenges to the presumptions of continuity and wholeness in thought. I embrace it to effect the bursting open of an identity demanding exposition, exploration and explanation. The identity in question is cosmopolitanism’s, projected otherwise as a humanitarian ethic and a political ideal. My purpose, in short, is to agitate. Like the event of rupture, I seek to initiate an interruption in the theorization of cosmopolitan ethics, following two earlier ruptures of critical-postcolonial and Derridean-aporetic accounts of cosmopolitanism. Like the event of rupture, my purpose is to create a cavity in the ethical foundations of the appeal to cosmopolitanism, which allows the silent call of the (in)human to be heard.

The event of rupture commences an inquiry into the (in)human and its history that proceeds as a kind of repetition, which seeks not to recreate the same structures but to problematize them in the movement towards another rupture that takes the form of refraction. This repetition occurs in two waves, first as re-covering the archive and second as re-visiting a specific moment in it, that is the cosmopolitan thought of Kant. To explain further what I mean by this gesture, by way of analogy, I want to draw on some remarks made by Lyotard in his explanation of what he meant by using the term “rewriting modernity” instead of the term “postmodernity.” Although it must be noted

that I am not making any claims to the rewriting of cosmopolitan ethics, but simply suggesting ideas for its rethinking as a result of the rich field of cosmopolitan studies to which I am indebted.

Lyotard offers as a useful starting point a reflection on the prefix re-. In the first sense: “The use of the ‘re-’ means a return to the starting point, to a beginning that is supposed to be exempt from any prejudice because it is imagined that prejudices result solely from the stocking up and tradition of judgements that were previously held to be true without having reconsidered them.” In a second, and different, sense: “…the ‘re-’ in no way signifies a return to the beginning but rather what Freud called a ‘working through’, Durcharbeitung, i.e. a working attached to a thought of what is constitutively hidden from us in the event and meaning of the event, hidden not merely from past prejudice, but also by those dimensions of the future marked by the pro-ject, the pro-grammed, pro-spectives and even by the pro-position and the pro-posanal to psychoanalyze.”

While it would, in the case of my thesis, be incorrect to stretch the metaphor to the extent that Lyotard does to Oedipus trying to bring into consciousness the origins of his suffering, it is still worth addressing, as a trap that would have bearing on the activity of intellectual history, the trap that Lyotard identifies in the act of repetition that leads Freud to abandon the first sense of the re- in favour of the second. Lyotard warns that the trap of remembering, where remembering is an activity that seeks to uncover and name the hidden facts that would explain present ills, is that “one cannot fail to perpetuate the crime, and perpetuate it anew instead of putting an end to it.” With respect to his particular project of rewriting modernity, the implication, he tells us, is that:

Far from really rewriting it, supposing that to be possible, all one is doing is writing again, and making real, modernity itself. The point

77 Lyotard, The Inhuman, 26.
78 Ibid.
79 Ibid.
being that writing it is always rewriting, Modernity is written, inscribes itself on itself, in a perpetual rewriting.\footnote{Ibid., p. 28.}

However, to treat repetition, in the alternative, as a “working through” involves a “double gesture, forwards and backwards.” Lyotard elaborates, “Contrary to remembering, working through would be defined as a work without end and therefore without will: without end in the sense in which it is not guided by the concept of an end – but not without finality.”\footnote{Ibid., p. 30.} To the extent that engaging in intellectual history to explore problems in ideas of the present involves the work of remembering, the challenge is to not do this work in a way that will foreclose upon the future of thought by reproducing the problem at issue. This is where I part company with Lyotard to move in the direction of refraction, which I will explain in a moment.

First it should be made clear that I am not here proposing to undertake a psychoanalysis of cosmopolitan ethics and need not comment on the Freudian technique that Lyotard assesses. But to the extent that it offers a useful analogy as it is expressed by Lyotard, “repetition” in this second sense as “working through” conveys the relationships of Parts II and III of the thesis to Part I. Having set out the problems of cosmopolitan ethics in Part I, Part II sets out to re-cover the archive of the idea ruptured in Part I, in the sense of working through it again to provide an account of the waiting room of humanity, that I contend can explain why cosmopolitan ethics are in conflict. Here I explore a theoretical history of the division between the human and the inhuman in the time and space of what I call the Anthropocentric Waiting Room. Then, having identified the significance of Kant’s thought to the issues explored in both Parts I and II, Part III re-visits Kant in the sense of working through his cosmopolitan thought again in order to arrive at a different, let us say (in)humanist, interpretation of it that accounts for its contribution to the anomaly of the universal right to humanity.

Refraction is my response to the problem of reproduction of the problem that Lyotard identifies in repetition. In basic physics, refraction refers to the deflection of something from its previous or anticipated course as it passes from one substance through another, like when a ray of sunlight passes through a rain drop, the light bends at a different
angle breaking up into a spectrum of colours, dispersing to show us the components of
the single white light, no longer masked from view. Like “rupture” or “deconstruction”
it conveys a sense of the breaking up, or breaking open, of something, but then proceeds
in a rebounding or bouncing off motion. In Part IV, the thesis heads towards a third
rupture bouncing off the first two ruptures discussed in Part I and refracting the idea of
the (in)human onto the “post-political vision” of cosmopolitanism. Refraction here
means simply to turn the analysis that I have advanced in the course of the thesis on to
an assessment of cosmopolitan democracy conceived of as a “New World Order” and a
return to the ethical demand of the anomaly of a universal right to humanity.

**Thesis Layout**

Following the problematic of the anomaly of the universal right to humanity set out in
the Prologue, Part I contextualizes the thesis within contemporary discourses of
cosmopolitan ethics. As the title *Cosmopolitan Ethics: A Tale of Two Ruptures*
suggests, my reading of the field is that cosmopolitan ethics is a tale of two ruptures.
Chapter 1 *Inventing Tradition: Universal Cosmopolitanism, Philosophical
Foundationalism & Normative Ethics* sets out the orthodoxy of cosmopolitan ethics that
has been ruptured: “universal cosmopolitanism” — the cosmopolitanism of moral
philosophy and normative ethics. I ask to what extent can approaching the problem of
the anomaly of a universal right to humanity in terms of recognition of a common
humanity address the practices that serve to constitute the very category of the human? I
pursue my analysis through a problematization of universal cosmopolitanism’s guiding
question “what do we owe our fellow human beings?” and outline some of the features
that leave universal cosmopolitanism open to rupture, particularly its genealogical
claims, philosophical foundations, cultural and historical locatedness, political
persuasions and formulation of an ethic of responsibility for others. My contention is
that in response to the humanism/anti-humanism controversy in philosophical thought,
representatives of the universal cosmopolitanism approach can be credited for *inventing*
the Stoic-Kantian tradition of cosmopolitanism and particularly for finding in Kant the
philosophical foundations for a positive universal cosmopolitanism. I examine the
cosmopolitan thought of two key figures in this approach, Martha Nussbaum and Seyla
Benhabib, in order to set up two of the key questions that get taken up in the course of
the thesis: “what kind of category is the human and how does it work?” and “which Kant are we reading in cosmopolitan studies?”

The following two chapters present the two ruptures to universal cosmopolitan ethics. Chapter 2 First Rupture: Discursive Violation, World Pictures, Critical Cosmopolitanisms & the Ethics of Postcoloniality discusses the intervention of critical cosmopolitanisms, their alternative articulations of cosmopolitanisms and the ethical concerns of postcolonial thought. In my reading, this first moment of rupture signals a new cosmopolitan consciousness that draws out the tensions in the cosmopolitan condition, sometimes bearing a commitment to the possibility of achieving political solidarity in the interests of human rights other times bringing to attention structural inequalities and uneven development produced by colonial histories and the excesses of capitalist globalism. I argue that the central point of contention that critical cosmopolitans raise for cosmopolitan ethics is, to borrow the title of Martin Heidegger’s essay, “the question concerning the age of the world picture,” that is, a question of deferral, displacement and re-entry into the project of world-making which is also to ask the question of whether the victims of universal cosmopolitanism are human too?

Chapter 3 Second Rupture: Aporetic Cosmopolitanism, Hospitality & Deconstructive Ethics discusses the aporetic cosmopolitanism of Jacques Derrida. In response to the tightening of European refugee policies and withdrawal of support for asylum seekers, Derrida uses the occasion of an International Parliament of Writers conference marking the anniversary of the cities of refuge agreement between selected European states to question the meaning of cosmopolitanism. The political climate raises an ontological uncertainty in the idea – we don’t know if cosmopolitanism is here because the current situation is not living up to its ideal. We are confronted here with an aporia, or impasse, in the idea, which creates the conditions for an examination of cosmopolitanism’s logic and a historical analysis of the concept. For Derrida this is a history of the idea from what he regards as its “heritage.” It is an intellectual history shared with universal cosmopolitanism, but considering the question of “which Kant are we reading in cosmopolitan studies?” from the first chapter, I examine how Derrida ruptures cosmopolitanism’s Kantian foundations by adopting a deconstructive reading which challenges the ethical claims of the logic of hospitality. My argument will be that the appeal of an aporetic approach as an ethical response to the anomaly of a universal right
to humanity is that it disrupts the course of a deterministic cosmopolitan future that reproduces (in)human conditions and enables openness and non-finality as an impossibility that cannot be normal/normative/normalizing.

By juxtaposing these three discourses of cosmopolitan ethics, my purpose is not only to gather theoretical issues pertaining to the problem of the anomaly of the universal right to humanity in contemporary cosmopolitan thought, but it is also to identify what is absent for the purposes of mounting my own intervention in the field. As the first rupture advances a historico-cross-cultural critique of cosmopolitanism from outside the Western tradition and the second rupture pursues a political-philosophical critique of cosmopolitanism from inside the Western tradition, I identify between them an opportunity to embark on an inquiry that brings together the politico-philosophical understanding of the Stoic-Kantian tradition that is being problematized by these two interventions with cross-culturally informed historical awareness of its problems. Thus, within this intellectual space, Part II commences my response to the problem of ethico-political theorization of cosmopolitanism expressed by Pollock and his colleagues as follows:

The indeterminacy of how to achieve a cosmopolitan political practice feeds back into the problem of academic analysis. As a historical category, the cosmopolitan should be considered entirely open, and not pregiven or foreclosed by the definition of any particular society or discourse. Its various embodiments, including past embodiments, await discovery and explication. In this way, the components of the linked academic-political activity of cosmopolitanism become mutually reinforcing: new descriptions of cosmopolitanism as a historical phenomenon and theoretical object may suggest new practices, even as better practices may offer a better understanding of the theory and history of cosmopolitanism.82

Hence, Parts II and III of the thesis endeavor towards a new theoretical practice for cosmopolitan ethics by critically re-working through the conceptual presumptions and

historical intellectual foundations that make the ruptures possible by exploring a genealogy of the (in)human.

Increasingly, scholarly interest in the inhuman condition has been concerned with examining how boundaries have come to be drawn around the human and how humanity has been policed by these boundaries. There is now an emerging interest in the “inextricability of human and inhuman” in current scholarship with attention turned to examining the forces that bring about the condition. I treat this human-inhuman composite as an ethico-political domain. Rather than extending outwards, the boundary that divides inside from outside (human from inhuman) so as to make humanity a more encompassing and inclusive category, my interest is in trying to make sense of the boundary as a liminal space-time where human and inhuman come into conflict as the (in)human condition.

Part II is called Repetition: Re-covering the Archive and it is here that I explain further my understanding of the (in)human condition by reconceptualising the nature of humanity in terms of the Anthropocentric Waiting Room. Chapter 4 The Anthropocentric Waiting Room: A Diagram for (In)Humanity is the critical theoretical moment of the thesis. Taking as my point of departure the futural impulse of cosmopolitan ethics, I ask “how is ‘humanity’ articulated by cosmopolitan concerns for its future?” This chapter is guided by the concern that to treat humanity as a futural condition creates the conditions for ideas about who or what is a human to come into conflict. My suggestion is that the question concerning humanity for cosmopolitan thinking is “how can a mode of being, that is as ‘human,’ which we have come to take for granted, be a privileged state that can be, and which is, deferred and denied, as its temporalization allows?” To pursue this inquiry I consider the “future” in socio-relational terms through the temporal mode of “waiting,” rather than treating it as a happening or event as such. My contention is that the category “humanity” occurs also as something for which we (or at least some of us) must wait. Here I develop my account of the (in)human by outlining the theory of the diagram of humanity underlying the conflict in contemporary cosmopolitan ethics. I call this the

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83 This trend has also been noted by Howard Caygill, “Surviving the inhuman,” in Inhuman Reflections: Thinking the Limits of the Human, eds. Scott Brewster, John J. Joughin, David Owen and Richard J. Walker (Manchester: Manchester University Press, 2000), 217-229 at p. 228.
84 For example see the contributions to Inhuman Reflections, ibid.
Anthropocentric Waiting Room. “Anthropocentrism” refers to a complex mentality and practice of making Man/human through its Other and privileging Man/Human in the ordering of life. “Waiting room” refers to a room set apart for those who must wait. This chapter discusses the Anthropocentric Waiting Room as a regulative technology that enables the possibility of the inhuman and humanity as a quantifiable property capable of being denied. My purpose is to offer the Anthropocentric Waiting Room as an approach to the analysis of historical cross-cultural encounters as well as a relational theory of humanity, the circulation of which I argue in this thesis, is a significant feature of the tensions and limits in cosmopolitan thinking, particularly relating to Kant’s influence.

Chapter 5 Enlightenment & the Empire of Culture: Historicizing Human Difference engages in historicizing the relationship between Cosmopolitanism and the Anthropocentric Waiting Room. I historicize the Anthropocentric Waiting Room through its diagramming of humanity. By historicizing it, I seek to demonstrate how the Anthropocentric Waiting Room has presented and re-presented itself as a structure to be reckoned with in cosmopolitan ethics. My method of historicization here draws on the Foucauldian approach to intellectual history mentioned earlier, and works within the spaces that the history of cosmopolitan ethics, as it has been presented by cosmopolitan perspectives discussed in Part I, had left unspoken. Considering three key historical moments, I illustrate how the Anthropocentric Waiting Room reveals itself through history, amidst cosmopolitanism’s history. The first is the much-celebrated but equally dubious classical Greek legacy of cosmopolitanism in which I examine how a theory of (in)humanity emerges through the relationship with the foreigner as a distinction drawn between Greek/human and foreigner-barbarian/inhuman. The second is the history of European encounters with New World peoples in the Renaissance with a specific focus on Spanish encounters with American Indians. Here I discuss how the Anthropocentric Waiting Room occurred as a legal and political mechanism diagramming humanity. The third context concerns the European Enlightenment. Here I attend to historicizing the diagram of the Anthropocentric Waiting Room via a concern amongst contemporary history of ideas scholars on the question of Enlightenment political thought’s complicity with imperialism, in order to suggest that the Anthropocentric Waiting Room persists as a problem for contemporary cosmopolitan thought. Each context has been important to
the modern idea of cosmopolitanism and signals the Kantian legacy as a particularly problematic one in the history of the idea.

This leads me to Re-visiting Kant in Part III. It is generally not possible to talk about cosmopolitanism without mentioning Kant. Situated in the Enlightenment episode of Western cosmopolitan thought, he has been widely acclaimed as one of the key figures in cosmopolitanism’s history. Various expressions in his writings might give the impression that Kant’s cosmopolitan thought was, or at least aimed to be, non-discriminatingly inclusive of all peoples. Consider, for example, Kant’s following description of the “cosmopolitan sphere” as that which concerns the “welfare of the human race as a whole, in so far as the welfare of mankind is increasing within a series of developments extending to all future ages.”85 Kant’s appeal to cosmopolitanism here makes claim to a “moral universalist” stance that imagines humanity as a totality and has humanity’s welfare at the centre of its interests. It invokes sentiments of “the world,” “humanity” and “history,” which are common themes in the contemporary cosmopolitan literature. But how were these sentiments invoked in Kant’s writings and have contemporary scholars been too naive at best or too generous at worst in their reception of Kantian cosmopolitanism?

My argument, picking up on Derrida’s critique, is that Kant’s contributions to cosmopolitan sentiments have been received positively amongst some scholars because of the latter’s ethical characterization of his thought. In the English-speaking academy, the citation of Kantian cosmopolitanism, and to a large extent, representations of what cosmopolitanism means in Kant’s work, are most often based on a popularized perception that has drawn largely from the contribution of writings in the moral philosophy and liberal political theory tradition of scholarship. These approaches are predominantly interested in questions of morality — of how one “ought” to act individually, socially and politically — a conceptual framework that derives from Kantian origins defining the scope of the philosophical/theoretical practice. But “ethical” framing is itself a questionable enterprise because of, to put it succinctly here, the power dynamic inherent in the very concept of the “ought.” I offer an interpretation

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85 Immanuel Kant, “On the common saying: ‘This may be true in theory, but it does not apply in practice’, in H. Reiss ed., Kant: Political Writings, (originally published 1793; Cambridge: Cambridge University Press, 1991), 63.
of Kantian cosmopolitanism that draws out its ethico-political complexities and doubts its celebration by examining its underlying theory of humanity.

Chapter 6, titled *The Anthropology of Ethics: World Citizenship, Race & Remembering “Man”* uses as a point of entry a debate amongst contemporary philosophers about Kant’s alleged racism to discuss the methodological and interpretative issues that arise when reading Kant’s cosmopolitan thought. The racist/non-racist paradigm, I argue, is too simplistic a characterization to make for the study of Kant’s cosmopolitan thought. Nevertheless, I take seriously the “racist” allegations and propose an alternative way in which to approach Kantian cosmopolitanism by “remembering Man” as the fundamental object of Kant’s thought. Here I establish the foundations for my proposal in this thesis to treat Kantian cosmopolitanism as a political project, the aim of which was to cultivate, as Citizen of the World, the subject “Man.” In particular, this chapter argues for a consideration of Kant’s largely overlooked anthropological views for a richer appreciation of the contradictions and complexities of his cosmopolitan thought.

Chapter 7 *The Ethics of Politics: War, Degeneration & Governing Right* offers the field of cosmopolitan studies an alternative reading of Kantian cosmopolitanism which locates it in the genealogy of the Anthropocentric Waiting Room and therefore also in the genealogy of the (in)human. My thesis is that Kantian cosmopolitanism can be read as a political project for the cultivation of Man as citizen of the world, where “Man” is a subject to be groomed for progress towards the condition of “humanity” as a condition existing within the international system of republican states. I consider how, read this way, Kantian cosmopolitanism offers a justification for war and imperialism to reach these ends.

Part IV, *Refraction: Of the (In)Human Condition* returns to the contemporary field of cosmopolitan studies to refract the insights developed so far in the thesis onto the “post-political vision” of cosmopolitanism. Chapter 8 *A New World Order? Human Rights and the Limits of Cosmopolitan Democracy* serves as an applied discussion of my thesis. It returns to the dilemma of the anomaly of the universal right to humanity to perform a critical analysis of the “New World Order” thesis of the cosmopolitan democracy school of thought in light of the logic of the Anthropocentric Waiting Room and the implications of the legacy of Kantian cosmopolitan thought as I have re-
considered it. The Epilogue discusses the implications of my thesis that cosmopolitan ethics is the ethical demand of the *(in)human* in terms of what it would mean to cultivate an *(in)human* sensibility in response to the concerns that cosmopolitan thinking takes up. In particular, I outline the implications for and challenges facing the field of cosmopolitan studies with respect to reorienting Kant’s legacy and refracting *(in)human* rights.
Part I

COSMOPOLITAN ETHICS: A Tale of Two Ruptures

“So our culture clings, more than ever, to the hope of the Enlightenment, the hope that drove Kant to make philosophy formal and rigorous and professional. We hope that by formulating the right conceptions of reason, of science, of thought, of knowledge, of morality, the conceptions which express their essence, we shall have a shield against irrationalist resentment and hatred.”

Chapter 1

Inventing Tradition:
Universal Cosmopolitanism,
Philosophical Foundationalism
and Normative Ethics

This chapter poses the question of inventing philosophical traditions in the formulation of ethical responses to contemporary political challenges. Specifically, why do attempts to cultivate a human rights ethos insist on a philosophical foundationalism grounded in human nature or in finding the commonality of “what makes us human”? The ethical framework that I analyse here is “universal cosmopolitanism,” which has constituted the most dominant iteration of the discourse of cosmopolitanism in the interests of human rights since its recuperation in the 1990s. Universal cosmopolitanism is tied to the traditional themes of moral philosophy such as notions of duties, respect, responsibility, needs, harm and the right-making qualities of courses of action. While there are disagreements over the content of these principles or the extent to which we ought to embrace cosmopolitanism, its meaning for universalist cosmopolitans tends predominantly towards the formation of a single moral community of human beings wherein each human being is conceptualized as a moral subject that has a moral obligation to other human beings regardless of their race, national, religious, cultural or ethnic ties. Universal cosmopolitanism is invested in what we might call “classical” or “liberal” humanism which, adopting Iain Chambers’ characterization, conceptualizes the human according to three key features: the sovereignty of the subject; the pre-eminence of language and the possession of rationality.\(^1\) Consequently, its conceptualization of ethics is predicated on the generalization and universalization of a particular figure of the “human” that is not shared across time or space, but which

nevertheless claims, as philosophical foundationalism does, that there is a common core in what makes a human.

Richard Rorty has argued in favour of “putting foundationalism behind us.” In his view, foundationalist philosophers, such as Plato, Aquinas, Kant and Rawls, make “summarizing generalizations” about moral conduct in order to increase “the predictability, and thus the power and efficiency, of our institutions, thereby heightening the sense of shared moral identity which brings us together in a moral community.” That is to say that grounding ethics and politics in morality, or in the moral-being of humanity, is a fiction designed to influence action to follow a certain course by staking a claim in the fundamental nature of the human. But such foundationalism is “outmoded,” argues Rorty, for “nothing relevant to moral choice separates human beings from animals except historically contingent facts of the world, cultural facts.” To think that there exists a truth of what it is to be human that can be attained by philosophy is misguided. In fact, he proposes, it is this fixation on what makes us human, and therefore different to other animals, that obstructs a human rights culture by preventing us from empathizing with those we regard as different from “us.” Rorty argues that such philosophical foundationalism demonstrates a lack of understanding of the complexity of humanity and results in the tendency to create a dynamic of “us vs. them” in their conceptualization of proponents and violators of human rights.

While I agree with Rorty that this does not get us very far in combatting human rights abuse and, further, as I will discuss later in the thesis, that closer attention must be paid to the human-animal distinction and how it underpins both the constitution and denial of human rights, I do not think that his suggestion for a “sentimental education” substantially addresses the impasses in the foundationalist approach of universal cosmopolitanism, nor does it offer a viable alternative. It is not enough to think of the superficial things that we share in an attempt to establish a human rights culture as

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3 Ibid., p. 246
4 Ibid., p. 245
5 A sentimental education consists of “an increasing ability to see the similarities between ourselves and people very unlike us as outweighing the differences.” See ibid., p. 254
Rorty suggests we should in the spirit of pragmatism. Although Rorty’s version of pragmatism seeks to give up the foundationalist investment in grounding thought in abstract, ahistorical and permanent principles deemed to be “truths” without abandoning the spirit of social hope, it has been equally criticized by anti-foundationalist and anti-rationalist philosophical sympathizers for its vision of the political in terms of pursuing “short-term compromises” rather than a radical rethinking of the political. Furthermore, contra Rorty, my answer does not lie in discarding the intellectual history of universal cosmopolitanism when examining its political implications, but in acknowledging the importance of its intellectual history by how it has been philosophically assembled.

As it is the broader goal of this thesis to explore themes of disillusionment with humanism by opening up the concern for the inhuman to the discourses of cosmopolitan ethics, the purpose of this chapter is to situate the claim that cosmopolitan ethics has been ruptured with respect to the orthodoxy of cosmopolitan ethics — universal cosmopolitanism — and its intellectual history. Given that the following three ruptures discussed in this thesis are conceptually and methodologically indebted to this approach, even in so far as they might even disagree with it, it is necessary to offer some background to the universal cosmopolitanism framework at the outset.

Although it is cast in terms of a Stoic-Kantian tradition, my objective in this chapter is to problematize not just the particular intellectual tradition of universal cosmopolitanism and its treatment of the human, but also the very idea of “intellectual tradition” in ethico-political thought. While scholarly discussions increasingly make reference to the traditions within which different cosmopolitanisms are developed, less attention has been paid to the more methodological dimensions of the practice of making claims to intellectual traditions in these critiques. Such questions concern which ideas are recovered from the past and how are they represented? Taking this approach will, in this thesis, afford the opportunity for developing the critique of the discourse of cosmopolitanism further in a way that seeks to articulate a theory of humanity from the ruptures in cosmopolitan ethics. In this chapter I treat the Stoic-Kantian tradition of

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universal cosmopolitanism as an “invention” in much the same way that Eric Hobsbawn speaks of “inventing traditions.”

The coupling of “tradition” and “invention” might seem contradictory, for tradition is usually understood to be handed down from the past without changing, while invention refers to the creation of something new. But given the recent contestation by Pollock and his colleagues that “cosmopolitanism is not some known entity existing in the world, with a clear genealogy from the Stoics to Immanuel Kant,” this definition of tradition does not seem quite accurate. The alleged disunity with the past, or with a specific past, asks the question of how had a unity come to be forged in the first place? The claim to tradition thus opens itself to a politics of memory and a politics of meaning. For intellectual history, the question of tradition suggests that what is involved in intellectual tradition is the creation of narratives that serve to unite ideational goals, perhaps for a political purpose in a particular historical moment. In this sense the “invention of tradition” resonates with Hobsbawn’s definition of a “set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with the past.” But again, as Hobsbawn notes, although the traditions invented might be continuous with a factual past, “they are responses to novel situations which take the form of reference to old situations, or which establish their own past by quasi-obligatory repetition.” That is to say that the claim to a tradition invests an idea or a practice with the authority of the past, its grandeur of wisdom and alleged stability of its acceptance. My overarching argument will be that, to a similar end, a Stoic-Kantian tradition of cosmopolitan ethics has been invented in response to the demand for a humanism against fears of anti-humanism that avoids the essentializing trappings of the old Humanism.

This chapter presents this argument in three stages with respect to why universal cosmopolitans appeal to philosophical foundationalism in their advocacy of human rights. The first relates to the cultivation of a normative framework for ethics amidst the

11 Ibid., p. 2
Humanism/anti-Humanism controversy: universal cosmopolitans have appealed to a philosophical foundation for human rights in the Stoic-Kantian tradition out of apprehension that the challenge to humanism posed by anti-humanist thought will lend itself to supporting human rights violations. My second argument relates to the role that intellectual history can play in the formulation of a normative ethics: universal cosmopolitans validate their approach by appealing to a lasting historical continuity of ideas that can be traced back to classical Greece and the European Enlightenment. My third argument concerns the tolerance thresholds of normative institutions that universal cosmopolitans rely upon in their ethical framework: specifically, to what extent is cultural difference respected without sliding into extreme cultural relativism and to what extent is the Westphalian system of states critiqued without abolishing it? Here I contend that in universal cosmopolitan ethics, the concern for the rest of the world tends to be pursued through a “reason-based politics” grounded in morality and a concern with the creation of order and the norms of governance upheld through the rule of law, which nevertheless remain committed to the structures of the status quo. In advancing these arguments, this chapter draws on the writings of two of universal cosmopolitanism’s most prominent thinkers: Martha Nussbaum and Seyla Benhabib. I have selected these writers because, although both are engaged in a critique of a universalism that excluded the differences of Others, they nevertheless advocate responsibility for the Other as a grounds for human rights in terms of a cosmopolitanism that, I will argue in this thesis, replaces it with a different kind of universalism – the human as moral and legal category grounded in a racist Kantian anthropology.

The Humanism/Anti-Humanism Debate &

The Creation of a New Universalism for Normative Ethics

“Universalism” in social and political theorizing is often criticized for its historically monocultural tendencies – that is, the tendency to take, when making theoretical or ethical claims, as its standard or point of reference, a white, male, Western, heterosexual and middle-classed or First World position that overlooks the implications of any “difference” in situation. These days, given the challenges of Marxism, feminism, queer and postcolonial theories, it is less likely that social and political theorizing will practice
a universalism of this monist kind. Like the argument for a “minimum universalism,” universal cosmopolitanisms are increasingly formulated as an attempt to develop a non-ethnocentric universalist framework for human rights so as not to be accused of cultural imperialism. But a universalism of any kind must still be held up to scrutiny for its totalizing claims, as any attempt to make something universal involves the application of a standard, and hence a bounded-ness, that depends upon differentiation, distinction and designation of an outside, or what we may also refer to as “practices of exclusion.” The assertion of a universalism, I seek to show here with respect to cosmopolitan ethics, is effectively the creation of an ontological fiction that often involves the invention of an intellectual tradition to afford it historicity.

Universal cosmopolitanism has found its origins in a Cynic anecdote dating back to the Fourth Century BC. When asked the question “where are you from?” Diogenes the Cynic (404-323BC) is said to have replied: “I am a citizen of the cosmos (kosmopolités).” From this declaration stems the archetype of cosmopolitanism as the figure of the “citizen of the world” that has come to mark the founding moment of the Stoic-Kantian tradition of cosmopolitan thought. This tradition, corresponds to the orthodoxy of Western political philosophy, a normative intellectual enterprise relying on a genealogy from the Ancient Greeks to European Enlightenment thought and, in particular, the moral philosophy of Immanuel Kant. While it is Diogenes’ words that offer a platform upon which to hang the tradition’s most recent set of ethico-political concerns, it is Kant’s thought that it assembles them from more faithfully. But before I revisit the details of this intellectual history, which I undertake in Parts II and III of the thesis, allow me first to attend to the intellectual circumstances that have brought about a need to revisit it.

Advocates of universal cosmopolitanism present two justifications for their theories: the guidance of morals and the creation of order. Both are invested in a normative ethical framework. In her introduction to *Normative Ethics*, Shelley Kagan defines normative

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12 See Bhikhu Parekh, “Non-ethnocentric universalism,” in *Human Rights in Global Politics*, ed. Tim Dunne and Nicholas J. Wheeler (Cambridge: Cambridge University Press, 1999), 128-159. Parekh’s project here is to formulate a body of non-ethnocentric universal values, which he argues, is necessary for the development of a truly intercultural basis for human rights. The term “minimum universalism” describes the midway between relativism and monism. “For the minimum universalist,” Parekh explains, “the universal values constitute a kind of ‘floor’, an ‘irreducible minimum’, a moral threshold, which no way of life may transgress without forfeiting its claim to be considered good or even tolerated” at p. 130-131.
ethics as a branch of moral philosophy that “involves substantive proposals concerning how to act, how to live, or what kind of person to be.”\(^{13}\) However, it is through saying what it is not, that Kagan suggests we can obtain a clearer sense of what normative ethics is. Unlike sociology, anthropology or history, she contends, normative ethics does not make claims about how people do act nor does it seek to describe the moral beliefs of any given society. Unlike laws passed by state agents, it does not seek to determine what the law says people should do; an act may be legal but this does not necessarily mean it is moral. Rather, normative ethics, Kagan emphasizes, makes claims about how people ought to act. As she puts it:

…if what you want to know is the correct (or true, or most valid, or best) set of moral beliefs – that is, if what you want is a careful account of what people really should do – then this cannot be settled by an appeal to the social sciences. You must turn instead to normative ethics. For it is normative ethics that attempts to state and defend the substantive moral claims. And defending a moral claim – showing that it really does tell us the truth about how people ought to act – is something quite different from merely reporting what this or that group has thought about the matter.\(^{14}\)

Invested in “truth,” “right” and a sense of moral superiority, normative ethics, it would appear, takes an approach to ethics that aims for certainty, fixed subjectivity, unification in time and space, and takes an either/or (not a both-and) approach to ethical relations. The endeavours of its practitioners seek to be prescriptive and regulative, that is to institute a set of cultural and behavioural rules that will perhaps even form the basis of more formal legal rules. When applied to political questions, approaches in normative ethics will usually be claimed under the sign of humanism and will have some connection to liberalism given that both make possible a figure of the moral agent to whom ethical conduct and responsibility can be attributed. In the discussion that follows, I want to outline how the challenge to the humanism upon which normative

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\(^{14}\) Ibid., p. 8
ethics has traditionally relied created the conditions for the invention of a Stoic-Kantian cosmopolitan tradition as the new universalism. This is Humanism with a capital “H.”

The term “Humanism” usually refers to an attitude of mind wherein “Man” or the “human” is taken to be the centre of the universe as well as the agent responsible for the creation of the world of human affairs. A secular project, usually said to have emerged in the Renaissance, modern humanism in Europe marked a shift away from a worldview that placed God or religion at the centre. The Church could no longer provide all the answers to human problems and, as people began to lose faith in Christianity, science and rationality replaced it in the management of human affairs. The scientific revolution of the Renaissance had shifted perceptions of man’s place in the cosmos. For example, by overturning the previously held view that the sun moved around the earth, and replacing it with the observation that the Earth revolved around the sun, Nicholaus Copernicus (1473-1543) drew to European awareness that the Earth was not the centre of the universe, but was part of a larger planetary system. By the Seventeenth Century philosophers had also begun thinking about the social world in scientific terms and approached problems of human life using “rational methods.” René Descartes’ (1596-1650) meditations on his mind provide a well-known illustration of an attempt to use rational methods to explore man’s inner world. In social and political thought, thinkers like Thomas Hobbes (1588 – 1679) shifted from grounding political ideals in religious dogma, to justifying them in terms of “human reason” or “rationality.” Next, the Enlightenment saw the flourishing of the human sciences to deal with this emergence of, as Foucault has called it, the “figure of man” into the humanist disciplines we have today including history, anthropology, psychology and sociology.

Although the “figure of man” is the central feature of humanism, humanists belong to different schools of thought and it is thus more correct to speak of humanisms in the plural. Although I cannot, by any means, do justice to such a vast topic here, within the sphere of Western social and political theory, there are two competing humanisms worth mentioning. The first is liberal humanism. Given that the central tenet of

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liberalism is “individualism,” or a notion of self that is prior to society, constituted before and independent of society; liberalism’s humans are exclusive, self-contained, bounded units endowed with the capacity for reason. This figure has been the basis of liberal political philosophy, which is concerned with ethical notions of freedom, justice and toleration. As a philosophy for liberal political organization, liberal thinkers have tended to promote forms of contractarianism, consent and constitutionalism in which liberalism’s rational human beings may come together to form a peaceful society by negotiating their individual interests.

The second is Marxist humanism. In the Economic and Philosophical Manuscripts of 1844 Karl Marx expresses concerns that, in a class-based society through the capitalist mode of production, labour has turned a human capacity for creating the world into an objectified and commodified thing and, in its course, it has alienated man from his essential nature and from the world that he has created.\(^\text{18}\) As a critique of liberal humanism, Marxism argued that liberalism’s investment in individualism, particularly its promotion of liberty and defense of individual rights, advanced the interests of private property ownership and bourgeois self-interest. Based on a conception of human history as a history of class struggles, Marxist humanism culminated in the Communist Manifesto in which Marx and Engels outlined as their aims the “formation of the proletariat into a class, overthrow of the bourgeois supremacy, conquest of political power by the proletariat” and, significantly, the “abolition of bourgeois property” in the advancement towards communism for humanity’s future.\(^\text{19}\)

Marxism was not however without its own critics, a significant group of which created a split within the movement. For example, French existentialists, who in their condemnation of the brutal Soviet communism of Joseph Stalin identified a contradiction in Marxism that sat uncomfortably with its essentialist humanist aspirations. For Maurice Merleau-Ponty it is the necessary violence and justification of violence in its pursuit of a new humanism for the future of humanity that undermines

\(^{18}\) Karl Marx, Economic and Philosophical Manuscripts of 1844 (New York: Prometheus Books, 1988. It is worth citing Marx here in full: “The worker becomes all the poorer the more wealth he produces, the more his production increases in power and range. The worker becomes an ever cheaper commodity the more commodities he creates. With the increasing value of the world of things proceeds in direct proportion the devaluation of the world of men. Labor produces not only commodities: it produces itself and the worker as a commodity – and does so in the proportion in which it produces commodities generally” (see p. 71).

Marxist humanist aspirations. This occurs, he argued, because like the bourgeois liberalism that Marxism critiques, Marxism’s humanist politics is predicated also on the treatment of the human as subject and its opponents as objects to be overcome.\(^\text{20}\) In an attempt to recuperate elements of Marx’s thought as still politically valuable, Louis Althusser identified its “anti-humanism” instead of its now tainted humanism, as the aspect of Marxism which provided the opportunity for a political theory that could articulate the conditions of the human world and enable its transformation. Althusser identified in Marx’s later writings a break with essentialist theories of Man and the formation of new theories of history and politics which defined humanism as an ideology, critiqued the enterprise of philosophical anthropology and developed new concepts focused not on “Man” but on forces of social production, superstructure and state organization.\(^\text{21}\) Althusser’s re-reading of Marx was but one of the new approaches to theorizing Man beginning to emerge, based not on humanism but “anti-humanism,” and which signaled the inception of the humanism/anti-Humanism debate in the humanities and social sciences.

What I am referring to as the “humanism/anti-Humanism debate” concerns an intellectual context in which the “death of Man” came to be proclaimed. In his 1962 work, *The Savage Mind*, Claude Levi-Strauss declared “I believe the ultimate goal of the human sciences to be not to constitute, but to dissolve man.”\(^\text{22}\) This was effectively a redefinition of the human sciences in anti-humanist terms. “Anti-Humanism” here must not be confused with misanthropy or the valorization of violence against human beings or any kind of person. Rather, as an intervention of structuralist and post-structuralist thought of the 1950s-1960s, its purpose is to challenge the grand narratives humanism had inherited from the Enlightenment and to critique humanism’s centring of “the subject” as the fundamental error of humanist thought reproduced in liberalism and Marxism. For example, Levi-Strauss sought to rethink our relationship to the human in the human sciences in much the same way that Ferdinand de Saussure had approached language as a communication system made up of signs and rules discoverable from its structure. For Levi-Strauss, just as the job of the linguist was to decode meaning in language, the job of the sociologist and anthropologist was to decode the structures of meaning that constituted human societies. In psychology, Jacques Lacan countered the


essentialism of humanism in his theory that we are not born, but become human through the Symbolic Order.\textsuperscript{23} Disagreeing with the biological determinism prevalent in Sigmund Freud’s theories of the self, and arguing instead that the unconscious was much like a system of signs to be decoded as in Saussure’s linguistic method, Lacan challenged theories of the self as a concrete, coherent, continuous and unitary subject. For cultural studies Roland Barthes declared the “death of the author” upon challenging the presumption that writing did not originate from the voice of the author but was the process of its destruction giving birth to the reader.\textsuperscript{24} His analysis of the author-text-reader dynamic uncovered the personhood of the author as a fiction of modern society designed to humanize the text to give it authority. But it was Michel Foucault who, through various histories of social institutions, showed that the optimism of modern humanism, conveyed in liberalism, Marxism and psychoanalysis, was misguided and had instead left us with more insidious forms of control. The fundamental tension in humanist thought, Foucault identified, was that Man is an object produced by the world and is at the same time a subject constituting the world.\textsuperscript{25} Between these different thinkers is a shared rejection of the essentialism of the human and its totalization as a unified entity “humanity” found in humanist thought. Set against traditional humanisms, the challenge that “anti-Humanisms” pose is to rethink the humanity of Man/the human without reducing it to a system of subject-object relationality or to a dialectic of truth.

Considering Kagan’s characterization of normative ethics above, the anti-Humanist challenge would seem threatening to normative ethics, particularly if normative ethics presumes a truth and its discoverability in order to prescribe that truth in the attempt to answer the questions of how we \emph{ought} to act and be. What does the anti-Humanist challenge mean then for morals and questions concerning our moral obligations to others? Without the human subject, how do normative ethics answer the question “what do we owe our fellow human beings?”\textsuperscript{26} For normative ethics the controversy particularly arises around the question of responsibility. Responsibility in normative ethics relies upon a coherent human subject bearing the properties of individuality, unity

\begin{thebibliography}{9}
\bibitem{25} For a summary of his critical project see Michel Foucault, “Afterword: The Subject and Power” in Hubert L. Dreyfus and Paul Rabinow, \textit{Michel Foucault: Beyond Structuralism and Hermeneutics}, (Chicago: The University of Chicago Press, 1982), 208-226.
\end{thebibliography}
of identity, agency, rationality and free will. The dissolution of this human subject would dissolve the possibility of attributing responsibility for selves and others upon which its theories of moral order and social cohesion have often relied. Thus the most threatening of anti-humanists for normative ethics would be Friedrich Nietzsche who wrote “…the history of moral feelings is the history of an error, an error called “responsibility,” which in turn rests on an error called “freedom of the will.””

Nietzsche offers a radical anti-Humanism hinging on the inhuman tending towards the overman or superman (Übermensch). The figure of Zarathustra represents this higher form of human who, having discovered that “God is dead!” teaches that Man is also something that is to be overcome. But in one universal cosmopolitan’s view “For Nietzsche…the good thing was to base politics on the recognition that the world is horrible and fundamentally unintelligible; the bad thing was to pretend that it has an intelligible rational structure or anything to make us optimistic about political progress.” Thinkers in a Nietzschean tradition, Nussbaum claims, are opposed “to a hopeful, active, and reason-based politics grounded in an idea of reverence for rational humanity wherever we find it.”

It appears that Nussbaum’s fear, as I discuss below, is that the challenge to Humanism (and in particular to its idea that the fundamental truth of human nature is grounded in rationality) posed by anti-Humanist thought, will lend itself to supporting human rights violations. The grounding of ethics in the universality of a higher power such as reason, for universal cosmopolitans is what will protect an ethics of human rights from relativist erosion. Further, to maintain the objectives of normative ethics, universal cosmopolitans feel that they must reject that which threatens the autonomy of the human subject upon which the normative question of responsibility relies, but at the same time they must also avoid the monolithic universalism that faulted traditional liberal humanism.

Consequently, in an attempt to strike the balance of cultivating a non-essentialist, non-ethnocentric humanist universalism, a new universalism was created — a

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30 Ibid., 3.
“cosmopolitan” humanism — where the “cosmopolitan” descriptor inscribes into the morality of traditional liberal humanism a “moral worldliness.” To explain what this means, moral philosophers draw a distinction between cosmopolitanism as an “aesthetic” and cosmopolitanism as “ethics.” The former, Christine Sypnowich explains, is referred to as “cultural worldliness” and is interested in cultural difference and diversity but is indifferent to their moral implications, while the latter, labeled “moral worldliness,” subscribes to a universal standard concerning moral duties to persons regardless of cultural differences.31 It is an appeal to morality that finds its legitimacy in Kant’s moral law, particularly in the unconditional universalism of the categorical imperative: “act only in accordance with that maxim through which you can at the same time will that it become a universal law.”32

Finding a Philosophical Foundation for Universal Cosmopolitanism in Kant

Normative ethics has generally been concerned with issues of “rights,” “justice,” “freedom” and “equality” and with questions of “to whom do we owe our moral obligations; to whom does equal moral worth extend; does equal moral worth mean that each person has equal entitlement to resources?” These questions emerged from one of the foundational texts in this tradition, John Rawls’ Theory of Justice33 in which Rawls outlined an ethical theory of “justice as fairness” based upon two key themes. The first reflects the traditional liberal commitment to formal equality as Rawls proposed “each person is to have an equal right to the most extensive liberty compatible with a similar liberty for others.”34 The second reflects another liberal commitment to “difference” in which Rawls proposes that “social and economic inequality are to be arranged so that they are both: a) to the greatest benefit of the least advantaged, and b) attached to the positions and offices open to all under conditions of fair equality of opportunity.”35

34 Ibid., 60.
35 Ibid.
Rawls represents a kind of egalitarianism that is an alternative to traditional utilitarianism in so far as it promotes an idea of the distribution of wealth between members of society in accordance with a kind of social contract predicated on the conceptualization of the human being as rational and self-interested. The rationale behind coupling the two is derived from a hypothetical situation, famously known as the “veil of ignorance” in which Rawls contends that if people were deprived of knowledge of their capabilities, talents and personal circumstances, they would be more likely to select to live in a kind of society that would generate the most egalitarian situation possible for whatever individual position they ended up occupying.  

Given challenges of the international context, scholars within this school of thought have come to acknowledge the limitations of the distributive principles of justice developed by Rawls. Their main criticism is that Rawls’ was a thesis developed for a localized social context, such as a nation-state community, and did not factor in the challenges for thinking about questions of distribution of resources at an international level. Thus moral philosophers have appealed to cosmopolitanism to extend the Rawlsian project in an international frame as a result of the challenges presented to the nation-state model of sociality. Some of the developments that moral philosophers have found challenging have included the redrawing of the national borders of countries of the former Yugoslavia, post-cold war politics and the decline of communism, the increasing divide between rich and poor states, decolonization movements particularly in Africa and the plight of refugees as a result of war and national and environmental disasters.

The recuperation of the cosmopolitan ideal for moral philosophy, as well as for the field that I am calling “cosmopolitan studies” more generally in this thesis, owes much to the work of philosopher and classicist, Martha Nussbaum. In an impassioned essay addressed to the American public and then in an academic paper, Nussbaum advocates a cosmopolitan humanism to inform the world’s “engagement with its political life in a time of ethnic violence, genocidal war and widespread disregard for human dignity.”

36 Ibid., 136-142.
37 For a selection of these writings see Gillian Brock and Harry Brighouse eds. The Political Philosophy of Cosmopolitanism (Cambridge: Cambridge University Press, 2005).
39 Nussbaum, “Kant and Stoic Cosmopolitanism.”
40 Ibid., 4.
The central message of her variety of cosmopolitanism is that attention to what makes us human is what ought to be the impetus guiding political conduct. It has five key features. First, as a sensibility, it is to engage in a process of “world thinking” which, following the Roman Emperor Marcus Aurelius, is to think of humanity as one body made up of limbs representative of its many people and to “Accustom yourself not to be inattentive to what another person says, and as far as possible enter into that person’s mind.”  

It is an attempt to empathize with the Other, or at least to imagine the Other’s experience and point of view. Second, as an identity, it is the identification of the self with “humanity” rather than in terms of parochial or group memberships such as the “nation.” To be a “citizen of the world” Nussbaum contends, does not mean that we give up our local ties, but instead that, like the Stoics, we think of ourselves as being surrounded by a series of concentric circles. The first circle is the self, followed by immediate family, extended family, neighbours, local groups, fellow city-dwellers, fellow country-men and then humanity. Our allegiance, she argues, should lay first and foremost with humanity as a whole. The next feature of her cosmopolitanism informs this, where, as a moral code, it is to subscribe to the “human worth imperative.” This is the principle that “the basis for human community is the worth of reason in each and every human being.” Fourth, as a politics, cosmopolitanism is to include others in our political deliberations; that is, to make our political decisions “for the good of the whole species.” Fifth, as a policy initiative, inspired by her work in a United Nations affiliated institute for development economics on “global quality-of-life” issues, Nussbaum appeals to the capabilities approach and to the cultivation of a cosmopolitan education.

Nussbaum offers the capabilities approach as the basis for a theory of justice. Here the pursuit of cosmopolitan justice, in accordance with the standards of international human rights documents, relies upon the promotion of “human,” rather than “economic” development, except to the extent that the latter enables the former. She argues that if humans are to be entitled to such rights, then all human beings have an obligation to

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42 Nussbaum, “Kant and Stoic Cosmopolitanism,” 7.
43 Ibid.
ensure that they are provided to all the world’s people. The capabilities approach is summarized as follows:

Instead of asking “How satisfied is person A,” or “How much in the way of resources does A command,” we ask the question: “What is A actually able to do and to be?” In other words, about a variety of functions that would seem to be of central importance to a human life, we ask: Is the person capable of this, or not? This focus on capabilities, unlike the focus on GNP, or on aggregate utility, looks at people one by one, insisting on locating empowerment in this life and in that life, rather than in the nation as a whole.

Shifting the discourse of “right” to “capabilities” still takes an individualistic approach consistent with the liberal tradition, but Nussbaum argues that it offers a better grounding for a rights-based theory of justice because in order to exercise a right, one has to have the capability to do so. Supplementing this approach to justice, Nussbaum offers the idea of a cosmopolitan education which, embracing the principle of “world thinking,” urges us to understand human difference in humanity. This proposal is initially directed at the American education system, but is then extended to all people as the promotion of a universal education.

To ground this ethics in intellectual history, Nussbaum invents a Stoic-Kantian cosmopolitan tradition through a celebratory reading of Kant’s debt to Stoic cosmopolitan morality. She turns to Kant in particular for a philosophical grounding because, in her view: “Kant, more influentially than any other Enlightenment thinker, defended a politics based upon reason rather than patriotism or group sentiment, a politics that was truly universal rather than communitarian, a politics that was active, reformist and optimistic rather than given to contemplating the horrors, or waiting the

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46 Ibid., 293.
Nussbaum’s method is to read Kant’s cosmopolitan sentiments through “the moral core of their (Stoic) ideas about reason and personhood, rather than from a more superficial description of their institutional and practical goals.” Here Nussbaum’s approach contrasts with the liberal democratic reading of Kantian cosmopolitanism found in much normative political theory and international relations scholarship, the discussion of which I take up more fully in Chapter 8. Also the inheritor of a Kantian cosmopolitan legacy, that literature emphasizes the pragmatic aspects of Kant’s political thought in the pursuit of establishing a peaceful global governmental order that will sustain the future of humanity. But it is not contrary to this appropriation of Kantian cosmopolitanism that Nussbaum adopts her particular reading of Kant. Rather it is relating to an intellectual conflict between whether to follow Kant or Nietzsche in developing modern political thought.

Contrary to her views on Nietzsche’s contribution to political thought, for Nussbaum, a Kantian genealogy produces a politics founded on reason and principle and takes the view that the world has a rational structure upon which political progress, and hence humanity’s survival, can be achieved. Although not explicitly staking a claim in either camp, her valorization of Kant suggests that Nussbaum subscribes to the former group, presenting a Kantian humanism as the antidote to the perils of a Nietzschean nihilism. While I will not discuss the dynamics of a Kant/Nietzsche intellectual divide in political theorization in this thesis, pointing out this intellectual context of Nussbaum’s cosmopolitan ethics nevertheless serves to raise the more general methodological question that I take up further in Chapter 6 concerning reading and representation in the history of ideas. My view is that Nussbaum’s reading of Kantian cosmopolitanism is demonstrative of an attempt to create a genealogy for ideas that are more geared towards serving an agenda for the present, than they are about capturing their historical meanings. It raises the question of “which Kant are we reading in cosmopolitan studies today?”

Nussbaum reads into Kant’s cosmopolitanism Stoic virtues to give it is ethical character and feasibility for contemporary politics. These virtues include recognition of equal worth of humanity in all persons, respect for humanity, the duty to promote happiness

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47 Nussbaum, “Kant and Stoic Cosmopolitanism,” 3.
48 Ibid., 12.
of others, the view that morality should not be compromised for political expediency and, most significantly, “the worth of reason and moral purpose in defining one’s humanity.” They enable the deep “moral core” of Stoic thought to be reproduced in Kant’s cosmopolitan thought as “the idea of a kingdom of free rational beings equal in humanity, each of them to be treated as an end no matter where in the world he or she dwells,” Nussbaum claims. This moral core is illustrated, for example, by Kant’s appeal to hospitality as a cosmopolitan right in the Third Definitive Article of his essay on *Perpetual Peace*.

In her interpretation of Kant’s hospitality ethic, Nussbaum subscribes to the view, which is then advanced by Benhabib, that following Kant, we can have a cosmopolitan law without violence and, further, that this cosmopolitanism presents an ideal future for humanity intended by nature and coupled with the idea of respect for humanity. Reading Kant through Stoic virtues offers our historical condition, Nussbaum conveys, a humanism predicated on a conceptualization of humanity bearing the following three properties. The first is the idea that there is such a thing as a universal humanity uniting its members in their shared capabilities. These include the second property that humanity is defined by reason. The third property is that humanity is defined by moral purpose, which is to claim that there is a destiny for humanity and a code by which humans ought to act in order to qualify as human prescribed by a higher entity whether it be called nature, providence or God. What Kant enables (perhaps against Nietzsche), for Nussbaum’s variety of cosmopolitan ethics as the basis for informing positive decision-making for our historical situation, is a conception of the human as a universal moral category vested with rationality and a code by which humans ought to conduct themselves in order to respect their condition as humans that is derived from an eternal and divine entity like the law of nature. This is a view of the human that will be challenged throughout the course of this thesis.

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49 Ibid., 5.
Debating National Patriotism

Against Multiculturalism

The central message of Nussbaum’s universalist cosmopolitanism is that attention to what makes us human is what ought to be the impetus guiding political conduct. Considering its strong humanist themes, the fundamental question to ask of Nussbaum’s cosmopolitanism in evaluating it as an ethical outlook is how does it constitute humanness and humanity? I have already outlined the Kantian foundations set for this cosmopolitanism where it is reason’s humanity that gives it its ethical grounding. Now I want to respond to the question in light of the specific political context informing Nussbaum’s appeal where “humanity” presents as that which Americans ought to be concerned about.

In advocating a universal cosmopolitanism, Nussbaum was reacting to a parochial nationalism that was being promoted by educated American opinion in the early 1990s. This was a climate wherein a tension between two American values, first a shared national identity and second racial and ethnic diversity, became the subject of considered academic, social and political attention. It was a period of American “culture wars,” anxieties over multiculturalism and political correctness, the search for an American identity and where, particularly for conservatives, tradition was under threat and the future of America was at stake. This context reveals the internal politics structuring Nussbaum’s universal cosmopolitan ethics, where paradoxically, a cosmopolitanism that holds itself as the antithesis to negative nationalisms, is invested with its own parochialism. To put it another way, the ethic that Nussbaum would advocate for all peoples of the world as a “universal” cosmopolitanism was, in effect, the antidote to a specifically American problem.

Initially triggered by debates over art exhibitions, the two phases of American “culture wars” in the 1990s were not just a debate over funding the arts and humanities, but an atmosphere of censorship, differing conceptions of morality, competing social agendas, conflicting ideologies and the power to shape the future of American society. In the first phase, under the administration of George H. Bush, attention turned to the arts and the National Endowment for the Arts (NEA) came under public scrutiny. Reacting to Andres Serrano’s Piss Christ and Robert Mapplethorpe’s homoerotic photography, the
political intervention into the arts had been incited by the Christian Right and other conservatives. They adopted the “obscenity issue” as their public interest platform and argued that it was an “abuse of taxpayer’s money” to fund “a deplorable, despicable display of vulgarity” at the expense of eroding Christian values, social morality and American culture. But to art communities, what was being framed as a public policy issue was an infringement of freedom of expression, especially by representatives of minority groups – as one commentator noted “Mappelthorpe was gay, Serrano is Hispanic” – it was multicultural, gay and feminist artists that were being targeted.

The culture wars also played out in educational arenas. The second phase of culture wars shifted to the domains of history and literature where the debate was over what account of American culture, and from whose perspective, was to be included in school curricula. In higher education, tension was between conservative and leftist academics. Conservatives argued that they were being censored by multiculturalist ideologies and an appeal to “political correctness” that was not only hostile to the founding fathers tradition of American scholarship, but was also an attack on American civilization. They were critical of the zero-tolerance stance on criticism against black, multicultural or feminist studies in American Universities.

The debate moved beyond the academic arena and into the wider public sphere when historian Sheldon Hackney was appointed chairperson of the National Endowment of the Humanities (NEH). Whilst President of the University of Pennsylvania, Hackney had taken a favourable stance on political correctness but altered his position as Chairperson of the NEH in response to conservative pressures. In an attempt to find a middle ground, Hackney promoted the cultivation of a “shared American identity.” In 1993 Hackney initiated the National Conversation on American Pluralism and Identity aiming to create a public sphere in accordance with traditional democratic ideals of citizenship by bringing “the American people together in their local communities to discuss important questions about American pluralism – what holds our diverse society

together, what values we need to share if we are to succeed as a democratic society, what it means to be American as we approach the 21st Century.”

The philosopher Richard Rorty took up Hackney’s call to “explore the meaning of American identity” in an op-ed piece, published in the New York Times on February 13, 1994. Here Rorty advanced an appeal for American patriotism and national pride in the face of what he also regarded as a “divisive multiculturalism.” But Rorty’s appeal was first and foremost an attack on the “politics of difference” movement in American scholarship. It was captured by the title of his piece “The Unpatriotic Academy.” Here Rorty used the public sphere of a prominent national and international newspaper to attack a particular section of the academic left whilst also attempting to influence public opinion on the issue of pluralism, difference and national identity. He began by invoking the classical political rhetorical device of the royal “we” and set out a “rule” of American citizenship, namely “pride” in the constitutional democracy of America and pride in its “glorious” national traditions even if they may be “tarnished.” Then singling out leftist academics that focus on “marginalised groups” (e.g. women, African-Americans, gay men and lesbians), he declared,

But there is a problem with this left: it is unpatriotic. In the name of ‘the politics of difference’ it refuses to rejoice in the country it inhabits. It repudiates the idea of a national identity and the emotion of national pride. This repudiation is the difference between traditional American pluralism and the new movement called multiculturalism.

Here Rorty located himself as looking for an ethical and political position between “respect for cultural differences and American patriotism.” He took the view that the two were not incompatible and condemned the “politics of difference” approach, first for treating them as if they were incompatible and, second, for undermining the things

that Americans could be proud of about American history and culture. Instead, Rorty called for a reclaiming of “American pride.” To put it another way, Rorty’s position on striking a balance between cultural difference and American patriotism was a pragmatist one that prioritized an “American” culture over the exploration of any other cultural alternatives or ways of approaching the issue:

Like every other country, ours has a lot to be ashamed of. But a nation cannot reform itself unless it takes pride in itself – unless it has an identity, rejoices in it, reflects upon it and tries to live up to it. Such pride sometimes takes the form of arrogant bellicose nationalism. But it often takes the form of a yearning to live up to the nation’s professed ideals.55

The events of Hackney’s and Rorty’s appeal to American “pluralism” and “patriotism” against “multiculturalism” inspired Martha Nussbaum’s reaction in the Boston Review in October/November 1994. In an essay entitled “Patriotism and Cosmopolitanism” Nussbaum opened up a debate on the limits of patriotism. It attracted the responses of twenty-nine prominent, mostly American, philosophers, political theorists, cultural critics and historians. Nussbaum’s essay condemned a parochial American nationalism, which Hackney and Rorty, in her view, represented. This nationalism is particularly disconcerting, she argued, when it is a central feature of moral and political deliberation. Her strongest criticism was against Rorty’s patriotic pride; a “pride in a specifically American identity and a specifically American citizenship.”56 Rorty’s position, she warned, carried dangers of “jingoism” and limited politics to a basis of either “religious and racial difference” or “shared national identity.” Nussbaum’s intervention in the debate was to resurrect “the very old ideal of the cosmopolitan, the person whose allegiance is to the worldwide community of human beings.”57 Her appeal to Americans (and also to everyone else) was that, rather than pledging political allegiance to a national government and making the subject of our thinking co-nationals, we should put the human being at the centre of our thoughts in our political practices.

55 Rorty, “The Unpatriotic Academy.”
56 Ibid.
This context conveys that behind Nussbaum’s resurrection of cosmopolitanism was a search for an approach to politics grounded in an ethics that avoided the conflicts of cultural difference and its capacity to divide a society. The alternative that she presented to the debate was a “reason-based politics” grounded in morality promoting “human dignity.” In her words:

…we should not allow differences of nationality or class or ethnic membership or even gender to erect barriers between us and our fellow human beings. We should recognize humanity wherever it occurs, and give its fundamental ingredients, reason and moral capacity, our first allegiance and respect.58

It was a warning that a politics lacking the compassion of a universal humanism, which safeguarded self-interests at the expense of the suffering of the rest of the world, would signal humanity’s ethical decline. As a response to the question of responsibility, Nussbaum’s position is that “if we really do believe that all human beings are created equal and endowed with certain inalienable rights, we are morally required to think about what that conception requires us to do with and for the rest of the world.”59 This context highlights the limits of universal cosmopolitanism’s tolerance of difference: wary of the relativist argument that moral beliefs cannot be detached from their social, cultural and individual contexts and then judged by outsiders; concerned that a relativist attitude will feed into a failure to act against injustice; difference is only tolerated to the extent that it is the outcome of a “reason-based politics” grounded in morality.

58 Nussbaum, “Kant and Stoic Cosmopolitanism,” 7.
Cultivating a “Concern for the World as if it were One’s Polis”

In universal cosmopolitan ethics the concern for the rest of the world tends to be a concern with the creation of order and the norms of governance upheld through the rule of law. Normativity in ethics is paralleled by normativity in politics infusing its humanism with a set of exogenous conditions that constitutes the human as an object for cosmopolitan governance. These conditions include legal subjectivity, state sociality and democratic enculturation. Amongst these cosmopolitans writing in a so-called “Kantian” tradition, are advocates of various “cosmopolitan democracy” projects. These include projects that seek to cultivate a general vision for global democracy as the solution to the unification of peoples in the face of global inequalities, global deliberative democracy projects, global civil society projects, cosmopolitan citizenship projects, peace building, cosmopolitan militaries and global governance projects; and global design projects. While each of these projects relates to Kant in different ways, common amongst them is an underlying liberal humanist imperative that is guided by Kant’s appeal to humanity’s welfare and, emphatically, its future. In Chapter 8 I assess some of the “political” (in the sense of “institutional”) proposals in liberal democratic theory seeking to resolve this concern for the world, but here I want to focus more on the moral imperatives driving the political vision of a normative universal cosmopolitan agenda. Through an examination of Seyla Benhabib’s defense of a universal cosmopolitanism for the current historical conjuncture, I want to outline

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62 For example see Jürgen Habermas, The Inclusion of the Other (Cambridge: MIT Press, 1998).
64 Lorraine Elliot and Graeme Cheeseman, Cosmopolitan theory, militaries and the deployment of force. (Canberra: Australian National University, 2002).
65 David Held, Democracy and the Global Order: From the Modern State to Cosmopolitan Governance; Danièle Archibugi and David Held eds. Cosmopolitan Democracy.
66 Ibid.
how three issues that have inspired, albeit misguided as I will argue later in the thesis, the founding of an admirable cosmopolitan ethic for contemporary politics in Kant. The first is the challenge of the foreigner for the modern nation-state. The second is the question of the right to have rights. The third is a right of hospitality as a response to the question of “what do we owe our fellow human beings?”

Benhabib shares Nussbaum’s sentiment of a world citizenship that looks back to the Stoics and to Kant to respond ethically to the politics of the present. Where Nussbaum’s recuperation of cosmopolitanism was in response to the limits of multiculturalism, Benhabib’s is in response to the limits of modern citizenship and the boundaries of political community. But her agenda is not to institute an overarching regulatory regime of world citizenship, neither is it to override the modern system of states, despite mounting a criticism against it which challenges the doctrine of state sovereignty. Rather, Benhabib expresses cosmopolitanism in ethico-political terms as a “concern for the world as if it were one’s polis” and seeks to mediate moral norms with legal and political ones for the creation of a single universal cosmopolitan order. As she defines her approach:

Cosmopolitanism then is a philosophical project of mediations, not of reductions or totalizations. Cosmopolitanism is not equivalent to a global ethic as such; nor is it adequate to characterize cosmopolitanism through cultural attitudes and choices alone. I follow the Kantian tradition in thinking of cosmopolitanism as the emergence of norms that ought to govern relations among individuals in a global civil society. These norms are neither merely moral nor just legal. They may best be characterized as framing the ‘morality of the law,’ but in a global rather than a domestic context. They signal the eventual legalization and juridification of the rights claims of human beings everywhere, regardless of their membership in bounded communities.

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Benhabib’s demand for “another cosmopolitanism” is motivated by the challenge of the foreigner. Since Georg Simmel’s essay on “the stranger,” foreignness denotes a form of spatial interaction that captures the ambivalence at play in an interaction with someone who is spatially near but socially distant. As the “man who comes today and stays tomorrow,” Simmel’s stranger occupies two spaces simultaneously. The stranger lives with us, hence he is near; but does not become one of us, for he reserves a secluded space and in this respect is remote. Simmel’s central thesis is that the stranger is an element of the group itself: it is the unsettling element of unknowingness that is possible in relationships in which we share broad commonalities such as nationality or humanity and are only connected to specific individuals because these broad commonalities connect us to a great number of people.

As a prelude to her turn to cosmopolitanism in response to the xenophobic nationalism of Jean Marie Le Pen sweeping over France in the 1990s, Julia Kristeva makes a similar engagement with the foreigner, but from a psychoanalytical perspective. She defines the foreigner as “the one who does not belong to the state in which we are, the one who does not have the same nationality.” Kristeva takes issue with the status of the foreigner in the contemporary nation-state as non-citizen and hence as a subject of unequal rights. She observes that the foreigner is a predominately legal category as the non-citizen and has to exist if citizens are to have exclusive rights of membership of the political communities we find in the modern system of states. However, she argues that nation-states’ legalization of the figure of the foreigner as such is really a strategy for masking the symptom that the foreigner represents: “…psychologically he signifies the difficulty we have of living as an other and with others; politically he underscores the limits of nation-states and of the national political conscience that characterizes them and that we have all deeply interiorized to the point of considering it normal that there are foreigners, that is people who do not have the same rights as we do.”

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71 Ibid., 103.
Bonnie Honig takes the inquiry further by examining the symbolic work of foreignness in politics. She finds that the foreigner occupies a paradoxical position in liberal democracies and their political texts. On the one hand thinking about foreignness has taken on a xenophobic form. In this mode, the foreigner represents a threat of destabilization of a social and political unity. Honig argues that even options that aim to counter xenophobia, such as multiculturalism, are complicit in treating foreigners as a problem that needs to be solved. On the other hand, a xenophiliac attitude is taken towards foreigners: the foreigner is welcomed for the new knowledge and insights that it brings to the group and its political arrangement. Here it is only the foreigner that can reinvigorate the group and remind it of its fortunes, or as in the case of postnationalist theorists, the foreigner is a welcomed agent of change. The paradox that surfaces in these two approaches lies in the ambiguity of the same figure: how is it that the foreigner is both threat and benefit? This becomes apparent in a third position in which the foreigner is a double-edged sword where foreignness operates simultaneously as a threat and supplement for a regime. The paradox is only heightened, Honig points out, when we realize that the conceptual assumptions of two different political positions are the same. Both positions concern the pressure that “Others” pose to an imagined political unity. Honig argues that this paradox cannot be explained by the fact of foreignness, rather, the analysis of politics here has to be approached as an interpretative exercise: “since the symbolic powers of foreignness are capacious enough to be mobilized by both sides, those who would like to expand the reach of democracy beyond the nation’s borders must enter the interpretative fray and not just count on the facts of foreignness to do the world-building work of politics.”

Honig attempts to approach the politics of foreignness as an interpretative exercise that focuses on the category “us.” She skillfully and creatively approaches this task by attending to the symbolic politics of foreignness in a range of high cultural texts including Rousseau’s Social Contract, Freud’s Moses and Monotheism, Girard’s Violence and the Sacred, the biblical Book of Ruth, Kristeva’s Strangers to Ourselves and contemporary readings of American multiculturalism, as well as popular cultural texts such as The Wizard of Oz, Shane and Strictly Ballroom. Honig reads these texts as narratives of foreign-founding and her exposition of them as such is intelligently

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crafted. By focusing on the foreign-founding of regimes, she aims to offer an interpretation of the paradox of the foreigner: its doubleness as both threat and support to the political community in question. Her argument is that foreigners play a pivotal role in the founding or re-founding (reinvigorating) of political communities and that this realization points out that foreignness is not just something to be accepted or rejected, rather it is an ambivalent politics that is being brought to our attention in “our” responses to foreigners.

Benhabib observes the challenge of the foreigner with greater urgency as she approaches the issue from the point of view of the international crisis of refugees and asylum seekers and, like Arendt, finds that their loss of citizenship rights is tantamount to their loss of human rights. For Benhabib, the response to the question “what do we owe our fellow human beings?” is “the right to have rights.” But where Arendt was unable to reconcile the tension between human rights and citizens’ rights, identifying the obstacle as the absence of any institutional grounding for the right to have rights, Benhabib attempts to resolve the problem by incorporating into the claims of citizenship features of the universal human rights system in a practice she names “democratic iterations.”

Adopting Derrida’s concept of iterability, where repetition is a structure of sameness-and-difference, Benhabib proposes that a cosmopolitan citizenship is one in which cosmopolitan norms would reconstitute a conventional, let us say Marshallian, model of citizenship, by incorporating human rights into domestic law through a process she names “disaggregated citizenship.” This is a form of cosmopolitan citizenship that would allow individuals to enjoy multiple and overlapping rights and allegiances across political, cultural, ethnic and language borders. The recent European Union (EU) developments of a transnational system of rights exemplify a restrictive form of

73 Benhabib, “Another Cosmopolitanism,” 47-51.
74 See T.H. Marshall Class, Citizenship and Social Development, (Chicago: The University of Chicago Press, 1977). Writing in Britain in 1950, Marshall perceived citizenship as a status of “full membership” in society, which Marshall conceived in terms of civil, political and social rights. His was a claim to a version of social equality made possible by first, the enjoyment of equal rights of persons made possible by the state and second, the institutionalization of mechanisms that enable individuals to access these rights.
75 Benhabib, “Another Cosmopolitanism,” 45.
disaggregated citizenship, but they still suffer from the Arendtian problematic as it is only citizens of EU member states that may claim them, not non-EU citizens, and certainly not refugees.

While empirically, we have not yet resolved Arendt’s dilemma, Benhabib suggests the possibility might still be realized by following Kant. Paradoxically, as Arendt had identified the limits of cosmopolitan ethics in law’s production of the anomaly of a universal right of humanity, Benhabib turns to law for the realization of cosmopolitan ethics. Acknowledging Arendt’s suspicions of the corruptibility of legal positivism and the essentialism of natural law, Benhabib advocates an alternative legal schema following Kant’s doctrine of cosmopolitan right. Despite writing in different historical circumstances, in her view:

…Kant set the terms which still guide our thinking on refugee and asylum claims on the one hand, and immigration on the other. Situated between morality and legality, between universal principles of human rights and the established legal orders of individual polities, the right of hospitality demarcates a new level of international law which had been previously restricted to relations among sovereign heads of states.\textsuperscript{76}

Benhabib reads Kant’s declaration of a right to hospitality as offering a foundation for the contemporary protection of human rights. In her reading, morally, it demands that a claim to temporary residence cannot be refused to any stranger that comes in peace. Legally, as a “cosmopolitan” right, it has anchorage in that margin where domestic law ends and international law begins, capturing the stateless as rights-bearing subjects. Although she points out that it is unclear in Kant’s text whether the morality of a right to hospitality is equivalent to, as she carefully puts it “the rights of humanity in the

\textsuperscript{76} Benhabib, \textit{The Rights of Others}, 21-22.
person of the other,” for Benhabib, this conception of right is nevertheless Kant’s major innovation for the cultivation of a humanism that bears the force of law universally.

Sympathetic to the plight of refugees and asylum seekers against the hostility of states, Benhabib here appeals to a conception of cosmopolitanism, which, when drawn in alliance with Kant, represents him as sharing in a contemporary liberal-democratic aspiration of the cosmopolitan ethos as the transcendence of the boundaries imposed by the Westphalian states system in an attempt to overcome the so-called “problem of difference” between selves (co-nationals) and others (foreigners). Although her promotion of a universalist cosmopolitanism challenges the extreme self-interest that realists argue define states in international relations, Benhabib is not advocating an overhaul of Westphalian states system, neither does she want to revise it too radically. As she describes it, her argument for cosmopolitan citizenship merely “entails the reclaiming and the repositioning of the universal – its iteration – within the framework of the local, the regional or other sites of democratic activism and engagement.”

This context highlights the limits of universal cosmopolitanism’s tolerance of the Westphalian system of states as the defining structure of human existence: wary that the abolition of the current interstate order in favour of an alternative model for the organization of life would be undemocratic and even anti-democratic; the rights of others may still only be pursued through the creation of order and the norms of governance upheld through the rule of law, which, although materially modified, nevertheless remain committed to the structures of the status quo. Benhabib’s project attempts to advance a human rights theory as a universal cosmopolitanism that can translate into political practice and situates Kant as offering this possibility. But is it too optimistic to assume that what Kant had in mind when he formulated the idea of “cosmopolitan right” and the “right to hospitality” was the modern asylum seeker? I think Derrida, whom I discuss in Chapter 3, is right in challenging the celebration of Kantian cosmopolitanism in these terms, but an inquiry is also needed regarding the point that Benhabib has raised but neglected to take up concerning whether the person

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77 Benhabib, “Another Cosmopolitanism,” 23.
of the other is equivalent to the human in Kantian cosmopolitanism. I will interrogate
the anthropology underlying Kantian cosmopolitanism later in the thesis to reveal the
discrepancy and how Kant’s thought constructs it. Although Benhabib is concerned
about the tensions between the universal and the particular in the formulation of a
cosmopolitan ethic that will ensure the protection of human rights, a return to Kantian
hospitality in the revisioning of the rights of the citizen to the rights of the human fails
to pin down the aporia in the conceptualization of the human that hospitality relies on.
The argument I advance in forthcoming chapters concerns how the nexus between the
human and the state in the hospitality formula of Kant’s principle of cosmopolitan right
is precisely a moment wherein the anomaly of a human right to humanity is possible.

Conclusion

Normative ethics responds to the anomaly of a universal right to humanity by asking
what it is that we owe our fellow human beings. I have observed in this chapter that,
against the perceived threat of anti-Humanist thought, it answers with the creation of a
new humanism — an ethic of “universal cosmopolitanism” — that extends to these
Others the moral personhood that constitutes its category of the human and a
complimentary legal subjectivity that would endow them with equal rights to appease
their plight. In order to mount a moral obligation, universal cosmopolitanism turns to
philosophical foundationalism and its investment in finding a “truth” in defining the
human for the purposes of formulating notions of “right,” “justice” and “moral
responsibility.” Inevitably, the finding can only be repressive of difference and it is in
this repression that the ethics of universal cosmopolitanism is susceptible to rupture, as
the next chapter will demonstrate. Why then does the proposed ethics of
cosmopolitanism insist upon an appeal to the philosophical foundationalism of a Stoic-
Kantian tradition?

My argument has been that, against fears that anti-Humanist criticism undermines
human rights, a Stoic-Kantian tradition of cosmopolitan ethics has been invented in
response to the demand for a humanism that avoids the monist essentialism of the old
Humanism. As a mode of intellectual historicization, the invention of tradition here
attempts to achieve legitimacy via historical continuity. However, despite recuperating the ethos of cosmopolitanism in terms of “tradition,” several writers have found unconvincing Nussbaum’s moralistic diagnosis of our times. The exchanges in *For Love of Country* reveal a movement marked by tensions. Fellow cosmopolitans, although sharing Nussbaum’s broader vision, deviate from her analysis of what cultivating a cosmopolitan ethic requires. For Richard Falk, for example, Nussbaum has failed to account for the challenges that economic globalism places on the cosmopolitan ideal and risks indulging in a “contemporary form of fuzzy innocence,” 79 while Robert Pinsky identifies that the error in Nussbaum’s conceptualization of cosmopolitanism is that she has equated it to abstract universalism and removed from it historical contextuality. 80 Other commentators expressed their disappointment in Nussbaum’s perspective, but welcomed the debate she had opened up on interacting with “Others.” 81 Stronger critics of cosmopolitanism, like Gertrude Himmelfarb, find that Nussbaum’s proposal has a “high-minded ring to it,” but ultimately amounts to a perilous illusion. 82 For other critics, like Bruce Robbins it amounts to an empty humanism. 83

Benhabib, writing in a similar tradition, searches for “another cosmopolitanism” articulated in terms of “right.” In so far as the human rights regime presents itself as a rights claim to which all human beings are entitled, “human rights” constitutes a discourse that demands a rethinking of the distinction traditionally drawn by states between “citizens” and “foreigners” as subjects of rights. For theorists like Benhabib concerned with the plight of refugees and stateless persons, it draws attention to the moral worth of Others as “like us,” the “we” that asks questions of our responsibility, nonetheless. That is to say, that in the spirit of cosmopolitan moral philosophy, these Others may not be our compatriots, but they are nevertheless of moral worth. Re-conceptualizing the liberal subject in moral cosmopolitan terms as well as the cosmopolitan re-imagining of political community offers a framework for re-thinking state-human relationships and the notion of “right” in more generous humanist terms than previously permitted by classical liberalism and Westphalian statehood. However,

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at the same time, the cosmopolitan personhood produced by Benhabib’s theoretical attempts are influenced (or constrained, depending on how you see it) by a legalistic notion of cosmopolitanism wherein all persons are considered to be citizens of a universal republic – the system of states revisioned – in which they have equal rights and duties regardless of their attachments. The question remains for Benhabib’s cosmopolitanism whether re-theorization of citizenship in universal cosmopolitan terms has resulted as the recasting of the statist model of citizenship to a supra-statist context in the figure of the human.

Universal cosmopolitanism, with its “worldly” outlook provides an idea in whose name traditional moral philosophy’s ideals may be applied to a “global context.” Gillian Brock and Harry Brighouse summarize the position as follows: “the crux of the idea of moral cosmopolitanism is that each human being has equal moral worth and that equal moral worth generates certain moral responsibilities that have universal scope.”

This literature extends its traditional concerns with equality, “basic needs” and equal moral significance of persons to a global frame. It continues the moral high-mindedness that is characteristic of moral philosophy, but encompasses the global population, regardless of their own local cultures, histories and self-identification, in its deliberations. Or to put it another way, it extends the culture of moral philosophy for the rest of the world to accommodate, rather than changing moral philosophy to accommodate the diversity of the rest of the world. What constitutes the subject “humanity” is generally left unquestioned under the trust of its categorization as an “ethical” entity and instead, the idea of Kantian cosmopolitanism becomes an authority related to the pursuit of human rights as what is going to protect us from the violence of states. Now when answering the question, “to whom do our moral obligations extend,” moral philosophers pay consideration to people beyond the borders of the nation-state, but the extent of their consideration is the courtesy of bringing these other people too, now as named subjects, within the realm of moral philosophy’s discussions.

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84 Gillian Brock and Harry Brighouse eds. *The Political Philosophy of Cosmopolitanism*, 4.
85 David Copp, “International justice and the basic needs principle,” in Gillian Brock and Harry Brighouse eds. *The Political Philosophy of Cosmopolitanism*.
86 David Held, “Principles of cosmopolitan order,” in Gillian Brock and Harry Brighouse eds. *The Political Philosophy of Cosmopolitanism*.
My proposal is that it is the paternalist high-mindedness of its moralism as much as the difference that it represses by the insistence on a universalism grounded in foundationalist philosophy that renders universal cosmopolitanism susceptible to the event of rupture, albeit an event that is welcomed. In particular, the problem is that, by equating a rejection of Humanism with the kind of degrading treatment that lends itself to being deemed a human rights abuse, universal cosmopolitanism serves to reinforce the elitism in defining the human as a rational, liberal subject that critical cosmopolitans accuse it of. But, as I will demonstrate further throughout this thesis, it is possible to be suspicious of Humanism without necessarily rejecting entirely a lower case humanism that is a feature of most ethical systems concerned with the world of the human animal. In order to do so, we might recast anti-Humanism in terms of a suspicion of “anthropocentrism,” a term that I will account for more fully in Part II of the thesis. The next two chapters however, will attend to the rupturing of universal cosmopolitan ethics in order to support the anthropocentric suspicion.
Chapter 2

First Rupture:
World Pictures, Critical Cosmopolitanisms and the Ethics of Postcoloniality

As the interest in cosmopolitan ethics moved beyond moral philosophy into the humanities and social sciences more broadly, it became apparent that, although unsympathetic to Nussbaum’s thesis, scholars were not ready to give up on cosmopolitanism, but demanded a recasting of the terms of the debate beyond a preoccupation with American identity or foreign policy goals and away from philosophical appeals to a Humanism grounded in a universal human subject, to consider less abstract identities, such as ethnic minorities, diasporic communities and feminist and workers movements as cosmopolitan ones providing a basis from which to cultivate a politically effective elaboration of cosmopolitanism for our times. Attentive to the universalism of colonialism as the exercise of hegemonic and oppressive systems of power in the name of “humanity,” a new cosmopolitanism rupturing the old emerged, which seeks not to be morally prescriptive or regulative, but to remain critical and reflexive.¹ That critique has come increasingly from postcolonial studies, which analyses cosmopolitanism from the lens of the material effects of the history of imperialism, the discursive forces of colonialism and the experiences of the world they have made. Cosmopolitanism here takes on bipolarities of meaning: dangerous and desirable; retaliatory and celebratory; but ultimately ambivalent. This chapter will outline the first rupture within contemporary cosmopolitan ethics, an intellectual development that I refer to as critical cosmopolitanisms.

This first moment of rupture signals a new cosmopolitan consciousness that draws out the tensions in the cosmopolitan condition, sometimes bearing a commitment to the possibility of achieving political solidarity in the interests of human rights or ecological sustainability, other times bringing to attention structural inequalities and uneven development produced by colonial histories and the excesses of capitalist globalism. The argument is that within cosmopolitan consciousness lies the potential for political activism as a form of radical cosmopolitanism from below. Here the term “cosmopolitanism” no longer refers to a moral outlook, bestowed from above, employed to guide political conduct for the good of humanity. Critical cosmopolitanisms have, in fact, emerged as a reaction to the humanism of the orthodoxy of universal cosmopolitan ethics and its world-historical claims that moral philosophy represents, and they seek to displace the Stoic-Kantian tradition, reclaim the ancient term and revise the way that it is used. The effect of the shift, as Bruce Robbins observes, is that: “…something has happened to cosmopolitanism. It has a new cast of characters…”

I agree with Una Chauduri, but for different reasons, that the theatrical metaphor is ideally suited for so many discussions of cosmopolitanism. Through that romantic figure of the “citizen of the world,” cosmopolitanism has, for a long time, manifested as a devotion to the interests of humanity as a whole, as a view coming from above that is detached from the bonds and commitments of nation-bound lives, “but many voices now insist,” writes Robbins, “that the term should be extended to transnational experiences that are peculiar rather than universal and that are unprivileged – indeed often coerced.” This first moment of rupture illustrates that it is not cosmopolitanism that is being played out on stage – rather, cosmopolitanism is the stage – and what is being played out in this moment of rupture is a conflict in the picture of the world that it represents. This chapter will argue that what is happening in the discourse of cosmopolitanism now is a demand, not for the changing of the name, but the changing of the world picture that “cosmopolitanism” names.


In this first event of rupture the cries of cosmopolitanism’s victims pierce the silence of
the totalizing tendencies of the cosmopolitan ethics outlined in the previous chapter.
“Do they belong in the world picture envisaged by its humanism?” and “are they *really*
human too in its imagination?” their intervention asks. Here “cosmopolitanism” takes
on analytical objectives. The worldly orientation of the term is initially employed in a
descriptive-sociological, rather than transcendental-philosophical or normative-political
capacity, where the aim is to gauge a perspective on how we might view the world as a
multiplicity of worlds from the point of view of human life as it *is* lived in all its
violence, rather than in terms of an idealization of how it *ought* to be lived. It takes a
pluralist rather than universalist approach to cosmopolitanism. In terms of Sypnowich’s
schematization of cosmopolitanism outlined in the previous chapter, where approaches
to cosmopolitanism can be distinguished between an “aesthetic” interested in “cultural
worldliness,” and an “ethics” interested in “moral worldliness,” much of the
cosmopolitanisms discussed here would presumably fall into the former group given
that they derive from disciplinary approaches concerned with culture and lived human
experiences, rather than a claim to timeless abstract moral principles. But I want to
differ with Sypnowich’s classification on the basis that it presumes too easily, a
distinction between aesthetics and ethics based on a distinction between culture and
morality, where the latter is naturalized and privileged in the understanding of the
human.

By considering the challenge posed by critical cosmopolitanisms, the primary objective
of this chapter is to articulate what is the central point of contention that they raise for
cosmopolitan ethics, and how might we interpret their demand other than in terms of a
postcolonial awareness of the controlling force of representation in humanist appeals.
Although a postcolonial ethics offers an alternative approach to cosmopolitanism from
normative ethics, my purpose is not to determine which is the better of two; rather it is
to attend to the factors contributing to the rupturing of cosmopolitan ethics. Hence, this
chapter proposes that the central point of contention that critical cosmopolitans raise for
cosmopolitan ethics is, to borrow the title of Martin Heidegger’s essay, “the question
concerning the age of the world picture,”⁵ that is, a question of deferral, displacement
and re-entry into the project of world-making. “World-making,” or “world-picturing” as

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I prefer to express it here, implies that human beings are the makers and shapers of their own histories. But Heidegger complicates this assumption by posing an ontological problem of “when” does the human emerge, which is not to take for granted the being of the human in the world, but it is to question the prevalence of the anthropological subject in the conceptualization of the world. Although not a cosmopolitan thinker himself, Heidegger’s insights are nevertheless useful for an inquiry into cosmopolitan thinking which is preoccupied with the picturing of the “world” in the interests of humanity.

This chapter finds that what the intervention of critical cosmopolitanisms demands is an inquiry into the human-world nexus in cosmopolitan thought. This is to ask how is the human constituted by the idea of “the world” and, concomitantly, is exclusion from the picture of “the world” exclusion also from “humanity”? My argument will be that what is being played out between the universalist imagination of cosmopolitanism and the critical re-imagination of cosmopolitanism in this first moment of rupturing cosmopolitan ethics, is a struggle for inclusion into and re-imagination of the picture of the world, which is also a struggle for inclusion into the category “human.”

The chapter sets up the dynamics of this struggle in terms of the dilemma of subalternity that is central to the postcolonial ethics of critical cosmopolitanisms. The first section identifies three aspects of “worlding” and their relationship to colonialism as the point of contestation in the “grasping of the world as picture” and catalyst for rupturing cosmopolitanism’s normative orthodoxy. The second section outlines the features of the critical cosmopolitanisms alternative as a struggle for a new world picture. The chapter then proceeds to draw on the analysis offered by Heidegger to elucidate the implications of this struggle for an inquiry into the world-humanity nexus in terms of the question of the age of the world-picture. Then, returning to the problematic of subaltern speaking as a central concern of postcolonial ethics, the chapter concludes by affirming that the limits of the critical cosmopolitanisms approach relate to a fight for entry into the world picture and the problem of subjectivism inherent to it.

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Ibid., p. 129.
*Postcolonial Criticism &
Cosmopolitan Worlding*

In one of postcolonial scholarship’s most influential essays, Gayatri Spivak brought to attention the problem of the missing voices and their discursive violation in scholarship by asking the question “can the subaltern speak?” Her provocation confronted the colonial and neo-colonial tendencies of Western intellectuals. Invoking the Italian Marxist, Antonio Gramsci’s term, the “subaltern” for the Subaltern Studies historians, with whom Spivak engages, refers to the subordinate or non-elite members of the population. They argued that the historiography of Indian nationalism failed to recognize the role that the “people on their own” made to nationalist movements independent of the two elite groups: the colonizers and the bourgeois-nationalists. Evolving from a Marxist social theory of class relations and increasingly shifting to a poststructuralist analytics of power and its role in subject formation as its theoretical influence, Subaltern Studies projects set out to revisit the colonial archive and to recover from it the “politics of the people,” that is, the consciousness and autonomy of the subaltern classes, by making visible their voices from the deconstruction of the voices of the elites. They aimed to develop, in Ranajit Guha’s words, “an alternative discourse based on the rejection of the spurious and unhistorical monism characteristic of its view of Indian nationalism and on the recognition of co-existence and interaction of the elite and subaltern domains of politics.”

Spivak takes the critique of elitist domination in subcontinental historiography further to question whether even radical Western thinkers, like poststructuralist philosophers, can resist colonialist tendencies in their thought to provide sufficient theoretical equipment for recovering subaltern voices. She argues, particularly in consideration of a conversation between Foucault and Deleuze on the relationship between radical theories of power and workers movements, that even these thinkers who challenge Western humanism’s standard of the man of reason inherited from Enlightenment rationality, fail

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7 Includes Ranajit Guha, Shahid Amin, David Arnold, Partha Chaterjee, David Hardiman and Gyan Pandey. They published the *Subaltern Studies* collection of essays commencing in 1982.
9 Ibid., p. 2.
10 For Guha they include workers, peasants, urban poor and the lower rung of the petty-bourgeoisie.
11 Ibid., p. 6.
to acknowledge their own complicity in an intellectual tradition centred on “the subject of the West, or the West as subject.”¹² This is apparent by their differentiation of intellectuals from workers’ struggles, Spivak claims. Consequently, she is also critical of the Subaltern Studies project, not for their turn to postructuralist thought for the development of their methodology;¹³ but for their tendency to imply that poststructuralism is not infected by Westerncentrism. Spivak posits that theory is engaged in the reproduction of “epistemic violence” by which she means it is a monological engagement constituting and reconstituting the “Other as the Self’s shadow.”¹⁴

The intellectual task is not to simply apply Western knowledge and concepts to non-Western peoples, but to problematize and hold to critical investigation, that knowledge itself. Thus, before one can, in respect of Lacan, decipher the discourse of the Other in the context of subalternity, the question of its capacity to speak must be asked. This is as much a question of methodology as it is of the politics of speaking. I will return to Spivak’s intervention at the end of the chapter, but for now, rather than perform the error of ontologizing or authenticating the figure of the Other, I invoke Butler’s suggestion that if “speech is always in some ways out of our control”¹⁵ then between the utterance and the injury is a gap, which opens the possibility for agency as “a counter-speech, a kind of talking back”¹⁶ in order to turn now to considering critical cosmopolitanisms, not as the Other of universal cosmopolitanism, but as an attempt at waging a counter-cosmopolitan discourse and counter-cosmopolitan ethics.

In the previous chapter, we saw that for normative ethical approaches to cosmopolitanism, “cosmopolitanism” is predominantly a project for the creation of “one world.” But whose world is it? Critical cosmopolitanisms question the singularity of the world pictured by universal cosmopolitanisms by exploring the tensions of plurality, difference, exclusion, heterogeneity, and resistance to hegemony overlooked by the universal cosmopolitan imagination. They problematize the promotion of cosmopolitan

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¹⁴ Spivak, “Can the Subaltern Speak?” 280.


¹⁶ Ibid.
singularity when it is framed in terms of a particular cultural imaginary by inquiring into the historical, conceptual, sensory and discursive frames within which that world is imagined. They seek to rupture universal cosmopolitanism’s homogenization of multiple worlds into one world and, rather than taking for granted the worldliness of the world, they address the ruptures that manifest from the division of the world into a First World and its Others.

The work of critical cosmopolitanisms strive to operate from the perspective of these, predominantly “Third World” Others and from an alternative historical narrative of “worlding,” which addresses the bringing into the world of the colonized spaces, which we now refer to as the “Third World,” through the history of Western imperialism. Borrowing the Heideggerian idea of “the worlding of a world on uninscribed earth” from his 1935 lecture “The Origin of the Work of Art”¹⁷ to denote the processes by which Europeans had inscribed their world onto that of the colonized in order to make the latter see themselves as the European’s “other,” Spivak describes the methodological contribution of an analysis pursued in terms of “worlding” as an innovation in reading the archive:

If instead we concentrated on documenting and theorizing the itinerary of the consolidation of Europe as sovereign subject, indeed sovereign and subject, then we would produce an alternative historical narrative of the “worlding” of what is today called “the Third World.” To think of the Third World as distant cultures, exploited but with rich intact heritages waiting to be recovered, interpreted, and curricularized in English translation helps the emergence of “the Third World” as a signifier that allows us to forget that “worlding,” even as it expands the empire of the discipline.¹⁸


¹⁸Ibid., p. 247.
In what follows I outline three dimensions of this narrative of worlding that have encouraged critical voices to break their silencing by the orthodoxy of universal cosmopolitan ethics.

1. Nationalism

Critical cosmopolitans disagree with the presumed antagonism between nationalism and cosmopolitanism apparent in the debate between Rorty and Nussbaum. They offer a third perspective that seeks to bring out the complexity of nationalism in the postcolonial conjuncture. Today, for much of the developing world, nationalism occurs as a cosmopolitan expression in response to neo-colonialism and uneven development. The nationalism of Venezuelan leader Hugo Chavez is one such instance. Under the name of “Bolivarianism” Chavez promotes Venezuelan sovereignty in opposition to US cultural, economic and military hegemony. Effectively a nationalism against imperialism, neoliberalism, dependency, political corruption and poverty, it is not limited just to the borders of one state, but Chavez envisions it as a pan-Latin American movement as well as a possibility for other parts of the world. Transnational-nationalist solidarity of this kind enables, perhaps, the articulation of another kind of cosmopolitan outlook captured by Chavez’s address at the Second Summit of Heads of State and Government of the Organization of the Petroleum Exporting Countries (OPEC) in September 2000:

The 20th century was a bipolar century, but the 21st is not going to be unipolar. The 21st century should be multipolar, and we all ought to push for the development of such a world. So, long live a united Asia, a united Africa, a united Europe!

While also presenting an alternative to the “New World Order” cosmopolitanism that I discuss in Chapter 8, the point that I seek to illustrate here via this statement of

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Chavez’s vision for the world is that nationalism and cosmopolitanism might not always be incompatible.

Critical cosmopolitan theorists challenge the binary in various ways. Pheng Cheah observes that nationalism and cosmopolitanism have had an inconsistent relationship in the history of ideas.\(^{21}\) First, given that the idea of cosmopolitanism actually preceded the idea of nationalism, the argument that cosmopolitanism is nationalism’s antithesis is unfounded. As a political idea, cosmopolitanism had wide appeal amongst Eighteenth Century European philosophers. Taking Kant’s thought as an example, Cheah argues that cosmopolitanism’s opposite was not nationalism, but “absolute statism.” As the nation-state was invented later in the Nineteenth Century, it would be anachronistic to treat it so. Furthermore, as Benedict Anderson’s seminal study *Imagined Communities* illustrates, although the nation served to establish social solidarity in secular modernity when old forms of religious identity lost their legitimacy, this did not necessarily mean that it was incompatible with cosmopolitanism.\(^ {22}\) In socialist thought, Cheah finds a tension between cosmopolitanism and nationalism where Karl Marx dismissed nationalism for its complicity with the bourgeois state and advocated for a socialist cosmopolitanism appealing to a global proletariat to overthrow cosmopolitan capitalism. But later Vladimir Lenin would rethink the question of nationalism in the context of anti-colonial struggle arguing that nationalism could serve as an agent of decolonization and socialist cosmopolitanism by mobilizing people against cosmopolitan capitalism. Considering that this intellectual history warns against reductionist approaches to discourses of nationalism and cosmopolitanism, how might we explain the tendency to treat cosmopolitanism as the antithesis to nationalism then?

Leela Gandhi offers a comprehensive survey of the misconception of nationalism that assists with an explanation.\(^ {23}\) First she points out that the western suspicion of nationalism is predicated on a notion of “bad nationalism,” that is the kind of nationalism that has been read into conflicts in the former Yugoslavia and between Israel and Palestine, which gives way to social divisions, antagonism and even hatred of the Other. Second, the tendency to project the dangerous consequences of nationalism

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experienced in the West are projected onto the rest of the world as a result of a Hegelian teleological bias which regards history as having one course which happens first in the West and then elsewhere. Third, these biases have resulted in the failure amongst many Western thinkers to validate a competing conception of nationalism that has been articulated by postcolonial thought from experiences in the Third World. Rethinking nationalism in relation to the history of colonial struggle allows for a rearticulation of the relationship between cosmopolitanism and nationalism.

For example, the artificial polarization of nationalism and cosmopolitanism is made apparent by an Atlantic historical context of anti-colonial resistance. Ifeoma Kiddoe Nwanko’s study of approaches to identity articulated in terms of “Blackness” amongst people of African descent in Cuba, the West Indies and the United States in the Nineteenth Century conceives of a “Black” cosmopolitanism, which is a reference to citizenship of a “Black world.” She identifies the slaves’ rebellion and Haitian Revolution of 1791-1804 as marking the birth of negritude identity and formation of a transnational-cosmopolitan solidarity amongst Americans of African descent. “Black cosmopolitanism” therefore refers to the way that people of African descent articulated relations between each other and the world at large, in the face of the Atlantic power structures that had reduced them to racialized and dehumanized subjectivities of slavery and denied them identification with a nation or with humanity. On the question of the nationalism-cosmopolitanism polarization, Nwanko’s illustration of Black cosmopolitanism challenges this construct by demonstrating that although national identity may be desired, it is not always accessible, and instead, a cosmopolitan identity was forged in terms of identification that might otherwise be a feature of nationalist movements. As she puts it: “Black cosmopolitanism is born of the interstices and intersections between two mutually constitutive cosmopolitanisms – a hegemonic cosmopolitanism, exemplified by the material and psychological violence of imperialism and slavery (including dehumanization), and a cosmopolitanism that is rooted in a common knowledge and memory of that violence.”

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The Twentieth Century experience varies. On the one hand, anti-colonial nationalisms have been an enabling force that has allowed peoples to challenge imperialism in the move to decolonization and independence. In India, for example, we find in Mohandas Karamchand Gandhi, the leader of India’s independence movement against Britain, an expression of the complexity of the nationalism-cosmopolitanism nexus that challenges the tendency to regard the localization of nationalism and the worldliness of cosmopolitanism as diametrically opposed. As Debjani Ganguly discusses, both his and the thought of Bhimrao Ramji Ambedkar, another champion of India’s dalits or untouchables, captured a “vernacular cosmopolitanism” in their thought. The coupling of the two terms, may seem contradictory in the first instance, where “vernacular” signals an affiliation with the local and “cosmopolitanism” with the world beyond it, but it is precisely this contradiction that captures the critical moment of a cosmopolitan sentiment of this kind, she argues. Sheldon Pollock offers a historical and cross-cultural comparison of the different practices of the two terms as forms of literary communication illustrating not only that there have been various ways to be vernacular and cosmopolitan; but also that the two practices were not mutually exclusive: it has been possible to be simultaneously universal and particular in political engagements. But more specifically, as Homi Bhabha defines it “to vernacularize is to “dialectize” as a process; it is not simply to be in a dialogic relation with the native or the domestic, but it is to be on the border, in between, introducing the global-cosmopolitan “action at a distance” into the very grounds – now displaced – of the domestic.” For Bhabha, this is to envisage cosmopolitan community from the space of “marginality” rather than in terms of a universalism that is ultimately provincial and imperialist as Nussbaum and Benhabib appear to.

A less positive perspective on the nationalism-cosmopolitanism relationship in the moment of decolonization can be found in the writings of Franz Fanon, the

revolutionary Martinician thinker. Although acknowledging its role as a force to shirk colonial oppression by offering a people a sphere of thought and action through which they may create themselves and maintain their existence, Fanon in fact warns of nationalism’s potential as colonialism’s substitute when coupled with capitalism. “For the bourgeoisie,” he remarks, “nationalization signifies very precisely the transfer into indigenous hands of privileges inherited from the colonial period.” The danger of nationalism is that it can engender racial and class rivalries with and between postcolonial nations. Fanon, echoing Marx, was just as suspicious of nationalism as he was of cosmopolitanism. The dangers of both resided in their collusion with capitalism and the interests of the bourgeois classes: where the bourgeois nationalism of anti-colonialism aligned itself with the capitalist cosmopolitanism of colonialism, colonial violence would be reproduced.

By contrast again, reflecting on his postcolonial autobiography, raised by a Ghanaian father and leader of the Gold Coast and an English mother tied to her mother land but also deeply embedded in the Ghanaian world, Anthony Appiah, a more recent critical cosmopolitan interlocutor, attempts to theorize a melding of the two positions, nationalism and cosmopolitanism, as an ethical possibility. He calls it “cosmopolitan patriotism” or “rooted cosmopolitanism.” Here, playing on the historical insult, often directed at Jews and Gypsies, that “rootless cosmopolitans” were nationless and therefore devoid of any loyalties, Appiah’s idea of cosmopolitanism is one where to be a citizen of the world is to be able to sustain local cultural practices and ties in transnational contexts. In his words: “…the cosmopolitan patriot can entertain the possibility of a world in which everyone is a rooted cosmopolitan, attached to a home of one’s own, with its own cultural particularities, but taking pleasure from the presence of other, different places that are home to other, different people.”

Although Appiah shares the philosophical tradition of Nussbaum’s cosmopolitanism and commends her own cosmopolitan aspirations, his version differs in two key respects on the question of nationalism. The first is that Nussbaum has erroneously conflated the state and nation. Appiah points out that nations pre-exist states and matter

31 Kwame Anthony Appiah, “Cosmopolitan Patriots,” Critical Inquiry 23:3 (1997):617-639, at 618. Such a figure is represented by his father a “Ghanaian patriot” who at the same time loved Asante “a kingdom absorbed within a British colony and then a region of a new multiethnic republic’ as well as ‘an enchanting abstraction they called Africa’” at p. 617.
to individual identity, where states generally do not. The second is that nationalism is like cosmopolitanism in the sense that both are a form of abstract allegiance and identification with strangers. Contrary to Nussbaum, Appiah argues, “…the task of cosmopolitanism is not to substitute nationalism but to facilitate debate and conversation across nations.” Where Nussbaum drew a distinction between “morality” and “culture,” grounding her cosmopolitan ethics in the former, Appiah resists the distinction trying instead to reconcile the universality of a cosmopolitan sentiment in its regard for all humanity with the cultural particularities of national identities. His is an argument against the “desire for global homogeneity” characteristic of Nussbaum’s humanism and defines cosmopolitanism instead as a sentiment that “celebrates the fact that there are different local human ways of being.” What we find in Appiah’s outlook is a form of cosmopolitan hybridity referring to an in-between space where identity emerges out of the interdependent nature of cosmopolitanism and nationalism or patriotism. As an ethical question, Appiah posits, “cosmopolitanism is the name not of the solution but of the challenge.”

In drawing attention to the complex and inconsistent relationship between nationalism and cosmopolitanism, these postcolonial analyses suggest that the task of a critical cosmopolitan scholarship is to avoid treating cosmopolitanism and nationalism as necessarily antagonistic and to examine the social, political, economic and cultural contexts in which nationalism is invoked as cosmopolitanism. They make possible competing notions of nationalism that challenge the anti-thesis used to create a cosmopolitan ethic. In rupturing this antithetical relationship, critical cosmopolitans seek to rearticulate cosmopolitanism in a way that avoids hegemonic tendencies but which captures the diverse and diasporic dimension of nation-bound lives as the site of cosmopolitan existence and intellectual reflection. The challenge they present to the orthodoxy of universal cosmopolitanism is first that rootedness, or having local or national affiliation, is not a threat to identifying with the cosmopolitan community of human beings, and, second, that cosmopolitanism is not an alien notion to the non-Western world that needs to be taught by the West.

33 Ibid., p. 94.
2. Globalization

The second aspect of worldliness taken up by the critical cosmopolitanisms project is the concern about “globalization.” Globalization is usually thought of in much social science literature as the expansion and speeding up of worldwide interconnectedness in all dimensions of contemporary social life such as culture, politics, economics and law. The concept “globalization” has been used to refer to a sense of the world broadening into a shared social space where developments and disasters in one part of the world produce consequences that impact on the lives of individuals and communities in other parts of the world. The sociologist, Ulrich Beck, distinguishes between three related concepts: globalism, globality and globalization.35 “Globalism” refers to economic globalization and specifically “neoliberalism” or the “ideology of rule by the world market.”36 “Globality,” for Beck, refers to the idea of a “world society.” Beck says we have always been living in a world society but what is new now is that our local borders — specifically nation-state borders — are being increasingly challenged from the outside to the point where we cannot view ourselves as citizens or subjects of a nation-state as our primary identity in the same way that people did in the Nineteenth Century. Thirdly for Beck, “globalization” refers to the processes that create transnational social spaces and links that challenge the stronghold that states or nation-states have on smaller forms of social organization such as clan groups or kinship networks. Through globalization processes, such as flows of consumer products or flows of information, cultures become affected; they are touched and they can be transformed from outside and from within.

Critical cosmopolitans are more specifically concerned with the uneven character of global capitalism. A critical cosmopolitan approach argues that what we are seeing today is a revival of an older form of colonization in the expansion not just of “Western” ways of living, for that is too simplistic a descriptor, but where neo-liberal mentalities of governance which roll back the state and replace it with a culture of unregulated market capitalism that presumes people are free, rational and entrepreneurial agents is the order that regulates people’s lives throughout much of the world. Timothy Brennan offers a reading of this kind of cosmopolitanism as a colonial

36 Ibid.
era that has not ended. Against the backdrop of the end of the Cold War in 1989 and the war in Iraq under the first US President Bush in 1991, Brennan argues that the discourse of cosmopolitanism has been appropriated to advance American imperialism, corporate dominance and Americanization of the Third World through mass culture. In other words, for Brennan, cosmopolitanism is a “global vision of a capitalist or technocratic monoculture” that equates to “Americanization.” Here one finds that central to the concern about globalization is a concern about the effects of capitalism and the cultural uniformity that it conditions. Whether we agree with Brennan or not in labeling it “Americanization,” the kind of cosmopolitanism referred to here is one that threatens local communities by forcing them to adapt to the system of global capital and its homogenous culture at the expense of their social, cultural and economic particularities in order to survive.

Inspired to a significant extent by Marxist thought, critical cosmopolitanisms like Brennan’s, emphasize the divisive dimension of cosmopolitanism in people’s lives in terms of class and remind us that the dichotomies of colonizer/colonized and rich/poor still prevail under the new cosmopolitanism on both a local and global scale. Arjun Appadurai refers to such inequalities as “colonization from below.” But it is not just an underclass of migrants in First World societies that constitute a cosmopolitan underclass. Aihwa Ong tracks the struggles of Chinese emigrants practicing a form of “flexible citizenship” to mediate between the cultural logics of capital accumulation and the displacement they experience in their adopted homes. Appadurai’s study of accommodation in contemporary Mumbai finds that the housing shortage there is not just an instance of “inequality,” but of gross absence. The lack of housing is not just a hardship for the homeless and destitute; even the middle classes are pushed into homelessness, Appadurai observes. These conditions convey the contradiction of global

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37 Timothy Brennan, *At Home in the World: Cosmopolitanism Now*, (Cambridge: Harvard University Press, 1997). Brennan’s thesis is expressed as follows: “To understand the history of cosmopolitanism is to learn something about the elusiveness of imperial attitudes themselves, which are always painfully obvious in the historical record and always more or less invisible in the immediacy of the now,” p. 11.


wealth and local poverty that generates a population of “spectral citizens” who are only able to find a home in their sleeping bodies. Mumbai, like Bangkok, Hong Kong, New York, Tokyo and London, is what Saskia Sassen describes as a “global city” where markets for specialized services and the financial industries can be hosted and expanded.\textsuperscript{41} Like these cities, it is also the site for subaltern subjectivity. The cosmopolitan here is no longer just the elite tourist or frequent-flyer-business-person; s/he is the voiceless subaltern subject, constituted and subordinated by cosmopolitanism.\textsuperscript{42}

For critical cosmopolitans, the ills of globalization are historically embedded in the history of imperialism. Anthony Pagden, a critic of cosmopolitanism, argues that the Stoic-Kantian tradition of Nussbaum’s cosmopolitan ethics also offers a possible genealogy for European imperial domination.\textsuperscript{43} The logic of empire’s ideology of globalization in Western thought, he identifies, was that all the peoples of the world had to be “like us.” The creation of a cosmopolitan community was a step in this direction. Pagden’s position is that, however it is defined, cosmopolitanism is entwined with “the history of European universalism.”\textsuperscript{44} In this reading, Kant is one of Enlightenment thought’s key contributors to such an imperialistic political theory. I will elaborate on this point in Chapter 5, but the question for now is, if the Stoic-Kantian cosmopolitan tradition provided the philosophical rationale for imperialism and experiences of colonial violence as Pagden argues, what are the implications of relying on it as the basis for cultivating a cosmopolitan ethics for our times as Nussbaum and others attempt? Would it not reproduce that violence, albeit behind the veil of “ethics”? This is the doubt that the critical cosmopolitan intervention casts on the Kantian cosmopolitan legacy, but which it has left unexamined for the most part.\textsuperscript{45}

\textsuperscript{42} For a historical defense of this point see also James Clifford “Travelling Cultures,” in \textit{Cultural Studies}, ed. Lawrence Grossberg, Cary Nelson and Paula A. Treichler (London: Routledge, 1992). In his study of travel experiences, the “cosmopolitan” was not only a traveller from elite classes, but also included those from less privileged groups such as their servants.
\textsuperscript{44} Pagden, “Stoicism, Cosmopolitanism, and the Legacy of European Imperialism,” 4.
\textsuperscript{45} Exceptions are Pagden and Mignolo, whose discussions of Kant I will return to in the third part of this thesis.
In contrast to Pagden, Walter Mignolo draws a distinction between globalization and cosmopolitanism defining the former as “a set of designs to manage the world” and the latter as “a set of projects towards planetary conviviality.”[46] The specific cosmopolitan projects of modernity that Mignolo addresses are Francisco de Vitoria’s of the Renaissance, Kant’s of the Eighteenth Century and Marx’s of the Nineteenth Century which, he claims, arose from within modernity as critiques of modernity, but failed to escape the influence of the ideological frames of modernity’s global designs. In response to their shortcomings, he proposes the establishment of a critical cosmopolitan project located outside modernity, which I will discuss further below. The crucial point for Mignolo is to distinguish, not conflate, cosmopolitanism (ethical practice) and globalization (managerial practice). The aim is to allow for a concept of cosmopolitanism that still offers some kind of ethical currency without reproducing imperialist effects. It is to reconceive cosmopolitanism as “critical cosmopolitanism from the exteriority of modernity (that is, coloniality).”[47]

3. Modernity

Both the concerns about nationalism and globalization are, to some extent, connected to a third concern about the antithetical legacy of modernity. Such concerns are not new. For Karl Marx, the freedom that modernity promised man from nature was only replaced with enslavement by fellow men.[48] Friedrich Nietzsche highlighted modernity’s emptiness of values in his writings on nihilism.[49] For Max Weber modernity’s meaninglessness is brought about not by the “death of God” as Nietzsche had declared, but by its emphasis on rationalization, which made the world orderly and reliable but confined man to the “iron cage of bureaucracy” destroying his autonomy, creativity and breeding “disenchantment.”[50] Writing in the midst of the First World War, science (Wissenschaft), according to Weber, had enabled the decline of human progress. Heidegger, whom I discuss later in this chapter, echoed the need for critical engagement with science. He argued that science was the catalyst for opening up the

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very question of an age, of how an age like “the modern age” can be possible.\textsuperscript{51} This is to invite historical reflection as well as reflection on historical thinking. Additionally, what is significant about the modern age from its predecessors is that this was the moment in which man “frees himself to himself” as Heidegger put it.\textsuperscript{52} No longer a subject to higher, supernatural powers prescribed by religion, in putting himself in the modern world picture, Man becomes the centre of the world and the groundwork for his Being in the circulation between subjectivity and objectivity. Later, Michel Foucault would elaborate on this concept of Man and analyse science as a political enterprise that could serve ideological functions in his constitution.\textsuperscript{53} Tracing the power-knowledge nexus in modern scientific forms like psychiatry, medicine and political economy, he found that a characteristic feature of modernity was the shift in the conception of Man from a moral subject to a truth-seeking subject. His studies traced how modernity placed at the centre of its concerns the regulation of “life” as both an object of study and ethical preoccupation in which “truth” was pursued through the discourses and institutions of science, and “ethical activity” was that in which individuals, through their own actions, constituted themselves as moral subjects and aspired towards the “perfect government of the self.”\textsuperscript{54}

Just as these thinkers had, in their own different ways, examined the deceits and failures of the promises of modernity, so do critical cosmopolitans. For critical cosmopolitans “modernity” refers to several things. It refers to a period that emerged in Europe, commonly located between the mid-Sixteenth Century and mid-Twentieth Century. It describes processes of social organization in which secularization, commodification and institutions of the state, such as bureaucracy, economy and family, were key features. It is also a discourse of scientific rationalization, human development and civilization closely associated with ideologies of progress, rationalism, liberalism and capitalism. Modernity’s most important feature is its development from European Enlightenment ideals to denote a superior period in the history of humanity. This is the superiority of “modern” over “tradition” and “present” over “past.” Its emergence in Europe placed Europe in the present and non-Europeans in the past. Thus, within its own logic,

\textsuperscript{51} Heidegger, “The Age of the World Picture.”
\textsuperscript{52} Ibid., p. 128.
modernity constructs a fiction wherein the idea of superiority of contemporary European culture and civilization over non-Europeans that were locked in the past, became real via cosmopolitan practices of colonial expansion in the name of “civilizational improvement.” The argument is that Europe constructed itself as modern and relatedly constructed its Others as pre-modern and even pre-historical. Consequently, the cosmopolitans of today are often the “victims” of modernity left with the legacy of the failed promises of civilizational improvement under the old cosmopolitan ethic’s humanism.

Reclaiming “Cosmopolitanism” as a Critical Perspective

“Cosmopolitanism” has since been reappropriated to address these missing voices and forgotten people in a struggle for a new world picture. The term “critical cosmopolitanism” was first proposed by anthropologist Paul Rabinow for the timely reconceptualization of cosmopolitanism as part of the project of “anthropologizing the West.” Under the heading “Reflexive Anthropology,” critical reflections on the practice of Anthropology have, since the 1970s, asked the question of Anthropological knowledge’s production, construction and representation of the (cultural) Other. Cultural anthropologists began to realize that theirs’ was not a value-free, “objective” social science, but an ideologically informed research enterprise and system of knowledge subject to its own cultural particularities, biases and limitations. Bob Scholte asked the question whether Anthropology can ever “detail and encompass the rich diversity of human experience” if it fails to “critically examine its own sociocultural circumstances and historicphilosophical limitations as a paradigm.” In response, he suggested that Anthropology must itself first be subjected to ethnographic and ethnological inquiry. Contributors to Talal Asad’s Anthropology and the Colonial Encounter did this by inquiring into Anthropology’s historical emergence from a colonial context and questioning, as agents of colonialism, the role that anthropologists

played as mediators between colonial administrators and subject peoples.\textsuperscript{57} However, Rabinow’s approach to “anthropologizing the West” is to problematize the privileging of “reason” as the fundamental paradigm that frames our attempts to understand human experience, for it is reason that is the most characteristic feature of Western culture.

In \textit{Essays on the Anthropology of Reason}, Rabinow challenges the dominance of Western rationality in the way that human life has been articulated in scholarship and seeks to reveal the historical construction of “universal man,” or reason’s human subject, as our ethical standard. Following Foucault, he argues that instead of automatically invoking rationalization in our studies in the human sciences we need to analyse the specific rationalities that frame them. “Cosmopolitanism” is invoked for this purpose: “Let us define cosmopolitanism as an ethos of macro-interdependencies, with an acute consciousness (often forced on people) of the inescapabilities and particularities of places, characters, historical trajectories, and fates.”\textsuperscript{58}

“Cosmopolitanism” here conveys an intellectual orientation that captures human experience as the intermingling of worldwide interconnections and local particularities; it is not an appeal to universal identities against localized ones, but to “life in between,” from the perspective of \textit{marginality} (Bhabha) and standing at the \textit{border} (Mignolo). Cosmopolitanism is not a preconceived “end” to which we must aspire as it is when conceptualized in the framework of normative ethics.

For cultivating an ethical position, the opportunity here lies in recognizing both local and global connections as being important parts of human experiences, whereas for Nussbaum, our ethical existence depended on making a choice between them. This sense of cosmopolitanism in fact mounts a challenge to the totalizing tendencies of a universal cosmopolitan ethics: where Nussbaum had cosmopolitanized Western rationality’s human subject in her vision of a cosmopolitan ethics to guide political action, Rabinow suggests that we strive for an alternative ethics by invoking “cosmopolitanism” to attain an understanding of human subjectivities in the particularities of their experiences. The shift highlights a tension between the projection of the cosmopolitan intentions of the scholar and the cosmopolitan experiences of people as ones shaped by particularities and conflicts of history, culture, place and

\textsuperscript{58} Rabinow, \textit{Essays on the Anthropology of Reason}, 56.
displacement. The distinction that Robbins draws from Nussbaum’s approach is in favour of recognizing “actually existing” cosmopolitanism and cultivating a “cosmopolitanism from below” where the conceptualization of cosmopolitanism takes as its reference point interest in human culture and its diversity as something that is an experienced, rather than an abstract state, and one that is shaped by historical processes.\[59\] The term “actually existing cosmopolitanism” echoes the earlier “actually existing socialism” slogan adopted amongst socialists to distinguish the “real” from the “ideal” dimension of socialism. The drawing of this distinction highlights recognition of the shortfalls of practical implementation of the old ideal. In a similar way, engaging with cosmopolitanism in its “actually existing” form aims to critique and transgress an intellectual culture of invoking it as an idealistic and perhaps unrealistic abstraction.

More recently, Walter Mignolo and Romand Coles have employed the term “critical cosmopolitanism” to describe an intellectual project that explores “the possibilities for imagining cosmopolitan futures that extend beyond the bounds of modern “cosmopolitanisms,” which are deeply entwined with national, imperial, and Eurocentric norms and practices” and which imagines “alternative cosmopolitan futures which are more dia(pluri)logical and radically democratic.”\[60\] Though they share with Nussbaum’s position, the futural impulse of cultivating cosmopolitan ethics, these critical cosmopolitans propose to offer something different by situating themselves as “Other” to the “old” cosmopolitanism of the Western intellectual tradition and its descendants.

A rupture in the figure or subject of cosmopolitanism, as these accounts demonstrate, marks the appeal to a “critical cosmopolitanism.” This shift in cosmopolitan’s identity denotes a rupture in the conception of personhood underpinning cosmopolitan ethics. The archetype of cosmopolitanism is no longer the privileged man of reason. Critical cosmopolitans, as Timothy Brennan remarks, “locate cosmopolitanism’s features in the colonial subalterns who (it is implied) have not yet sufficiently theorized their own emergence in a common world culture.”\[61\] These figures signify a rupture in the subject

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to whom a cosmopolitan ethic should pay homage. It is no longer universal man, or even the great men of Western philosophy, but the particularities of anonymous men, women, trans-gendered people and children. Further, the identification of alternative cosmopolitan figures signals a rupture in cosmopolitanism’s affect. No longer romantic, celebratory, or hopeful, many of these cosmopolitans are figures of struggle, anger, sorrow, discontent and hopelessness. Critical cosmopolitanisms seek to draw attention to the plurality and diversity of experience by speaking from the position of the non-western world, the South, the East, the Third World and even Fourth-World, rather than from the position of the Western or First World.

By treating the site of cosmopolitanism as a culturally and politically contestable one, critical cosmopolitanisms rupture the framework of orthodox universalist cosmopolitan thinking and reject its appeal to a philosophical foundationalism grounded in human nature. Their intellectual agenda can be captured under two headings that have classified some of the key writings in the field. They are cosmopolitics and cosmopolitanisms. The term cosmopolitics is a neologism, a hybrid of the “cosmo-” or worldly dimension of cosmopolitanism and “politics.” In bringing the two elements together, cosmopolitics puts into question the descriptive and conceptual character of cosmopolitanism as something that is up for debate and in dropping its “-ism,” seeks to shed, or at least expose, its ideological inheritance from Enlightenment rationality. Cosmopolitics seeks to embrace the political conflicts of multiculturalism, nationalism, identity and difference that Nussbaum sought to displace in her recuperation of cosmopolitanism. By contrast, as Robbins offers, “The neologism cosmopolitics is also intended to underline the need to introduce intellectual order and accountability to this newly dynamic space of gushingly unrestrained sentiments, pieties, and urgencies for which no adequately discriminating lexicon has had time to develop.” In other words, by rupturing the sign “cosmopolitanism,” cosmopolitics ascribes a name to the empirical social, cultural and political ruptures occurring under it and enables an intellectual arena for making sense of them. The term cosmopolitanisms (that is “cosmopolitanism” with an “s”) emphasizes a particular aspect of these ruptures. It

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specifically draws attention to the plurality of experiences that can be described as cosmopolitan by putting the term in the plural.

Cosmopolitanism’s conceptual rupturing by critical cosmopolitanism is made possible by the alternative theoretical and disciplinary situatedness of the project. Marxist, poststructuralist and postcolonial thought have been particularly influential in offering perspectives from which the universalist cosmopolitan orthodoxy can be challenged and the concept “cosmopolitanism” can be reclaimed and reconfigured to represent worldliness across multiple registers. Interdisciplinary interest has also enabled new possibilities for the old concept. Amanda Anderson points out that these new directions in cosmopolitan thought have “tended to emerge within the more exoteric, historically minded disciplines and modes: anthropology, cultural criticism, history of the intelligentsia.”

It can be observed, however, that a central conceptual problematic in cosmopolitan thought, which critical cosmopolitanisms speak to is a tension between universalism and particularism. Pollock, Bhabha, Breckenridge and Chakrabarty point out that struggles of universalism occurring in other contexts, such as late Twentieth Century nationalism, multiculturalism, the globalization of late liberalism and feminism, have created a historical context for reconsidering concepts of cosmopolitanism. The key problem they identify with cosmopolitanism is that the terms in which its recognition of difference had been operating thus far, was really a kind of homogenization of universals. For the most part, the movement is pitched against the subsumption of humanity to a Western standard in conceptualizations of cosmopolitanism and seeks to open that up to alternative ways of thinking. It offers an alternative theoretical framework that appeals to cosmopolitanism as something that is always open to difference and otherness.

As a conceptual activity then, critical cosmopolitanisms aim to rupture and open up the field of cosmopolitan theorization so that the contestations in definition may be played

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out. Their fundamental distinguishing feature is that, rather than adopting cosmopolitanism as an *a priori* concept in which the description of human experience as diverse and interconnected experiences is already framed by the aspirations of “universal man,” they reject universal man and draw attention to the diversity of human experience, as it is shaped by different cultural and historical contexts, as the substance of what then is signified by “cosmopolitanism.” Cosmopolitanism is thus envisaged as a new kind of research activity: “cosmopolitanism may instead be a project whose conceptual content and pragmatic character are not only as yet unspecified but also must always escape positively and definite specification, precisely because specifying cosmopolitanism positively and definitely is an uncosmopolitan thing to do.”

The writers suggest that this aim can be achieved by thinking about cosmopolitanism as a historical category in which new archives are opened that do not apply a definition of cosmopolitanism already foreclosed by the definition produced by a particular society or discourse. They challenge “historicism” which, as Said defines in the context of European knowledge of non-Europeans, “…meant that one human history uniting humanity either culminated in or was observed from the vantage point of Europe, or the West.” Against historicism then, as the studies of Nwanko and Appiah show, critical cosmopolitanisms seek to open up the archive to discover a plurality of cosmopolitanisms across time and space that takes into account colonial, postcolonial and neo-colonial histories and their production of both elite and subaltern cosmopolitan experiences. A key methodological intervention of this project is to offer more empirical data to challenge the conventional Western cosmopolitan ideal. Located as an analytics of cross-cultural interactions, the attempt here is to prod at the conceptual limitations of cosmopolitanism identifying “culture” and “history” as central, though implicit, constituents of the cosmopolitan concept that need to be excised and opened up to investigation. They challenge the human of the universal cosmopolitanism orthodoxy by penetrating the picture of the world to which it has grown attached and by redrawing the picture to diversify both understandings of “world” and “human.”

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66 Ibid., p. 1.
The Question Concerning the
Age of the World Picture

If cosmopolitanism is about “worlding,” to use a concept of Heidegger’s that has entered into the lexicon of postcolonial theory via Spivak, then the question to be asked first and foremost is, not of the world picture that is produced — but of the very conceiving of the world as picture. This is to allude to Heidegger’s later essay “The Age of the World Picture.” By no means someone to be identified as a cosmopolitan, cosmopolitan thinker nor theorist of cosmopolitanism, Heidegger, in asking “the question concerning the age of the world picture,” nevertheless offers something important for the discursive field of cosmopolitan studies: theoretical tools for an interrogation into the claim for the “world” that is a core feature of cosmopolitan thinking and perhaps even the locus of the battleground that the term’s appropriation has been throughout its history.

Just as Spivak acknowledges that her “notion of the “worlding of the world” upon what must be assumed to be unscribed earth is a vulgarization of Martin Heidegger’s idea,” I would describe my invocation of Heidegger’s ideas as equally unrefined. However, I must emphasize that it is not my intention here to present Heidegger’s argument in detail, nor will I explore its philosophical concerns in depth. Rather, my purpose is to examine the methodology of critical cosmopolitanisms in so far as their intervention pursues “new descriptions of cosmopolitanism as a historical phenomenon and theoretical object [which] may suggest new practices, even as better practices may offer a better understanding of the theory and history of cosmopolitanism.” To this end I draw on Heidegger’s writings heuristically, borrowing their concepts and metaphors to explore the two questions raised by the critical cosmopolitan intervention: firstly, how is the human constituted by the idea of “the world” and, secondly, is exclusion from the picture of “the world” exclusion also from “humanity”? The response, I will argue, serves also as a cautionary note for the aims of critical cosmopolitanisms in recasting cosmopolitan ethics.

69 Spivak, “Three Women’s Texts,” n.1 at p. 260
70 Pollock et. al. “Cosmopolitanisms,” 1.
What leads me to pursue this analysis is Heidegger’s remark about the nature of “truth” as it is contested in the worlding of the world. In “The Origin of the Work of Art” he likens the process of creation of a work of art (that is, of the bringing into the world a picture), as the becoming of the work, in the way that “truth becomes and happens.”

This is a quite different approach to the concept of “truth” than the approach of foundationalist philosophy addressed by the previous chapter. Heidegger explains further:

Truth is un-truth, insofar as there belongs to it the reservoir of the not-yet-revealed, the un-covered, in the sense of concealment. In unconcealment, as truth, there occurs also the other "un"- of a double restraint or refusal. Truth essentially occurs as such in the opposition of clearing and double concealing. Truth is the primal strife in which, always in some particular way, the open region is won within which everything stands and from which everything withholds itself that shows itself and withdraws itself as a being. Whenever and however this strife breaks out and happens, the opponents, clearing and concealing, move apart because of it. Thus the open region of the place of strife is won.

In other words, “truth,” signified as the work of art, is essentially in strife as it occurs through a historical unfolding that struggles between the un-concealed and its concealment. The struggle results in a clearing wherein what happens is, to locate the phrase that Spivak famously borrows from Heidegger, “the worlding of a world on uninscribed earth.” It is tempting to read “world” and “earth” as corresponding, respectively, to “clearing” and “concealing,” but Heidegger points out that it is not so simple as this. Thus, it is a mistake to conceive of the world as an open entity and earth as a closed one. It is not that as world opens itself to earth; earth comes to be concealed as such. Rather, as the clearing of a space, the “world” brought to the fore by the artwork, rests itself upon something that is simultaneously brought forth as something

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72 Ibid., pp. 185-186.
that is concealed, which Heidegger designates as “earth.” Importantly, in this relationship, Heidegger points out, “World and earth are always intrinsically and essentially in conflict, belligerent by nature.” That is to say that the process of worlding is intrinsically characterized by “strife” where “Strife is not a rift [Riss], as a mere cleft is ripped open; rather it is the intimacy with which opponents belong to each other.” These two points, “clearing” and “concealment” are the conditions of being, where being is the possibility of the passage of clearing and at the same time the concealing of being within the sphere that is cleared. In order to grasp the picture of the world, some things must come to the foreground, while others must recede into the background.

Fredric Jameson puts it astutely when he says, “Heidegger’s analysis…is organized around the idea that the work of art emerges within the gap between earth and world.” But Spivak, in applying the Heideggerian analysis to the history of European imperialism, emphasizes the violent aspect of the analogy signaled by the “strife” entailed in the worlding of what becomes the Third World, wherein the native comes to see himself/herself as “other.” Spivak’s analysis rests upon one event of clearing-concealment involved in worlding. What I have outlined above as the intervention of critical cosmopolitanisms serves to convey this strife in their attempt to bring to attention the discursive violence of the cosmopolitan worlding of a normative ethics indebted to a Eurocentric Stoic-Kantian philosophical tradition. But I want now to analyse the effects of the kind of world-picturing that critical cosmopolitanisms are also engaging in their struggle to redraw the picture of the world that is to be designated by cosmopolitics and cosmopolitanisms. This is to consider the critical cosmopolitanism initiative as a second iteration of clearing-concealment, wherein what is to be explored is how the “other” comes to render himself/herself/itself as “subject” in the re-presentation of the world picture. In order to advance this analysis, allow me to turn now to Heidegger’s “Die Zeit des Weltbildes,” published in English as “The Age of the World Picture” where the logic of subjectivism becomes more pronounced.

73 Ibid., p. 180.
74 Ibid., p. 188.
76 Ibid., p. 244
This essay is a reflection on the modern age in response to the world of science and technology. It was first delivered as a lecture in 1938 entitled “Establishing by Metaphysics of the Modern World Picture.” For Heidegger, metaphysics provides the basis for what becomes man’s “truth.” As he puts it “metaphysics grounds an age, in that through a specific interpretation of what is and through a specific comprehension of truth it gives to that age the basis upon which it is essentially formed. This basis holds complete dominion over all the phenomena that distinguish the age.”  

The modern age, he identifies, is distinguished by five phenomena. The first is science. The second is machine technology. The third is the aestheticization of art, which renders art as “the mere object of subjective experience.” The fourth is the identification of the superior qualities of man in his achievement of culture. The fifth is “the loss of the gods,” referring to the dominance and replacement of many gods with one via the dominance of the Christian world-view and hence the Christianization of the world picture. As Heidegger explained it:

...world picture, when understood essentially, does not mean a picture of the world, but the world conceived and grasped as picture. What is in its entirety, is now taken in such a way that it first is in being and only is in being to the extent that it is set up by man, who represents and sets forth. Wherever we have the world picture, an essential decision takes place regarding what is, in its entirety. The being of whatever is, is sought and found in the representedness of the latter.

Heidegger’s argument is that the world is not merely to be understood as a picture drawn by science, but the world is made of that picture; “world picture” [Weltbild] is not a copy of the world but is the world itself. This is possible because the organizing principle of the modern age is the subject/object divide. As the world is transformed into picture, that is, as Being is objectified as a picture re-presented to Man; Man is

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78 Ibid., p. 116.  
79 Ibid.  
80 Ibid., 129-130.
transformed into subject, since what he now faces is his own representation of Being.\(^{81}\) This is the problem of subjectivism that defined humanity in the modern age: paradoxically, the human comes to be a subject of the world by the very process of trying to gain mastery over it. In other words, man becomes the subject of that which he makes an object.

Three of Heidegger’s insights, from this essay, are particularly relevant to an analysis of the challenge offered by critical cosmopolitanisms. The first is the claim that we cannot think of the human subject independent of the world. The second concerns the problem of historicist thinking wherein to think of history is to think in terms of a unity of Man’s past, present and future. The third concerns the relationship between man’s putting himself “in the picture” and his “becoming subject” as the decisive feature of the modern world picture. These insights culminate in the problem of subjectivism and provide a theoretical backdrop against which we might assess the contribution of critical cosmopolitanisms to rethinking the ethical charge of cosmopolitanism.

Concerning the first, the concept of “world” is central to Heidegger’s writings. This is particularly apparent in his concern with the question of “what is Being?” which he addresses by rejecting the egocentric Cartesian subject of “I think therefore I am” that dominates Western metaphysics and by replacing it with the concept of Dasein for whom being is at the centre of the concept of world, thereby drawing together the strands that make up “the world.” That is to say that “world” and “being” are inextricably linked. In Being and Time,\(^{82}\) for example, Heidegger designates Man (or the human) as Dasein,\(^{83}\) a particular kind of Being defined, not by the property of an essential nature as the Enlightenment’s figure of Man inherited from Descartes, but by its possibility for different ways of being. Further, Dasein is a kind of being that only humans, not animals, can have and, hence, the associated worlding of the world is an ability that only humans are capable of. “World” and “being” are therefore inextricably linked by the concept of the “human.” Ultimately, Dasein is both a subject in the world and the object of the world; as such, and this is the second Heideggerian insight I wish to highlight, the human subject cannot be thought of independently from the world.

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\(^{81}\) As Heidegger puts it “That the world becomes picture is one and the same event with the event of man’s becoming subjectum in the midst of that which is,” at 132.

\(^{82}\) Martin Heidegger, Being and Time, (originally 1927; Massachusetts: Blackwell, 1962).

\(^{83}\) Dasein, literally means Being-there and derives from the verb dasein meaning “to exist.”
A complication arises in the formulation as Heidegger asks:

…does every Dasein ‘proximally’ have its world? Does not ‘world’ thus become something ‘subjective’? How, then, can there be a ‘common’ world ‘in’ which, nevertheless, we are? And if we raise the question of the ‘world’, what world do we have in view?\(^4\)

Heidegger’s questions offer a way in which to understand the dynamic that is playing out between the cosmopolitan ethics of universal cosmopolitanism and its rupturing and reclaiming by critical cosmopolitanisms. The subjective and pluralist imaginations and experiences of different worlds are precisely the challenge that critical cosmopolitanisms present to universal cosmopolitanism. By contesting the singularity of the world view of universal cosmopolitan ethics and offering, as an alternative, a multiplicity of world views as the basis for rethinking the ethical charge of cosmopolitanism in pluralist terms; critical cosmopolitans are not extending cosmopolitan humanism to persons previously excluded from humanity as universal cosmopolitans seek to; they are instead showing how such persons have always already been a part of humanity — only marginalized, silenced and objectified.

With respect to the second insight, although to some extent critical cosmopolitanisms seek to draw the missing people into the world picture that has dominated thus far by reclaiming the concept of the “world” for them; by the same act they seek to transform that world picture in the attempt to present alternative ones by challenging historicist homogeneity and opening up the archive of cosmopolitan worlding to account for the exclusion of subaltern peoples from humanity and to reveal presences that had been concealed. Against historicism, Heidegger asks what is it that enables man to compare one age with another? Reflection on an “age” (i.e. a historical period such as “the modern age”), he answers, is effectively a questioning of the “world picture” that forms it. That is to say that each age is characterized by a particular world picture that is differentiated from the world picture of previous periods. Thinking of historicization in

\(^4\) Heidegger, Being and Time, 92.
this way is to de-naturalize any claims, particularly universalist teleological ones, which might be made for history. Additionally, it is to think of a historical account as one representation amongst other possible representations of a past and as the opportunity for providing a critique of life. Rupturing the archive of cosmopolitan ethics is therefore also indicative of strife in its world picture, which brings us to the third of Heidegger’s insights.

The activity of representation (of the world, for example), Heidegger argues, necessarily entails “an objectifying that goes forward and masters.” He maintains that the decisive feature of the modern world picture concerns the relationship between man’s putting himself “in the picture” and his “becoming subject.” Noting that, as outlined earlier in this chapter, the essence of the critical cosmopolitanisms movement lies in challenging the claim to a “common world” that underpins the universal cosmopolitan conceptualization of humanity and in presenting and re-presenting alternative world pictures that can be described by the term “cosmopolitan,” it would follow that critical cosmopolitanisms are also engaged in revealing processes of subjectivism entailed in cosmopolitan worlding. But it is at this point that the risk for the critical cosmopolitanisms project also becomes apparent. If, following Heidegger’s logic, to be human is to be able to “world,” then the worlding of the world, which critical cosmopolitans are seeking, is also a struggle to be human. However, by struggling to represent their picture of the world, are critical cosmopolitans nevertheless rendering themselves subjects of what is the very kind of worlding that they are resisting; that is, the process of subjectivism inherent also to colonialism? This is the fundamental paradox that the critical cosmopolitanisms project must confront, for subjectivism, Heidegger highlights, is an inescapable feature of world picturing. Hence, in order not to fall into the trap of subjectivism, they must not succumb to the subject/object dichotomy as the framework upon which to formulate an alternative ethics. By treating the world exclusively as the domain of the human, which is to reproduce, through the clearing-concealment strife, the struggle of the inhuman/non-human, critical cosmopolitanisms risk being caught in this trap.

Conclusion

Ultimately, the advancement of “critical cosmopolitanisms” amounts to an intellectual challenge where, as Rabinow had proposed,

The ethical is the guiding value. This is an oppositional position, one suspicious of sovereign powers, universal truths, overly relativized preciousness, local authenticity, moralisms high and low. Understanding is its second value, but an understanding suspicious of its own imperial tendencies. It attempts to be highly attentive to (and respectful of) difference, but it is also wary of the tendency to essentialize difference.\(^{87}\)

The intervention ruptures the very conceptualization of a “cosmopolitan ethics” by problematizing the ethical charge of the formulation. Here, echoing Foucault, “ethics” is neither a uniform, shared, nor taken for granted good, but a site of difference, contestation and politics. The domain of the ethical is the *question* of representation in the world picture. It is a search for an approach to representation that avoids the trappings of objectifying, in hegemonic terms, that which is being represented. Rather, for Rabinow, representation must take on a cosmopolitan ethos of difference, particularity and pluralism at its very inception. As Cheah observes, the underlying question is whether any meaningful notions of cosmopolitanism exist and where what is meaningful, is an understanding of cosmopolitanism in a politically reflexive sense of pluralized worlds and experiences across time and space.\(^{88}\) Shifting the locus of ethics to a politics of representation draws our attention to a tension between the projection of the cosmopolitan intentions of the scholar and the cosmopolitan experiences of people as ones shaped by particularities of social and historical context.

Contrary to Nussbaum’s recuperation of this ancient concept, the implication of Rabinow’s suggestion and the critical cosmopolitan writings that followed it is that

\(^{87}\) Paul Rabinow, *Essays on the Anthropology of Reason*, 56.

ethics, so defined, must articulate cosmopolitanism rather than cosmopolitanism articulating ethics. This can be achieved, Mignolo suggests, by aspiring towards “diversity as a universal project” and adopting “border thinking” where cosmopolitanism is a “critical and dialogic” engagement with colonial difference coming from the perspective of the local histories that had been absorbed by and which struggle against the old abstract universalist cosmopolitanisms that claimed to articulate one world history. Contrary to the cosmopolitan discourses of Nussbaum and Benhabib, this is a cosmopolitanism that is concerned with the “real” (in the Lacanian and Heideggerian sense of the truth that is concealed) rather than the “ideal” (in the Kantian sense of striving towards perfection) in the pursuit of ethics.

Postcolonial criticism offers for critical cosmopolitanisms a revisioning of the pursuit of ethics as a form of, to use a compelling slogan embraced by Said, “speaking truth to power,” that is, as a confrontation with discourses of power, hegemony and domination. Addressing an audience of American “intellectuals,” Said argued that they had a special duty to enter the public sphere and speak up against the violations and injustices carried out by their own state authorities. “Yes, the intellectual’s voice is lonely,” he encourages, “but it has resonance only because it associates itself freely with the reality of a movement, the aspirations of a people, the common pursuit of a shared ideal.” As commendable as this position is, it speaks to a rather privileged, if not also elite audience: a community of cosmopolitan intellectuals often with the comfort of tenured positions and access to audiences within a variety of media. Yes, the intellectual’s voice may be lonely, but at least he or she has one, unlike those who are often the subject of his/her discourses. This brings us back of course to Spivak’s conundrum “Can the subaltern speak?”

Spivak’s answer, to put it bluntly, is “no.” The subaltern cannot speak, she argues, because in the absence of any direct subaltern speech preserved in the archive, methodologically, the intellectual can only attempt to recuperate a subaltern consciousness in reliance upon the discourses of the elites. Their own neglect of women’s voices, she critiques further, reveals the voiceless subalterns of the writings of the Subaltern Studies historians. Spivak’s is effectively an ethical caution against

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speaking for the oppressed or projecting a voice onto silenced others, no matter how sincere the intentions of the scholar are. The risk that the Subaltern Studies historians face, she identifies in an earlier essay, is that they come across as “claiming to establish the truth-knowledge of the subaltern and his consciousness.” This error might be owed to their appeal to Foucault in part, in whose thought Spivak finds a privileging of the Western intellectual in the tendency to conflate the thought of the radical intellectual with the desires of the oppressed. But their efforts have not gone to waste, for the value of their project is to read it as an awareness of the limits of historiography and a strategic attempt to address it.

Sympathetic to the Subaltern Studies project and advocating an ethical strategy of reading, Spivak offers Derrida as a more reliable European philosopher for their pursuits because of the awareness within his deconstructive approach to textual analysis of the inherent ethnocentrism in the European science of writing since the Enlightenment crisis in European consciousness. The appeal of Derrida, Spivak points out, is that he “does not invoke “letting the other(s) speak for himself” but rather invokes an “appeal” to or “call” to the “quite-other” (tout-autre as opposed to a self-consolidating other), of “rendering delirious that interior voice that is the voice of the other in us.” With respect to the problem of subjectivism, this is not to start from a position of the subject/object and hence self/other dichotomy such that being caught within it becomes inevitable and reinforces subjectivism, rather, it is to seek a more radical relationship to the (in)human predicament demanding yet another rupturing of cosmopolitan ethics.

Chapter 3

Second Rupture:
Aporetic Cosmopolitanism,
Hospitality &
Deconstructive Ethics

Aporia — the Greek word — Jacques Derrida remarks, refers to “nonpassage” or impassability, but more specifically it is an event that affects the trajectory of a pathway whether that be a thought, an experience, or an event, to the point of not merely interruption or disruption, but often complete annihilation of a presumed identity. 1 It refers to an inherent contradiction but differs from the Kantian antinomy, which also refers to contradiction: whereas antinomies can be resolved, aporias cannot; instead, aporia means that the condition of possibility of something is also the condition of its impossibility. Aporia’s potential is to initiate conceptual ruptures that bring to the surface the limits of previous modes of thought. For Derrida, “…ethics, politics and responsibility, if there are any, will only ever have begun with the experience and experiment of the aporia.” 2 But as something that does not permit passage, it is at the same time, “impossible to have a full experience of aporia.” 3

Analysis pursued through aporetic thinking is that which is guided by the question “how are the contradictions of an idea to be accounted for?” It is a fitting focus for this chapter, given that the juxtaposition of universal cosmopolitanism and critical cosmopolitanisms examined in the previous two chapters exposes the contradictory

nature of cosmopolitanism. Importantly, the objective here is not to profess resolution of the aporia but to engage with it in ways that present new insights into a problem attuned to its conditions of possibility. For the work of critique, four aspects of aporia are important. First aporia suggests a barrier, or sense of obstruction. In conceptual terms, it is a moment in thought wherein a contradiction occurs that disrupts the promised unity of the thought. The disunity cannot be easily resolved by a discursive ironing out of the creases; it is not a simple matter of identifying the problem, extracting it to resolve it by applying a set of principles and then inserting the resolution back into the thought to enable its smooth continuity. Since the obstacle is inherent to and embedded within the very fabric of the thought, the task is to confront what the obstacle is. Second, as a point of obstruction, aporia disrupts the commonly conceived notion of historical temporality as a course in which time travels along a single linear scale as the progression of past, present and future. Instead, we find ourselves standing on the horizon of the future open to whatever, if anything, may come. It is a marker of non-finality, for in making a decision about what is to come we have already closed upon the future. Aporia’s implication for thinking of historical time is that, while we may find ways to discover pasts, this need not mean that they have determined the future. Instead, in its violence, aporia enables openness and non-finality. For Derrida, and this brings us to its third key aspect, aporia captures something of a political moment where “politics” might also be conceived of as the domain of the “undecidable.” Fourth, it can be said that, as a technique of deconstruction, the effect of aporia is to put into question an idea at its metaphysical core.

This chapter examines the contribution of deconstruction to the ethico-political concerns of cosmopolitan studies, keeping in mind from the last chapter Spivak’s invitation to think of how Derrida’s deconstructive approach might be developed to permit an ethical responsibility to the subaltern without insulting him/her/them, as well as the Arendtian dilemma of the anomaly of a universal right to humanity used to contextualize this thesis. Although some critical cosmopolitanisms are methodologically influenced by deconstruction, the approach examined here differs by

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4 This is apparent in the following claim: “As a practice, too, cosmopolitanism is yet to come, something awaiting realization…cosmopolitanism may instead be a project whose conceptual content and pragmatic character are not only as yet unspecified but also must always escape positive and definite specification, precisely because specifying cosmopolitanism positively and definitely is an uncospolitan thing to do.” See Sheldon Pollock, Homi K. Bhabha, Carol A. Breckenridge and Dipesh Chakrabarty.
subjecting the Western heritage of cosmopolitanism to deconstruction’s full philosophical rigor. Deconstructing means neither prescribing a cosmopolitan ethics nor instituting a cosmopolitics that seeks to define the order of things. Instead, it analyses the conditions that make such prescriptions and their failures possible, usually by showing how a certain idea is based on a set of undecidable propositions and by exposing hidden hierarchies. I pursue this examination through two key concepts – *aporia* and *différance* – which best exemplify deconstruction’s performance of ethical reading. They are linked by an inherent undecidability “that risks paralysing and calls for the event of the interruptive decision”\(^5\) as the horizon of the ethico-political. Hence, my argument will be that deconstruction’s main contribution to cosmopolitan studies concerns rethinking the nature of ethics and politics that the concept of cosmopolitanism has been predicated on.

This chapter reviews the concerns that Derrida raises about the resurgence and celebration of the idea of cosmopolitanism vis-à-vis the cosmopolitan Stoic-Kantian philosophical (anti)tradition\(^6\) that he shares with Nussbaum. I think that Mark Bevir is correct in his assessment that “Derridean cosmopolitanism” differs from the universalism of liberalism, as he singles it out, or the universalism of normative ethics as I have put it in this thesis.\(^7\) But I have reservations about the category of “Derridean cosmopolitanism” as Bevir describes it. It is true that cosmopolitan sentiments did inform some of Derrida’s later works, including his writings and interviews on hospitality,\(^8\) democracy and international institutions,\(^9\) animals\(^10\) and the place of the

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\(^3\) I have used the term “(anti)tradition” as a way of situating Derrida’s thoughts on cosmopolitanism in relation to the Stoic-Kantian tradition of cosmopolitan ethics I discussed in Chapter 1. Derrida’s position is critical of and even contrary to that tradition. But Derrida’s way of thinking of philosophical tradition must also be noted. Michael Naas is quite right to describe him as “taking on the tradition” [See Michael Naas, *Taking on the Tradition*, (Stanford: Stanford University Press, 2003)]. More specifically though, Derrida preferred to use the term “heritage” rather than “tradition” because, as that which comes “before us,” we do not choose it (rather it “violently elects us”) but our choice is in keeping it alive. For Derrida the philosophical past is more like an inheritance, which we receive but also transform. See Jacques Derrida, “Choosing One’s Heritage,” in *For What Tomorrow...A Dialogue*, by Jacques Derrida and Elizabeth Roudinesco (Stanford: Stanford University Press, 2004), 1-19 at p.3


They inspired his interventions into current political matters, particularly those relating to asylum seekers, human rights, crimes against humanity and terrorism. Yet Derrida seemed somewhat ambivalent about cosmopolitanism. On the one hand, he identified with and promoted sentiments of a cosmopolitan point of view in the face of state violence, but on the other hand he distanced himself from it. This ambivalence, in my view, is the key to understanding how Derrida’s thinking on cosmopolitanism ruptures the ethical idealism of cosmopolitanism and demands a rethinking of both the foundations upon which it relies and the future to which it aspires. Instead, I use the term *aporetic cosmopolitanism* to describe what amounts from Derrida’s intervention.

I argue that Derrida, by bringing to attention cosmopolitanism’s aporias, ruptures the nostalgia of the Western philosophical cosmopolitan heritage; illuminates the compromised ethics that it masks and points out what we are to be intellectually mindful of in the desire for a politics intending to be ethical, whilst still embracing the urgency of the demand for justice appealed to by the human rights movement. Given that the central claim of this thesis concerning the anomaly of a universal right to humanity is that cosmopolitan ethics is the ethics of the anomaly, that is, the ethics of the (in)human, this chapter plays a pivotal role in developing this argument. First it contributes methodologically by engaging with an analytical approach that informs my own in the attempt to reveal the underlying intellectual conditions that make the anomaly of a universal right to humanity possible in cosmopolitan thinking. Second, by positing the question of the archive through the structure of aporia, this chapter serves as a pathway to orienting the next part of the thesis towards a study in intellectual history, gesturing not only at the need for re-visiting and re-reading Kant, but attending also to the dominance of anthropocentrism in accounting for the anomaly of a universal right to humanity and the cosmopolitan ethos of which it is a part. Third, it initiates the

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possibility of advancing a theoretical inquiry into the anomaly of a universal right to humanity that moves beyond the paradigm of humanism/anti-humanism by thinking of the difference between human and inhuman in terms of *différance*. This is to examine how the boundary drawn in between, mutually constitutes the inside and the outside of humanity.

This chapter proceeds in four sections. It begins with a survey of the scholarly debate about the value of deconstruction to ethical and political thought and, with particular reference to Derrida’s early work on *difference*. I argue in favour of its contribution in terms of deconstruction’s challenge of thinking the passage between ethics and politics rather than accepting the tendency to oppose and hierarchize ethics and politics as if they formed a natural dichotomy. Then, taking *On Cosmopolitanism*\(^1\) as a focal text, the next section sets out Derrida’s deconstruction of the Western tradition of cosmopolitan ethics through the aporia of hospitality before arriving at the problem of Kant’s legacy in particular. The third section examines how Derrida is engaged in rupturing the reading of Kant’s cosmopolitan thought as a positive hallmark of modern cosmopolitan ethics by revealing the contradictions embedded within his philosophical system, which can no longer sustain the separation that Kant tries to draw between ethics and politics in the attempt to keep his ethical system pure. The conclusion to the chapter signals how deconstructive ethics might contribute to re-covering the archive in order to make sense of the problem of the anomaly of a universal right to humanity within the discourse of cosmopolitanism.

**Questioning the Passage**

**Between Ethics and Politics**

“Deconstruction” has come to refer to a method of analysis or an inquiry into the possibilities of language and texts that challenges claims to “truth” by demonstrating that meanings are not fixed and drawing attention to the plurality of meanings and readings of a text. But it is not quite right to speak of it strictly as a “method,” for, to the

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extent that “method” implies a system outside the text applied to or imposed upon it as a framework through which to interpret it, the term “method” goes against the spirit of deconstruction, which seeks not to foreclose meaning, but to open us to its possibilities. That is to say that deconstruction “is” not anything as such, but in Derrida’s words, deconstruction consists of “deconstructing, dislocating, displacing, disarticulating, disjointing, putting “out of joint” the authority of the ‘is.’”

Since Nancy Fraser’s provocations: “Does deconstruction have any political implications? Does it have any political significance beyond the byzantine and incestuous struggles it has provoked in American lit crit departments? Is it possible – and desirable – to articulate a deconstructive politics?” the ethico-political contribution of Derrida’s unique and profoundly complex thought has been fiercely debated. Asserting that Derrida had himself abandoned deconstruction, and assessing the shortcomings of its remaining defenders, Fraser argued that what was particularly lacking in deconstruction’s contribution to politics was, despite its claims to engage with difference, deconstruction’s inability to “tolerate” one particular kind of difference: “difference as dispute, as good, old-fashioned, political fight.” However, perhaps it is the conceptualization of the political, as an antagonistic struggle between two sides with a winner declared at the end, that demands such polarized certainty from deconstruction and which misses the opportunity to appreciate how it might rethink the political whilst also rethinking the ethical, for structurally, the two are not so clearly dissociated in Derrida’s thought. Such appreciation of deconstruction can only be achieved through the discomfort of uncertainty and unknowing.

Others have made the claim that, after the publication of *Margins of Philosophy,* deconstruction made an “ethical turn” or, as Richard Kearney puts it, an “ethical re-

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16 Fraser, “The French Derrideans: Politicizing Deconstruction or Deconstructing the Political?” 65.
For such commentators this signals the point at which the question of ethical responsibility becomes more pronounced in Derrida’s writings. Kearney contends that here Derrida’s engagement with the Heideggerian project of deconstructing metaphysics is supplanted by an ethical inflection influenced by Levinasian attention to the ethical demands of the other. Simon Critchley has also argued that an ethical demand is central to the work of deconstruction, where “ethics” is not to be understood in terms of a Kantian claim to a transcendent morality, but in terms of a relationship to the other in which my subjectivity is called into question. As he summarizes the thrust of Levinasian ethics: “The ethical is therefore the location of a point of alterity, or what Levinas also calls ‘exteriority’ (extériorité), that cannot be reduced to the same.”

However, what we find in Derrida’s approach, Critchley points out, is a “double-handed treatment of ethics.” By this he means that the influence of Levinasian ethics is one strand of Derrida’s understanding of ethics and the other is its calling into question, that is, an inquiry into its conditions of possibility.

Deconstruction’s ethical attention, Critchley went on to argue against Richard Rorty, also had political consequences, for instance, concerning the relationship of law and justice. Citing Derrida’s essay “Force of Law: The “Mystical Foundation of Authority,”” Critchley points out that Derrida distinguishes law from justice to exemplify a space in which deconstruction contributes to the political. Derrida’s definition of law “must be deconstructible if political progress is to be possible” and justice is the name in which such deconstruction occurs, he argues. Justice, as Derrida defines it, is an experience that is impossible to experience and, as an experience of the “undecidable,” it is ultimately indeconstructible. This leads Derrida to make the provocative claim that therefore, deconstruction is justice. For Critchley this is a notion of justice that is informed by Levinasian ethics in which justice is a double gesture occurring in relation to the other: justice both defines the ethical relation to the other and is defined by it. But later I will argue that Derrida in fact pushes the boundaries of ethics further than Levinas did, to the point even of identifying in

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19 Ibid.
Levinas’ thought an anthropocentric prejudice that has infected Western philosophy since the inception of the Cartesian “animal-machine.”

While commentators have often identified Derrida’s essay on the “Force of Law” or his appeal to a “democracy to come” in his later writings since *Spectres of Marx* as signaling a political turn in his thought, importantly, Derrida has disagreed with the marking of any particular moment in which his thought “becomes” political. In *Rogues* he clarifies: “The thinking of the political has always been a thinking of différance and the thinking of différance always a thinking of the political, of the contour and limits of the political, especially around the enigma or the autoimmune double bind of the democratic.”

That is to say that a concern with the political is embedded deep within the project of deconstruction since Derrida’s early work on the problem of the speech/writing opposition in the history of Western metaphysics. In *différance* Derrida presents a neologism. Neither a word nor a concept; it is of an order that “resists philosophy’s founding opposition between the sensible and intelligible.” Belonging neither to the voice nor to writing in the usual sense; it occurs between speech and writing. Neither present nor absent; *différance* is “what makes the presentation of being-present possible.”

Neither active nor passive, it occurs in between: it is the middle voice if you like. *Différance* conveys a theme that would resound throughout Derrida’s writings, that is, an interest in the notion of the boundary as mutually constituting the inside and outside. As such, *différance* challenges the idea that identity is a homogenous, self-contained and internally coherent totality.

To grasp how *différance* works, I suggest that we must think in French. Taking the Saussurian theory of language as a strategic reference point, language is a system of signs constituted by a thing or concept represented (i.e. the signified concept e.g. cat) and the thing making the representation (i.e. the signifier e.g. c-a-t). Here meaning is

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22 See Derrida, *The Animal That Therefore I am* at p. 102. I will discuss this idea further in the next chapter.


26 Ibid. 134.
possible from differentiation from other signs (e.g. cat because not dog) – not because the signified concept is present in and of itself. However the French verb *differer* does not fit into this schema, but in fact disrupts the Saussurian sign system. The French verb *différer* (single signifier) has two quite distinct meanings (signified). It is the same word, but with different meanings, which in English are the separate verbs “to differ” and “to defer.” The first — “to differ” — means to be other, or non-identical. It has a spatial meaning, which conveys a sense of distancing. The second — “to defer” — means to postpone until later, or to delay. It also conveys a sense of distancing, but has a temporal meaning. However, in French, one cannot tell their difference from each other when the word is spoken or written: meaning is concealed in both speech and writing. The problem for the Saussurian language system is that the two concepts cannot be simultaneously thinkable, yet meaning becomes one of any two possibilities and oscillates between the two: when one is brought to mind; the other is not erased, but it is overshadowed and deferred — it is still present by virtue of its absence. Hence, absence constitutes its presence.

Derrida is interested in the dynamics of this “silent play,” where *play* refers to “the disruption of presence.” However, as there does not exist a name to describe this dynamic, Derrida makes a visual intervention replacing the “e” of difference with an “a” to form the neologism *différance*. *Différance* simultaneously refers to both the spatial and temporal meanings of *différer* (i.e. “to differ” and “to defer”). It captures the double gesture in the constitution of meaning, that is, first as a movement, which allows for the formation of form, but then, second, it will overturn and unravel that same production. This double gesture involves a certain repeatability or iterability to the structure. But given that each repetitive instance will be different from that preceding and following it, the play of *différance* entails also an unpredictable futurity concerning the play of undecidability.

Considering the relevance of the play of *différance* to the play between ethics and politics, deconstruction then, is neither ethical nor political, but “ethico-political.” That is to say that it calls into question the tendency to separate ethics from politics and to subordinate the political to the ethical, which are the conditions of possibility demanding that politics be carried out in the name of ethics as exemplified by the

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universal cosmopolitanism approach. Such separation is a feature of Platonic-Western oppositions that came to be amplified by Kant’s treatment of ethics and politics as separate spheres and the alignment of philosophy with the former as the means by which it engages with the latter (an interpretation of Kantian ethics that I will complicate further later). Like Rorty, Derrida rejects philosophical foundationalism. However, unlike Rorty, Derrida does not turn to pragmatism, but initiates a more radical way to think of ethics and politics.

In his lecture “Ethics and Politics Today,” Derrida points out that, particularly since Kant, the difference between ethics and politics is but an appearance of difference concerning their relationship to urgency:

> Because ethical responsibility appeals to an unconditional that is ruled by pure and universal principles already formalized, this ethical responsibility, this ethical response can and should be immediate, in short, rather simple, it should make straight for the goal all at once, straight to its end, without getting caught up in an analysis of hypothetical imperatives, in calculations, in evaluations of interests and powers. Because its urgency is infinite, immediately infinite, it is either absolute or null. It is no longer even an urgency insofar as a waiting time should not exist. Whereas, on the contrary, still according to the same appearance, political responsibility, because it takes into account a large number of relations, of relations of power, of actual laws, of possible causes and effects, of hypothetical imperatives, requires a time for analysis, requires a gamble, that is, a calculation that is never sure and that requires strategy.  

Herein reside the ethico-political implications of différance. Politics, it would appear concerns the greatest urgency — the demand for a decision that cannot be put off — while ethics would appear to be the realm of non-urgency — of the undecidable — in which decision can be deferred. But decision is that which interrupts the undecidable,

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which is to say that the two are intricately linked: as the undecidable is the condition of possibility of decision, its conditions of possibility will always be the conditions of its impossibility. Deconstruction, then, may be situated as neither ethical nor political insofar as it problematizes the very structure of the either/or opposition. Instead it may be regarded as a questioning of the passage of that separation that tends to be made between ethics and politics.

Furthermore, we might recall from Derrida’s essay “Violence and Metaphysics” that the ethico-political work of deconstruction begins with the very “question of the question” for the question as “always enclosed” has already begun to presuppose its answer.29 Take for instance, Derrida’s reflection on the “question of the foreigner” or the “foreigner question.”30 It is common amongst advocates of a universal cosmopolitan ethics to treat this question as if it was synonymous with the “problem” of the foreigner. A deconstructive engagement by contrast, Derrida shows, is to put the question itself into question by asking what is this “question of the foreigner”? Is the question of the foreigner the same thing as the foreigner’s question? Whose question is it and to whom is it being put forward? For Derrida, who addresses the concept of the foreigner in the context of the ethic of hospitality, as I will examine further below, the question of the foreigner is a question of identification and ultimately a question of being, but the answer has already been provided by its determination as “foreigner” within the very formulation of the question.

The “question of the question” strikes at the heart of the Western metaphysical tradition by revealing a central paradox: the status of the question in philosophical thinking as an impossibility. The secret, Derrida points out, is that “the question is always enclosed; it never appears immediately as such, but only through the hermetism of a proposition in which the answer has already begun to determine the question.”31 But to ask the question of the question is precisely to confront this hidden aspect of the question demanding instead its deconstruction which, to go back to the example of the foreigner

question, allows a certain kind of responsibility to the other. Central to deconstruction, I am suggesting, is an ethico-political vigilance where ethics is not an imposition of an external agenda, as in claims to ethics-as-morality that would limit politics, but ethics-as-politics and politics-as-ethics is an awareness and address of its internal contradiction: although charged with an undecidable irreducibility that stays open to alterity, or to the horizon of the future, at the same time, it calls for the urgency and violence of the interruptive decision endeavoring in the least not to recommit the violence of the origin nor to perform the violence of the “worst.” It is aware of this double bind that we might also call aporia.

Revealing the Aporias of Cosmopolitan Ethics through the Logic of Hostipitalité

Derrida’s deconstruction of cosmopolitanism commences with an encounter with aporia. One event in particular conveys the aporia of cosmopolitanism and it is worthwhile spending some time setting it out in order to provide the background necessary for understanding the context of Derrida’s intervention. The text On Cosmopolitanism is an address Derrida gave to the International Parliament of Writers in 1996 marking the anniversary of the Network of Cities of Asylum project. It was originally published in French in 1997 as Cosmopolites de tous les pays, encore un effort! Much of the title’s playfulness is lost in the official published English translation, which could otherwise be taken, in the spirit of a rally cry, as “Cosmopolitans of all countries, try again!” There is here a subtle play on Karl Marx’s “workers of the world unite” from the Communist Manifesto – another cosmopolitan movement that fell short of its promise. There may also be a play on the Marquis de Sade’s “Français encore un effort si vous voulez être républicains!” Published in 1795, the same year as Kant’s Perpetual Peace, Sade’s anti-Enlightenment nationalism expressed in this small pamphlet presents a stark contrast to the Enlightenment cosmopolitanism that Kant has

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32 As Derrida puts it: “It is a matter of limiting the worst violence with another violence.” See “Force of Law” at p. 49.

33 This may be translated as “Yet Another Effort, Frenchmen if You Would Become Republican!” See the fifth dialogue of Marquis de Sade’s, La Philosophie dans le Boudoir. For a reading of Sade as an integral but overlooked thinker is the genealogy of cosmopolitanism see Meredith Evans, “Cosmopolitics and Its Sadian Discontents,” in Cosmopolitics and the Emergence of a Future, ed. Diane Morgan and Gary Banham (Hampshire: Palgrave Macmillan, 2007), 69-90.
been made famous for. Already in Derrida’s title there is a sense that what we are encountering in this so-called cosmopolitan experience marking the occasion of his address is a certain repetition: we can find traces of cosmopolitan experiences already passed and, like the movement of *diffèrance*, we are engaged in repetition but also differentiation and deferral.

The International Parliament of Writers (IPW) is a human rights organization concerned with literary freedom, censorship and protection for persecuted writers. It was established in 1994 in Strasbourg in response to the assassination of Algerian writer, Tahar Diaout, the previous year. Strasbourg is notable because it offered asylum to the Anglo-Indian writer Salman Rushdie after Iran’s Ayatolla Khomeini declared his novel *The Satanic Verses* blasphemous, a distortion of the Koran and issued a fatwa against him. The question that is raised by these events is: how does the assassination of one writer and the urgency of asylum of another open up the question of the status of writing as a question of ethics and politics?

We can find in Derrida’s early writings an engagement with these ethico-political themes. “The *Pharmakon* and writing are thus always involved in questions of life and death,” Derrida observed. In a close and detailed reading of Plato’s *Phaedrus* Derrida traced the undecidable character of the Greek word *pharmakon* — meaning both “poison” and “remedy” — to point to the instability of binary oppositions demarcating inside from outside, which characterized much of the history of Western metaphysics. Like the *pharmakon*, according to the Platonic logic, in opposition to spoken speech (*logos*) writing is poisonous, uncontrollable, dangerous; like the *pharmakon*, the writings of many persecuted authors and intellectuals are considered to be distortions of the truth, contaminating culture and religion, and therefore they are deemed improper and evil. Like the two forces of the *pharmakon*, whatever virtues these texts may have, do not prevent them from injuring.

The case of Salman Rushdie may illustrate the point further. Published in 1989, Rushdie’s *Satanic Verses* questions the meaning of good and evil. The novel was considered by some Muslims to be blasphemous in its depiction of a character that

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dreams of himself as the Prophet Muhammad and in its references to the Koran. It was burned, it caused riots around the world and it was banned in several countries. Publishers and people associated with the novel received death threats. Rushdie himself was forced into hiding. Considering the Platonic logic, the opposition between truth and falsehood is at stake in this case. Its possibility rests on the axes of the opposition between good and evil; pure and impure; inside and outside. But when we look at how the event played out, we can notice that the difference between inside and outside, as demarcated by the Ayatollah, was constituted by Rushdie’s writing itself — that is to say that since inside is constituted by its outside, the distinction between inside and outside cannot hold. Rushdie’s text takes the form of the undecidable threatening the traditional foundations of the canon and Rushdie himself comes to occupy an undecidable space oscillating between life and death. Here the writer is displaced; forced into exile by the threat of death; forced into hiding like the secret of the community. The pharmakon becomes a very real and urgent question of life and death that repeats itself throughout history.36

Following the Rushdie affair, the IPW declared Strasbourg the first “City of Asylum” for persecuted intellectuals and writers. In 1994 the IPW appealed for the transnational extension of the Network and, in collaboration with the Congress of Local and Regional Authorities of Europe (CLRAE), drafted The European Charter of Cities of Asylum. On 31 May 1995, CLRAE undertook to implement the Charter and support the Network. Following this, on 21 September of the same year, the European Parliament adopted a Resolution in support of the Network. The asylum system of the Network is coordinated by the IPW. The IPW nominate threatened writers for asylum to participating cities and the cities that accept to adopt, or host, these nominated writers pay a contribution to the IPW to cover the writers’ living expenses and undertake to provide them with accommodation for one year as well as access to public services and intellectual support.

The Charter and Network provide for the protection of the writer with respect to two main aspects: first, the right to freedom of expression and creativity and second, the right to asylum. As such, its two basic ethical premises are human rights and hospitality.

With regard to human rights, it draws upon the human rights traditions in post-Second World War international law and European Union law as it emphasizes the rights to enjoy asylum and to freedom of expression. With regard to hospitality, the Charter’s position is less specifically defined, noting:

…the Congress denounces violations to freedom of expression and artistic creativity, condemns the fact that writers throughout the world feel themselves to be more and more menaced and persecuted because of their writing and underlines that only a Network of Cities of Asylum wishing to offer true solidarity and ‘hospitality which opens up to the proximity which exists between local authorities and citizens’, can provide an appropriate response.37

The Charter also proclaims that:

This new threat to literature demands a new response, particularly the creation of new forms of hospitality and patronage which consider multiculturalism to be an essential condition for literary creation.38

At first glance, the Network of the Cities of Asylum may appear to be a cosmopolitan achievement in the sense claimed by universal cosmopolitans. The Network seems to echo the Kantian notion of cosmopolitanism, which was expressed in his Third Definitive Article for a Perpetual Peace in terms of a “right” the conditions of which were defined by “universal hospitality.” They also invoke the earlier classical Greek notion of the cosmopolis in their treatment of citizenship as an affiliation to something of a world city rather than to the state. This would otherwise constitute a significant shift in contemporary legal conceptions of citizenship in a world that is divided into (nation)states as we know them today. And further, it may appear that an ethic of

38 Ibid. 8.
hospitality, of opening the city’s doors to the foreigner, has exceeded the sovereignty of the state in deciding who may gain entry to its territory.

But what seems like an innovative approach repositioning power from states to cities and laying hopes for a new ethic of hospitality towards (albeit particular) foreigners in the Cities of Asylum project, is in fact the product of a treaty between states. Significantly, the condition of possibility of the city’s hospitality is its impossibility: it is only possible that cities have this seemingly principal political status because it has been granted by the sovereignty of states in which they are located. Hospitality here is but an effect of the force of international law. Meanwhile, France and other European states are tightening their borders and hardening their immigration and asylum policies, especially for a certain kind of foreigner, the anonymous sans papiers. For Derrida, the political climate raises an ontological uncertainty in the idea of cosmopolitanism: we do not know if the Cities of Asylum experience is a cosmopolitan one because the current situation is not quite living up to its promise.

Derrida acknowledges the urgency of the threat to writers and supports the project in its human rights initiative. But at the same time, given the uncertainty of its “cosmopolitan” achievement, he uses the occasion of the IPW conference marking the anniversary of the Cities of Asylum network to deconstruct cosmopolitanism, the Network and their inheritance in order to re-state the ethico-political problem.

When the juridico-political paradox of the Cities of Asylum undermines what might otherwise be perceived as a cosmopolitan achievement, in a move signaling a rupture, Derrida distances himself from this secular establishment and renames it the “Cities of Refuge” in the spirit of the historical Judaeo-Christian parables of the Torah’s “Book of Numbers” and the “Book of Joshua” in the Christian Bible’s Old Testament. In the Book of Numbers the Lord commanded Moses to set aside six cities of refuge in the land of Canaan. The cities were to serve the Israelites and their resident aliens as places

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40 Literally translated as “without papers,” a term referring to undocumented migrants.
of refuge for anyone that unintentionally killed another person. They were to constitute a safe haven from revenge for the accused. There he would be “restored” by the assembly until the death of the high priest after which time he could return to his homeland. Protection would only be afforded to an accused within the bounds of the city of refuge.

In the Old Testament of the Bible we find the cities of refuge in the Book of Joshua. Again, the Lord tells Joshua, as He did Moses, to allocate cities of refuge as a “sanctuary” for a man that accidentally kills another. In this version, the man must stand at the gates of the city of refuge and present his case to the city’s elders. Only if they are satisfied, will he be admitted to the city and, until he stands trial before the community, “they will grant him a place where he may live as one of themselves.”

Derrida’s act of renaming is a gesture of iterability: the paradox of the hospitality practiced by the Cities of Asylum can be traced back to the practices of the biblical Cities of Refuge. His analysis reveals that the starting point of the Network of Cities of Asylum is not a point at all, but a différance from what has come before and what is yet to come. The play of différance occurs as “this new ethic or this new cosmopolitics of the cities of refuge” in a gesture of revival of “an original concept of hospitality” is, at the same time, the recuperation or reappropriation of an old ideal that may be inherently self-subverting; for the starting point is not the presence of cities of refuge or the presence of hospitality, but the desire for their presence, which is also their lack. In this present that is not present, there is here a sense of “…That Dangerous Supplement…” that Derrida had expressed earlier in Of Grammatology:

…différance makes the opposition of presence and absence possible. Without the possibility of difference, the desire of presence as such would not find its breathing-space. That means by the same token that this desire carries in itself the destiny of its non-satisfaction. Différance produces what it forbids, makes possible the very thing that it makes impossible.

Ibid., p. 199.
Derrida, On Cosmopolitanism, p. 5.
Derrida’s interruption of this seeming-cosmopolitan event points out that the very conditions that made the Cities of Asylum possible make them also impossible. We have encountered the knot in the ideal; we are here confronted with cosmopolitanism’s aporias. To take it back to the philosophical analysis, we have here the non-passage in the idea of cosmopolitanism: ethics has not found its passage through politics.

As I stated above, the deconstructive approach to cosmopolitanism neither claims a cosmopolitan ethics nor sets out to design a cosmopolitics, but concerns itself with the identification and negotiation of this non-passage in the discourse of cosmopolitanism. Now let me offer a more expansive illustration of what this means. “What happens at this moment…” Derrida explains, “…is that every time the ethical and the political are caught in a knot, in an irreducible intrication, this does not mean that they are simply tangled, but that what seems not to have to be negotiated politically, not to have to be reinscribed in a relation of powers, thus, the nonnegotiable, the unconditional is, as unconditional, subject to political transaction: and this political transaction of the unconditional is not an accident, a degeneration, or a last resort; it is prescribed by ethical duty itself.”46 Importantly, the distinguishing feature of Derrida’s ethico-political approach (from neo-Kantian-normative approaches to ethical and political questions, for example), is that for Derrida, ethics is not a transcendental domain providing the answers for how political affairs ought to be conducted; rather, Derrida regards the ethical and political as inextricably linked and ethical duty as the task of negotiating their tensions.

What concerns us then, for the purposes of identifying the aporia of cosmopolitanism, is the violation of the unconditional. Specifically, this is the unconditionality of hospitality. The question of asylum, as the question of the foreigner noted above, offers a point of entry into the problem. To be received by an ethic of hospitality, as the cosmopolitan ideal would require, would imply openness free of any limitations. Such hospitality would be unconditional. But the encounter with the foreigner-asylum-seeker is not one that is generally met by unconditional hospitality. Standing at the border of the city or state, such a figure is put into question and obstructed, first by the asking of his/her name, second by questioning his/her nationality and further by demands that

46 “Ethics and Politics Today,” 304.
he/she comply with the laws of the host. In his late work entitled *Of Hospitality*, Derrida puts such hospitality into question outlining the dilemma that it presents:

Does hospitality consist in interrogating the new arrival? Does it begin with the question addressed to the newcomer…Or else does hospitality begin with the unquestioning welcome, in a double effacement, the effacement of the question and the name? Is it more just and more loving to question or not to question? to call by the name or without the name? to give or to learn a name already given? Does one give hospitality to a subject? to an identifiable subject? to a subject identifiable by name? to a legal subject? Or is hospitality rendered, is it given to the other before they are identified, even before they are (posited as or supposed to be) a subject, legal subject and subject nameable by their family name, etc.?47

But notably, the only hospitality that we have ever seen in the history of the Westphalian system of states, is that which has conditions imposed upon it.

Another way to express the problem at stake would be to ask whether hospitality could ever be unconditional? An unconditional hospitality would be a “pure,” “absolute” and “infinite” hospitality, which Derrida refers to as “the unconditional law of unlimited hospitality.”48 This is “to give the new arrival all of one’s home and oneself, to give him or her one’s own, our own without asking a name, or compensation, or the fulfilment of even the smallest condition.”49

Let us call this new arrival that turns up on our doorstep unannounced, the *arrivante*. An unassuming disposition, unconditional hospitality demands nothing of the *arrivante*, withholds nothing from the *arrivante*, yet takes responsibility for the *arrivante*. Ethical obligation emerges not from the conceit of reason or the superiority of morality or anything external to the encounter, but from the humility demanded by the Other’s radical alterity. Such welcoming of

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48 Ibid.
49 Ibid., p. 77.
alterity’s guest is elaborated by Levinasian ethics in terms of openness to the face of the Other:

The relationship with the Other, the face-to-face with the Other, the encounter with a face that at once gives and conceals the Other, is the situation in which an event happens to a subject who does not assume it, who is utterly unable in its regard, but where none the less in a certain way it is in front of the subject. The other ‘assumed’ is the Other.\(^{50}\)

The distinction between small “o” other to capital “O” Other signals the question of ethics for Levinas. If otherness is alterity, how can we know it as Other? In the act of knowing, the Otherness of the latter is constituted by certain presumptions bestowed upon the former; it is to make assumptions or prejudices about something that is ultimately unknowable to us and to distort whatever may come. The nakedness of the face symbolizes an other stripped of all its identity or meaning; its presentation of the other before me alienates any ideas I might have had of the Other before its arrival. The other here is unknowable and perhaps is more accurately represented in writing as (other); that is as a symbol enclosed by parentheses.

An intimate, yet confronting moment, this face to face encounter with the other is one that challenges the assumed stability of a self that is capable of forming a prejudice of the other. To face the other in this raw moment of facing is to be drawn to the other in a movement that is not motivated by will or reason, but as one that demands abstraction and transcendence from the self in order to receive whatever comes before it. Drawing towards the other in this moment is therefore a time prior to ontology, which, for Levinas, is the time of ethics.\(^{51}\) The relationship with the other is therefore a temporal relationship and ethics is therefore a question of the time of the other and responsibility for the other. But this is not a responsibility in the sense of a programme for handling

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\(^{51}\) For a more complex account of Levinas’ ethics, see Robert Bernasconi and David Wood, eds., \textit{The Provocation of Levinas, Rethinking the Other}, (London: Routledge, 1988.)
others as Kantian inspired cosmopolitanisms advocate; it is a notion of ethics that seeks to be non-egotistical, pre-ontological and non-prescriptive. In the ethical relation of the “face to face,” responsibility occurs in the phenomenology of reception, not in the reduction of the other to the categories of the self.  

Conditional hospitality, by contrast is defined as “the laws of hospitality, these rights and obligations always conditioned and conditional.” This is a hospitality that would be conditioned by an external law as Kant specifies and as the experience of the Network of Cities of Asylum demonstrates. To impose conditions upon an ethic that must be unconditional for it to be at all, commits a gross violation. However, as Derrida explains further, the aporia of hospitality is not just a simple opposition between unconditional and conditional forms. Rather, like the structure of différance, the two meanings of hospitality cannot be reduced into each other but require negotiation between them for there is an inherent contradiction in the notion of hospitality, even in its unconditional form, which renders it impossible. Thus, we have here a double law of hospitality, which Derrida represents by the neologism hostipitalité. Derrida observes that even its etymology is aporetic:

…the word for ‘hospitality’ is a Latin word (Hospitalität, a word of Latin origin, of a troubled and troubling origin, a word which carries its own contradiction incorporated into it, a Latin word which allows itself to be parasitized by its opposite, “hostility”, the undesirable guest [hôte] which it harbors as the self-contradiction in its own body...).

“Hospitality” (Hospitalität) and “host” (hospes) share their Latin roots with what may seem to be their opposites; “hostility” (hostiliter) and “enemy” (hostis). Further,

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53 Ibid.
54 Derrida, “Hostipitality,” p. 3.
“hospitality’s” contradiction is built into the very meaning of the word, for the term “hospitality” is suggestive of an unconditional openness to, or accommodation of, an absolute, unknown, anonymous Other. As Derrida puts it, “pure hospitality consists in welcoming whoever arrives before imposing any conditions on him, before knowing and asking anything at all, be it a name or an identity ‘paper.’”\footnote{55} But even in its unconditional ideal, as “pure hospitality,” hospitality can never be unconditional; for, as an ethic owed to the stranger, hospitality is conditional upon its very recognition and naming of a stranger. It is always, therefore, a compromised position.\footnote{56} The point is that “hospitality” commits a kind of violence in its very subjectivation of the stranger to whom it professes its welcome. To put it another way, its power and authority over identification of the stranger is an act of violence of mastery over, and subjugation of, its subject. The problem raised for cosmopolitanism is how can it ever be ethical if it is predicated upon an ethic of hospitality, which itself harbours a violation of the Other whom it professes to treat ethically? Has it not slapped the face of the other before even facing it?

Despite his admiration for Levinasian ethics and acknowledgement of its influence on his own ethical thought, Derrida identifies the aporia of hospitality even in Levinas’ writing. Although Levinas’ account of the face to face with the other conveys a hospitality that would appear unconditional, Derrida finds as its limit the implication of the speaking human subject as the subject of the face. He expresses the problem as follows:

In the face, the other is given over in person as other, that is, as that which does not reveal itself, as that which cannot be made thematic. I could not possibly speak of the Other, make of the Other a theme, pronounce the Other as object, in the accusative. I can only, I must only speak to the other; that is, I must call him in the vocative, which is not a category, a case of speech, but, rather the bursting forth, the very raising up of speech.\footnote{57}

\footnote{56} Naas, Taking on the Tradition, p. 167.  
\footnote{57} Derrida, “Violence and Metaphysics,” p. 103.
Derrida’s concern is that Levinas, like many before him in the tradition of Western metaphysics, still privileges language and, more accurately, to return to an earlier theme, it is the living speech of logos (logocentrism) that has been favoured over the dead speech of writing (the pharmakon). Conceived as such, Levinas’ ethics tends towards a certain kind of humanism. Although critical of humanism for its tendency to ontologize and reduce the other to the same, Levinasian ethics has not, however, been aligned with the anti-humanist thought that emerged in 1960s post-structuralist circles that I discussed in Chapter 1. We might say that Levinas offers a third possibility for the humanism/anti-humanism controversy, perhaps following the title of one of his books *The Humanism of the Other Man (Humanisme de l’autre homme)*, where it would appear that the ego has been suspended in the embrace of the other man. But as Derrida stresses, “the other-man is the subject”: it is from the standpoint of the other-man that Levinas defines the humanity of man. Levinas’ hospitality cannot be purely unconditional so long as it cannot resist the subjectivation of the other. Implicit in Levinas’ approach is also another problem for ethics, (which I will address in the next chapter), concerning the privileging of the human subject against the animal as the limit of hospitality. Derrida notes that the face of Levinas’ ethical system does not include the face of the animal that would challenge the prejudices of logocentrism. But to sum up the issue at hand, the inherent violence of hospitality can be explained further by noting the shift that Levinas makes from “host” to “hostage” as the subject of hospitality such that, in Derrida’s words, “the guest becomes the host’s host.” Unconditional hospitality requires that the host not only invite the other into his/her home, but that he/she give it up for the other such that the other may become master of the home to host the original host that is now held hostage by the other. Within unconditional hospitality lurks the threat of self-annihilation, or what Derrida calls an *autoimmunitary process*. Kant’s conditional hospitality might therefore be read as a vain attempt to counter this threat of the unconditional within the ethic of hospitality in order to preserve the conceit of its ethical desire.

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59 On this point see Derrida, *The Animal that Therefore I Am*, pp. 104-118.


61 In *Philosophy in a Time of Terror* Derrida defines an autoimmunitary process as “…that strange behaviour where a living being, in quasi-suicidal fashion, “itself” works to destroy its own protection, to immunize itself against its “own” immunity”, at p. 94.
Rupturing Cosmopolitanism’s Kantian Foundation

Despite the varying ways cosmopolitanism has been taken up in the field that I am calling “cosmopolitan studies,” the problematization of Kant’s cosmopolitan thought has lacked dedicated scholarly attention and both proponents and critics of the orthodox interpretation of cosmopolitanism have relied upon a standard reading of Kant where Kant is assumed as the champion of a worldly ethical outlook. Deconstruction of cosmopolitanism requires disrupting Kant’s tyrannical hold on the idea (or, rather, the grip of a mythologized Kant considering that we are, in the first instance here, concerned with representations in contemporary cosmopolitan readings of Kant) by deconstructing the central tenets of Kant’s notion of cosmopolitanism. Derrida’s interruption of cosmopolitan ethics raises the question of “how do we read Kantian cosmopolitanism?” and is engaged in a need to create a rupture in the reading of Kant and a rethinking of how Kant’s thought is placed within contemporary ethico-political thought. For Derrida, Kantian cosmopolitanism cannot solely be read within the high-mindedness of “morality” or the virtues of the moral law that Kant had formulated in his philosophical system; that very system, at the core of which is the violence of law, must be subjected to deconstruction to enable a deconstructive reading of Kantian cosmopolitanism.

Although I will attend in greater depth to the system of Kant’s cosmopolitan thought in Chapters 6 and 7 of this thesis, and then assess further in Chapter 8, Derrida’s critique of neo-Kantian cosmopolitanism and the alternative that he offers, the following serves to foreground the discussion that occurs later. For the purpose of introducing Derrida’s critique, which serves also to situate my broader project, it is therefore necessary that here I outline some of the elements of the Kantian philosophical system and briefly sketch the relationship of cosmopolitanism, expressed in terms of a law of hospitality, to the Kantian notion of ethics, defined as the branch of philosophy dealing with the moral law.

62 Anthony Pagden’s writings as I noted in the previous chapter are one of the few that critically engage with Kantian cosmopolitanism and its historical violence.
In the Preface to *Groundwork of the Metaphysics of Morals*, following the Ancient Greeks, Kant classifies philosophy into three areas pertaining to three kinds of law. First, *logic* deals with all thought in general and concerns the law of thought. Second, *physics* deals with the material world and concerns the law of nature. Third, *ethics* deals with human conduct and is concerned with the moral law. Ethics was further divided into pure (transcendental, as in a “metaphysics of morals”) and impure (empirical, as in a “practical anthropology”) forms. Since the significance of the distinction between pure and impure ethics has been largely ignored, even by Derrida, in analyses of Kantian cosmopolitanism, I will therefore leave aside Kant’s “impure ethics” for now, though it constitutes a major component of my own analysis of Kantian cosmopolitanism presented in Part III of the thesis.

Rupturing Kantian ethics is to question the tendency in strands of philosophical scholarship to claim a certain purity for Kant’s ethics, where “purity” of knowledge is of the nature of the transcendental, that is beyond experience and superior to what arises from experience. Such knowledge, as Kant had defined it in the *Critique of Pure Reason*, was “*a priori*, meaning thereby that we do not derive it immediately from experience, but from a universal rule — a rule which is itself, however, borrowed by us from experience.” According to this logic, for a moral philosophy to be pure, its source had to lay outside human experience. The latter, in Kant’s view, was open to distortion and therefore it was not a reliable source for the grounding of ethics.

At the risk of over-simplifying what are very complex and technical philosophical categories for the sake of offering some context to the discussion of the Kantian aporias that follows, we might contrast “pure reason” with “practical reason” (or the practical use of reason), which Kant had presented in the second critique as being concerned with “a general determination of the will.” If I can state the distinction more plainly, insofar as they both relate to freedom, pure reason is concerned with a transcendental notion of freedom of the will (free will), which, being prior to experience, is the condition of possibility of experience. Practical reason relates to the kind of freedom of the subject that can be directed by principles and their deliberation to obey the law (free

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choice). The two kinds of reason correspond to two domains of law: ethical or moral law and juridical law. The latter is given by an external authority such as the state and has the role of constraining the exercise of human free choice, while the former, the “moral law,” is of an a priori form. The authority of the moral law in establishing the standard of conduct for human beings to follow lay outside subjective human desires and cognitions but derived from the capacity of human beings to act morally. While this seems like a circular logic leaving the concept of “pure reason” as only a weak link between the moral law and what gives it its authority, Kant attempts to avoid the weakness in his reasoning by attributing to it a status of unconditional universalism expressed as the categorical imperative: “act only in accordance with that maxim through which you can at the same time will that it become a universal law” which is then conceived teleologically (purposively) as a law of nature.

Now, hospitality would appear to be of the order of ethics or the moral law in the Kantian logic. But Derrida highlights how the a priori of cosmopolitan ethics in Kant’s system is in fact aporetic. Accordingly he identifies the Kantian moment of the Western philosophical heritage of cosmopolitanism as its fundamental aporia. Having addressed the Stoic, Judaeo-Christian and Medieval heritage of the Cities of Refuge, in his lecture On Cosmopolitanism, Derrida turns to their Enlightenment legacy and the emergence of cosmopolitan secularism in Kant’s Third Definitive Article in Perpetual Peace. To repeat this problematic clause which recurs throughout this thesis, Kant proposed that “Cosmopolitan Right Shall be Limited to Conditions of Universal Hospitality.” Derrida asks us to notice that at first, Kant’s cosmopolitan law appears “to encompass universal hospitality without limit,” but then Kant posits this hospitality in terms of natural law. What was seemingly an expression of unconditional hospitality is in fact of the order of law.

For Derrida, the primary problem with Kant’s proposal, concerns Kant’s imposition of conditions on cosmopolitanism, of which there are three: first the cosmopolitan condition is a matter of right, wherein right is a limitation imposed by the sovereign;

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68 Kant states, “act as if the maxim of your action were to become by your will a universal law of nature” (Kant’s emphasis). See *Groundwork of the Metaphysics of Morals*, p. 31.
second, this right is to be limited further by conditions of universal hospitality; third, Kant’s “hospitality” is a “conditional hospitality” — hospitality is restricted to the right of visitation and, since it is negotiated by treaty, it is ultimately determined by law. Kant’s idea of hospitality is therefore dependent upon state sovereignty, not ethics, where ethics, in Kant’s philosophical framework, is a realm outside of politics. In other words, Kantian hospitality is a creature of juridical law, itself a creature of politics. Hence, there has been a violation of the separation that Kant had tried to establish between ethical law/pure reason and juridical law/practical reason: what is ethical in Kant’s system is only possible if it is attained through political means; ethics and politics are mutually constituting — not separate realms as Kant would like to maintain.

To summarize, Derrida’s key arguments relating to Kantian cosmopolitanism are as follows: first by imposing conditions on the practice of hospitality, Kant’s hospitality contradicts the basic underlying presumption of hospitality: if “hospitality” means to extend our home to the other, so as to be at one with the other, how can we impose conditions upon our receipt of the other as Kant’s principle of cosmopolitan right does? Second, Kant’s hospitality demonstrates that within the hospitality of the modern system of states, there is always the perversion of hospitality: for Kant, hospitality is a reception and inclusion of “the Other” in which “the Other” is appropriated and controlled by the sovereign’s law and, for Derrida, law is ultimately a force of violence. This is to pick up on the argument that “force” and “law” are inextricable.\(^\text{71}\) Kant’s hospitality is ultimately deceitful by its harbouring of a double-layer of violence: it is inherently violent in its conceptualization of hospitality as subject to conditions, and it performs a secondary violence upon its subject in its delivery through the rule of law and imposition of territoriality.

Derrida puts it thus: “How are we to distinguish between the force of law as a legitimate power and the supposedly originary violence that must have established this authority and that could not itself have been authorized by any anterior legitimacy, so that, in this initial moment, it is neither legal nor illegal—or, others would quickly say, neither just nor unjust?”\(^\text{72}\) It is, he replies, a question of “force as différance.”\(^\text{73}\) That is to say that a deconstructive engagement with law is one that identifies and addresses law’s

\(\text{71}\) Derrida, “Force of Law: The ‘Mystical Foundation of Authority.’”
\(\text{72}\) Ibid. p. 6
\(\text{73}\) Ibid. p. 7.
undecidability and treats, as its ethico-political moment, the moment, or threshold, between the undecidable and the decision. In order to make a decision, as a court or judge does, one arrives at a point of undecidability (i.e. a point where one does not know what decision to make in order to make a decision, hence, the conditions of possibility of the decision are the conditions of its impossibility). This moment opens up the space for making an ethical and political decision. We might read the Australian High Court’s attempt to recognize Native Title by overturning the doctrine of *terra nullius* in *Mabo v Queensland (No 2)*, for example, as an instance of deconstructing the law in the pursuit of justice for indigenous people. But as Paul Patton points out, the decision results in the perpetuation of injustice since the act of justice towards indigenous people can only be formulated in terms of the coloniser’s law, which had instituted the originary injustice. This reading highlights the aporetic character of justice and the ethical demand of aporia as signaling a moment that demands a certain responsibility. It points to a space of undecidability, which might involve gathering information, reflection, deliberation — but then it is interrupted by a sense of urgency required for making a decision — the instant of decision is therefore a violent moment. Nevertheless it is out of this sense of urgency and a responsibility that cannot be delayed that Derrida proposes that we engage in pressing ethical and political concerns like human rights abuse.

**Conclusion**

For Derrida, contrary to Nussbaum and Benhabib discussed in Chapter 1, the Kantian moment of cosmopolitan ethics is one of its most uncosmopolitan and unethical moments in the Western philosophical heritage of cosmopolitanism. The predicament of the contemporary asylum seeker denied entry into foreign states, owes much to Kant’s cosmopolitan vision. Comparing Kant’s version of hospitality to that of Levinas amplifies this observation with respect to the pursuit of peace that is claimed for Kant’s notion of cosmopolitan right:

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Instituted as peace, universal hospitality must, according to Kant, put an end to natural hostility. For Levinas, on the contrary, allergy, the refusal or forgetting of the face, comes to inscribe its secondary negativity against a backdrop of peace, against the backdrop of a hospitality that does not belong to the order of the political, or at least not simply to a political space. Here is perhaps a second difference from Kant. Whereas the Kantian concept of peace is apparently juridical and political, the correlate of an inter-state and republican institution, Levinas, at the end of “Politics After!” puts forward the suggestion (and “suggestion” is his word, just about the last one of “Politics After!”) that “peace is a concept that goes beyond purely political thought.”

In this last line lies the key to undoing the Kantian system of the opposition of ethics from politics upon which, in Derrida’s reading, Kantian hospitality and cosmopolitanism are predicated. For Kant, contra Levinas, peace is something that is to be pursued to interrupt the state of nature, which is the state of war. It is to be pursued through juridico-political means; specifically, a juridico-political hospitality that takes the name of “cosmopolitan right.” What ought to be an otherwise ethical domain can only be possible by political manipulation. The political must contaminate the ethical for an ethic of hospitality to be at all possible in Kant’s logic. As such, the opposition between ethics and politics cannot be sustained and philosophical purity cannot be retained following Kant.

By deconstructing its heritage, Derrida ruptures the very ideal of “cosmopolitanism” and questions the desire to institute anything bearing that name. For example, in closing his lecture *On Cosmopolitanism*, Derrida remarks:

*Experience and experimentation thus. Our experience of cities of refuge then will not only be that which cannot wait, but something which calls for an urgent response, a just response, more just in any case than the existing law. An immediate response to crime, to*

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violence, and to persecution. I also imagine the experience of cities of refuge as giving rise to a place (lieu) for reflection – for reflection on the questions of asylum and hospitality – and for a new order of law and a democracy to come to be put to the test (experimentation). Being on the threshold of these cities, of these new cities that would be something other than ‘new cities’, a certain idea of cosmopolitanism, an other, has not yet arrived, perhaps.

-if it has (indeed) arrived…
-…then, one has perhaps not yet recognised it.”

This excerpt captures the essence of a deconstructive intervention given that Derrida had described the interest of deconstruction as “a certain experience of the impossible.” Considering the experience and experiment of a specific movement striving for cosmopolitan justice, Derrida here points to its non-arrival to illuminate the paradoxes of a present that is not present, a hospitality that is not hospitable and a justice that is not just. The task is to attend to the conditions of possibility that would be cosmopolitanism’s impossibility. Derrida’s engagement with the question demonstrates that, despite the irreducibility of the contradiction, aporia need not lend itself to abandonment, for at the same time, it is precisely its non-arrival that is the key to the ethico-political urgency of the demand since justice cannot wait. This goes to show that deconstruction offers no direct passage to a cosmopolitan utopia, nor does it claim to; instead it confronts an impasse that questions the passage between ethics and politics from the event’s philosophical heritage as well as from the ethical and political context from which it arises.

In opening a place for reflection on the ethico-political, Derrida’s lecture On Cosmopolitanism represents what I have been referring to in this chapter as “aporetic cosmopolitanism.” While it does not make any guarantees, aporetic analysis at least allows for the awareness of structures of violence, of being confronted by the structure of “inside-outside” or “subject-object” and to acknowledge that our task is not to dissolve its awkwardness, nor to gain mastery over that which threatens. Ethical

76 Derrida, On Cosmopolitanism and Forgiveness, p. 23.
responsibility lies in raising questions of the limits and attempting to negotiate between the tensions instituted by the boundaries. Hence, it seeks not to resolve the political differences in response to which cosmopolitanism has recently been recuperated as an ethical gesture. In fact, it is precisely the tendency to oppose and hierarchize the ethical and political that Derrida rejects, treating the relationship between ethics and politics instead in terms of différance.

*Différance* (difference with an a) refers to a silent unnamed space, present by virtue of its absence, in which what becomes difference (with an e) gets played out. In this space of possibilities, the alternatives cannot be conceptualized simultaneously, when one is brought to mind; the other is not erased, but is overshadowed; it is still present by virtue of its absence. Another way to think of it, as Rodolphe Gasché offers, is that “différance recognizes an irreducible difference between differences...”\(^{78}\) and it “…must also be understood as the attempt to foreground not only difference as binary opposition, but, more important, difference as binary, polar, dual to begin with.”\(^ {79}\) This presents a unique space: neither present nor absent it is the space of “undecidability” and within this space of undecidability, the decision is played out. *Différance* is also suggestive of the inherent violence of any decision: for in this play of possibilities, there is always the eclipsing, overshadowing or suppression of “the other” in the making of a decision. *Différance* is therefore a relationship of deferral, differing or othering. Not only does it construct an Other, in the production of what becomes difference, but it permits the construction of that Other by relegating it to another time and another place.

“Time” here, is not of the order of “historical time” unfolding in a progressive and linear direction. Rather, it denotes a “ruptured temporality” where the end is not foreclosed, but where it is the work of ethics to create ruptures and new openings in thinking. In fact, *différance* points to a distinction between historicity and temporality, which, I will demonstrate in the next section of the thesis, enables an approach to recovering the archive of cosmopolitanism in which temporalization can be seen to condition historical experience in what I will refer to as the “Anthropocentric Waiting Room.”

\(^{79}\) Ibid., p. 105.
“...the question of the archive is not, we repeat, a question of the past.

It is not the question of a concept dealing with the past
that might already be at our disposal or not at our disposal,

an archivable concept of the archive.

It is a question of the future, the question of the future itself,

the question of a response, of a promise

and of a responsibility for tomorrow.”

Jacques Derrida, *Archive Fever*,
Chapter 4

The Anthropocentric Waiting Room:
A Diagram for (In)Humanity

Surveying the contemporary field of cosmopolitan studies, one finds that it has an ethical investment in the category “humanity,” oriented to the future: “humanity” has been claimed by cosmopolitanism(s), and cosmopolitanism(s) have been claimed for “humanity” in the interest of the future. This tendency is especially apparent amongst universal cosmopolitans featured in Chapter 1 who, in taking a normative approach to ethics, express concerns for humanity’s future by outlining a moral program for how we ought to act, which is predicated on the recognition of a common humanity. However, considering the challenges to this normative framework, as demonstrated by the rupturing of cosmopolitan ethics in the previous two chapters, the appeal to humanity’s future as the object of cosmopolitan ethics occurs as a site of considerable disagreement.

From the perspective of critical cosmopolitanisms and postcolonial ethics addressed in Chapter 2, the problematization of “who” is included in the humanity in whose name a cosmopolitan ethics is envisaged renders its futural impulse suspect. From the perspective of aporetic cosmopolitanism and deconstructive ethics outlined in Chapter 3, the very appeal to the future implied as a guaranteed event is problematized such that cosmopolitanism is designated as yet “to come…” There I intimated that the ethical impulse of Derrida’s sense of futurity (expressed in terms of temporality as the unexpected, unknown event — l’avenir) lies precisely in its challenge to the notion of “the future” (expressed in terms of historicity as something that is calculable, predictable, foreclosed or pre-determined — le futur). For Derrida, in order to be ethical, the future of cosmopolitanism (if we can even still use that word) has to remain unknown and incalculable; it has to be approached in terms of temporality rather than historicity.
Despite their differences, each perspective turns to the past as a source for the future: for universal cosmopolitanisms it is the past of philosophical foundationalism; for critical cosmopolitanisms the quest is to discover forgotten experiences in the past by unearthing lost or hidden archives that may rearticulate the meaning of cosmopolitanism; for aporetic cosmopolitanism, the past is treated as an inheritance that we receive, but which we may also transform in order not to commit a worse violence. In summary, the challenge of critical and aporetic cosmopolitanisms is how to envisage a future without reproducing the structures of power of those who dominated the past and who retain their stronghold in the present. It is in view of this question that I move now, in this second part of the thesis, towards re-covering cosmopolitanism’s archive.

The archive takes place as a site for repetition because it cannot stand in as the past. Neither can it be a substitute for memory when it is subject to the politics of memory and the politics of remembrance. “On the contrary,” as Derrida points out, “the archive takes place at the place of originary and structural breakdown of the said memory.”

Drawing on Freudian psychoanalysis, Derrida offers a theory of the archive and of archiving as characterized by repression, denial and tending always to its self-destruction. Derrida’s theory offers a critical and intimate reading of the concept of the archive but, despite its insights into the conditions that make possible an archive, it does not take up the related question of the task of the intellectual historian. Although Derrida’s will not be the approach that I follow here, I nevertheless do want to take up the bringing into question of the archive by the event of its rupture as an invitation to think about how we might examine the intellectual history of cosmopolitanism. Therefore, as a precursor to re-entering and re-covering cosmopolitanism’s archive, this chapter is primarily concerned with methodological issues and sets out to re-construct, for the purposes of intellectual historical inquiry, the problem surfaced through the rupturing of cosmopolitan ethics by rethinking its futural impulse.

Although discourses of cosmopolitan ethics have commonly made an investment in humanity’s future, the relationship between humanity and futurity, as a defining feature of cosmopolitanism, has lacked research interest. Attracting even less attention, is an examination of the relationship between cosmopolitanism and futurity as a defining feature of humanity. How then, might these two relationships help us to understand the

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relationship between cosmopolitanism and humanity, the limits of which have been exposed by the anomaly of a universal right to humanity? Before they can be traced in the archive of cosmopolitanism, these limits have to be articulated. But what has been missing from cosmopolitan studies thus far is a set of terms, and more specifically a concept, through which we might be able to make sense of the problem.

My proposal is that we start by defining “the future” neither as *le futur* nor as *l’avenir*, but in socio-relational terms through the temporal mode of “waiting.” This is to raise the question that, just as the ethics of cosmopolitanism is destined to waiting, might the humanity that it implies also be something for which we, or some, might have to wait? Waiting is what we do in anticipation of a promise or expectation. Often construed as that moment before progressing or advancing to another phase; it is a certain kind of time and space invested with the power to contain the boundary between inside and outside, which, in this case, specifically concerns the outside from progressing to the inside of the privileged site of humanity. But waiting is also the time and space where inside and outside pass through each other in the marking of the boundary, paradoxically contaminating the boundary and each other at the same time. To conceive of humanity in this sense as something for which to wait, is to conceive of humanity as a spatio-temporal entity with a boundary marking its inside from its outside, that is the human from the inhuman. However, like the structure of waiting, has this boundary already been contaminated such that in order to constitute humanity, human and inhuman must pass through, and indeed, contaminate each other?

The objective of this chapter is to think through this complex of humanity inherent to cosmopolitanism. My hypothesis is that the logic of the limit between human and inhuman can be explained diagrammatically. Thus far, I have been using the neologisms *(in)human* and *(in)humanity* to convey the spatio-temporal character of the human-inhuman complex of humanity. Written this way, with the “in” enclosed by parentheses outside the word “humanity,” the symbols signify a certain kind of subjectivity and relationality that captures the intricate entanglement of the relationship: the inhuman is outside humanity yet also (silently) embedded within it. It denotes an uncertain, denied, removable, displaceable, erasable subject — a negated subjectivity. Yet it can also be read as a relationship of dependency, interdependency and perhaps even a struggle for
independence — a relationship in conflict out of which can emerge something new, perhaps. The best way to understand this dynamic, this chapter will argue, is in terms of “diagram.” As I use the term, “diagram” refers to an apparatus, a force and an action. More specifically, diagram is a way to see relationships at work. The diagram that I am concerned with is one that I have named the Anthropocentric Waiting Room. This chapter will posit four reasons in defense of reconstructing the problem of cosmopolitan ethics and the related question of the anomaly of a universal right to humanity in terms of the diagram of (in)humanity: first to account for the problem of enunciability in the archive; second to explore the conditions that make possible the constitution of the human and inhuman; third to make visible the relational dynamic that occurs between human and inhuman in the constitution of humanity and fourth, as an alternative to the humanism/anti-humanism controversy in cosmopolitan ethics.

Diagrammatic Thinking & the Archive

The term “archive” most commonly refers to a body of records administered by a government agency that is relied upon in the writing of history.² Socially it functions as the repository of public memory, the guardian of claims to fact and truth and the keeper of knowledge. But it can also be viewed as a political system governed by rules of administration as it involves making decisions about what records are selected and retained; in what order are they to be placed; who is able to access them and when; and under what circumstances they can be destroyed? These raise a further set of questions highlighting the politics at stake in the carrying out of the archive’s social function: how do archives represent the past; who makes the decision of what is kept and what is discarded; what happens to the memories and histories of that which is discarded? These are all questions pointing to the archive as ultimately a relationship of power in who gets to decide what will be recorded as history, what will shape knowledge and identity and what will be silenced, repressed or forgotten.

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² For an overview of archival theory in terms of this traditional definition of the archive see John Ridener, *From Polders to Postmodernism: A Concise History of Archival Theory*. (Minnesota: Litwin Books, 2009).
In *The Archaeology of Knowledge*, Michel Foucault had challenged this traditional definition of the archive and its reliability in the production of knowledge on similar grounds. He proposed an alternative way of thinking of the archive:

> The archive is not that which, despite its immediate escape, safeguards the event of the statement, and preserves, for future memories, its status as an escapee; it is that which, at the very root of the statement-event, and in that which embodies it, defines at the outset the system of its enunciability.\(^3\)

Foucault’s concern was less with the content of the archive but more with its form as speech and the event of its occurrence. The archive therefore comes to be redefined as a discursive practice between what is said and not said. Upon this definition, Foucault outlines a methodology for archival research as the inquiry into the taking place of discourse. Hence, the job of the historian of ideas comes also to be redefined as undertaking, not the writing of history, which relies upon the said, but the pursuit of the “archaeology of knowledge,” as the search for and analysis of the *unsaid*. The challenge, in his words, is to “attempt to practise a quite different history of what men have said.”\(^4\)

A different history is perhaps one that lies between the coordinates, discontinuities and fragments of the dominant or traditional one. Thus, within these spaces of traditional history, an alternative approach to historiography is one that calls into question the privileging of the subject of the archive as the subject that has the capacity for language and reason — the conscious “I.” The innovation of Foucault’s method, Giorgio Agamben highlights, is that it establishes “an outside” as a new point of view from which knowledge can be studied as an event that takes place without relying upon an “I” as the subject or medium through which discourse occurs.\(^5\) But the limit of Foucault’s proposal, Agamben argues, is that despite asking the question of “enunciability,” that is, concerning how something is sayable in relation to the

\(^4\) Ibid., 148.
unsayable, Foucault has neglected to address the ethical implications of its corresponding subjectivity as the desubjectification of the speaking subject.

In *Remnants of Auschwitz*, Agamben reflects upon the ethical possibilities of the Foucauldian archive conceived as a relationship between the inside and outside of speech, or the said and unsaid, in terms of *testimony* as the opposite of the traditional archive and *witness* as its corresponding subjectivity. The relationship between the *Muselmann* and the survivor of the Nazi death camp at Auschwitz, found in the writings of Primo Levi, offers a way to think through the issue. Another representative of the anomaly of a universal right to humanity, the *Muselmann* was a corpse-like figure, so hopeless and wasted was his existence that if he could be said to have any agency, it resided in his allowing himself to be beaten and kicked to death by the SS guards. Devoid of any sympathy or compassion, he was the symbol of a possible fate of camp life. Translated literally as “Muslim,” and perhaps harbouring the prejudices of another context, the irony of the transformation of the Jew into the *Muselmann* in the camp was that “the Jews knew that they would not die at Auschwitz as Jews.”\(^6\) Dehumanized by camp life, the *Muselmann* was the non-human — the Jew stripped of humanity, inhabiting that threshold between life and death as the liminal space that is the frontier between human and inhuman. This space, in Agamben’s lexicon, might also be called the “state of exception” where “…the camp, as the exemplary extreme situation, thus allows for the determination of what is inhuman and human and, in this way for the separation of the *Muselmann* from the human being.”\(^7\) In this process, the subjectivity of the *Muselmann* is but an appearance of subjectivity for, paradoxically, it takes the form of his subjection to desubjectification — that is a becoming in its unbecoming — erasure.

The figure of the *Muselmann* brings to attention two aporias. The first concerns the aporia of the human. If the camp is a technique whereby the human being undergoes the process of separating out the *Muselmann*, is this to imply that the *Muselmann* is a feature of the human’s make-up? Here the *Muselmann* signals a crisis in the constitution and experience of the human. “The *Muselmann*” Agamben points out, “is not only or not so much a limit between life and death; rather, he marks the threshold between the

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\(^6\) Ibid., p. 45.

\(^7\) Ibid., p. 48.
human and the inhuman.”\(^8\) His mark however, is not simply the drawing of a distinction between human and inhuman; more alarmingly it is the disruption of the distinction that confronts the human with its own fragility. Agamben explains the paradox as follows:

In one case, he appears as the non-living, as the being whose life is not truly life; in the other, as he whose death cannot be called death, but only the production of a corpse — as the inscription of life in a dead area and, in death, of a living area. In both cases, what is called into question is the very humanity of man, since man observes the fragmentation of his privileged tie to what constitutes him as human, that is the sacredness of death and life. The *Muselmann* is the non-human who obstinately appears as human; he is the human that cannot be told apart from the inhuman.\(^9\)

By bringing humanity into crisis, the *Muselmann* not only confronts the human with the fragility of its limits, but emphasizes the “indistinction between the human and the inhuman”\(^10\) (my emphasis). It is therefore the similarity, not the difference, of the human to inhuman that is so troubling for the human.

Secondly, the figure of the *Muselmann* brings to attention the aporia of the archive as a site of remembrance. Considering the testimonials of camp survivors, Agamben observes that, as the absolute witness of the Nazi death camps, the *Muselmann* harbours two contradictions: on the one hand, as the non-human he can never bear witness; but on the other hand, the absolute witness is the one who cannot bear witness. But how can the *Muselmann* be the absolute witness if he cannot have the capacity to bear witness? His predicament raises the question of the status of language in the archive. Given that the camp strips him of the capacity for speech in his desubjectification, and given that, (as the traditional view holds) the archive privileges language, then his lack of it would mean that there is no place for the *Muselmann* in the archive — he is silenced and

\(^8\) Ibid., p. 55.
\(^9\) Ibid., pp. 81-82.
forgotten by the archive. Therefore, in view of the plight of the Muselmann, the archive comes to be reconsidered not only as a threshold between what is said and not said — but also between what is remembered and forgotten. The in-between is therefore the space of ethical consideration.

Agamben’s response is to recast the ethical problem of the archive (that is the question of “enunciability” as Foucault had identified it) in terms of the ethics of testimony where “the subject of testimony is the one who bears witness to a desubjectification.” Agamben designates the problem as “Levi’s Paradox,” since Primo Levi as a survivor (human) of Auschwitz, bears witness for the Muselmann (inhuman) through his writing. His witnessing however, is “by proxy” — since the absolute witness is not able to speak on his own behalf, as his proxy Levi lends the Muselmann a voice. Instead of privileging the subject of speech, as the archive does, such that it cannot accommodate the subject that cannot speak, Agamben offers that “Precisely because testimony is the relation between a possibility of speech and its taking place, it can exist only through a relation to the impossibility of speech — that is, only as contingency, as a capacity not to be.” Here the subject position, Agamben offers, is not as restricted as in Foucault’s formulation of the problem of enunciability as a relationship between what was said and the event of its being said; rather, witness subjectivity is that which, “in its very possibility of speech, bears witness to an impossibility of speech.” In this modality the human is not simply defined as the speaking being. Agamben redefines the human in a way that already implies the human/inhuman duality. By accounting for why it is human, a kind of detachment occurs that enables it to witness and speak on behalf of its inhumanness: “The human being is the speaking being, the living being who has language, because (my emphasis) the human being is capable of not having language, because it is capable of its own in-fancy.” The capacity to witness its inhumanity invests it with the capacity to respond ethically to the inhuman.

As an attempt to formulate an ethics of the inhuman and in its attendance to the existential dilemma of survival, Agamben captures the poignancy of the human-

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11 Ibid., pp. 120-121.
12 Agamben, Remnants of Auschwitz, p. 150.
13 Ibid., p. 120.
14 Ibid., p. 145.
15 Ibid., p. 145.
16 Ibid., p. 146.
inhuman nexus and listens to the void in between in order to reconfigure the question of ethical subjectivity to make possible the witnessing of that which had been rendered impossible by the archive. This approach to ethical subjectivity and the archive might be useful to the question of whether the subaltern can speak since, as Agamben writes, “the speech of the witness bears witness to a time in which human beings did not yet speak; and so the testimony of human beings attests to a time in which they were not yet human.”\footnote{Ibid., p. 96.} Recalling Spivak’s observation that, before the speech of the subaltern can be deciphered, one has to ask the question of its capacity to speak, Agamben’s theory offers a possible philosophical response in so far as it grasps the complexity of the nature of subjectivity that conditions the capacity to speak.

However, given that Agamben’s ethics of testimony is based on the experience of Auschwitz, and moreover, on the availability of the written testimonies of survivors, a number of questions arise with respect to its theoretical and methodological transferability. For example, to what extent can its scope be broadened to apply to other experiences or historical contexts?\footnote{For a further discussion of the methodological implications of Agamben’s paradigmatic approach see Mills, The Philosophy of Agamben, at p. 86. As she describes it “The paradigm allows for the intelligibility of a generality by virtue of the knowability of a singularity…” Here Mills also discusses how Agamben usurps Foucault’s notion of the diagram into his paradigmatic approach but maintains, as I do, their differences.} Additionally, even if it is conceptually relevant to the broader problem of accounting for the missing voices in the archive, how can it be employed practically without the testimonies of witnesses? Particularly in the case of conceptual history, where there is no proxy designated to speak for the one that cannot speak, it is not viable to approach the human-inhuman complex according to the logic of testimony. The intellectual historian, whose task is to attend to the spaces of what is left unsaid (such as the gap between human and inhuman in cosmpolitanism), cannot be attributed the role of proxy in the same way as the camp survivor who witnesses the Muselmann. We are therefore back at Foucault’s original problem of the archive.

Although Foucault had not resolved the problem of enunciability in the archive in the Archaeology of Knowledge, his methodological shift to a genealogical approach proves more successful. Opposed to the teleological view of history, rejecting the search for origins and not pretending to discover the missing pieces of the past that will restore the
path of historical continuity, genealogical analysis examines “descent” and the intersections that make it possible. As Foucault explains,

> Genealogy, as an analysis of descent, is thus situated within the articulation of the body and history. Its task is to expose a body totally imprinted by history and the process of history’s destruction of the body.\(^{19}\)

*Discipline and Punish* demonstrates this task by detailing the emergence of modern systems of surveillance and the institution of disciplinary power to control societies.\(^{20}\)

In contrast to the brutality of the public spectacle of the torture and execution of Damiens in 1757, less than a century later a “modern” system of punishment emerged in which the infliction of violence on the body was concealed. Foucault, however, is able to reveal the operation of this hidden regime of power by articulating its “diagram.”

Diagrammatic thinking asks us to consider how a diagram produces reality before it represses and oppresses. This is, Gilles Deleuze remarks, how Foucault had rethought the nature of power in modern society.\(^{21}\) The most well known example of Foucault’s employment of diagram to understand social and political forces was in his account of the panopticon. As a concrete diagram, panopticism draws on Jeremy Bentham’s model prison: a circle of individual cells confining each inmate with a watchtower at the centre as a symbol of surveillance complete with venetian blinds for peering through. Here power operates through the visibility of the inmate and the invisibility of the guard. As an “abstract” diagram it is a mechanism through which a set of identities, practices and technologies of government as the “conduct of conduct”\(^{22}\) are established. Detached

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21 As Deleuze expressed it: “Power does not come about through ideology, even when it concerns the soul; it does not necessarily separate through violence and repression, even when it weighs on the body... Power ‘produces reality’ before it represses. Equally it produces truth before it ideologizes, abstracts or masks.” See Gilles Deleuze, “A New Cartographer (Discipline and Punish),” *Foucault* (London: The Athlone Press, 1988), 23-44 at p. 29.

from any specific time, place or usage, the abstract diagram can function in a variety of spatio-temporal contexts. Foucault invoked this abstract notion of the panoptic diagram to explore the workings of power in different social arenas like prisons, factories, and asylums and through it articulated an innovative understanding of power. He was careful to clarify that “…the Panopticon must not be understood as a dream building: it is the diagram of the mechanism of power reduced to its ideal form…”

For Foucault, power is a much more complex concept than defining it in negative terms of prohibition or repression would allow. Neither should it be limited to the idea of sovereign power, where power is treated as a property or possession originating in the hands of any particular figure like the king or the State. Instead of privileging the question “who exercises power?” Foucault had argued that what would enable a richer understanding of power was exploring the question “how does it happen?” That is to say that to study the workings of power we have to study the strategies, technologies, mechanisms and effects of power. It was to look at power as a productive force constituting subjects as well as organizing society. Particularly in *Discipline and Punish* Foucault shows how disciplinary power was not specific to any single institution, but worked like a kind of abstract machine that isolated bodies, distributed them across space and moved them around according to their respective coordinates as though arranged on a grid.

Deleuze regards Foucault’s use of the diagram as an innovation in his study of the “history of the present.” Comparing the earlier *Archaeology of Knowledge* with *Discipline and Punish*, Deleuze finds that, in the latter, having found an analytical tool that does not remain “tied to Knowledge, and the primacy of the statement in knowledge,” Foucault is able to make articulable in making visible what is otherwise not sayable. Deleuze quite perceptively summarizes the contribution of diagrammatic analysis as follows:

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25 Deleuze, *Foucault*, p. 33.
The diagram is no longer an auditory or visual archive but a map, a cartography that is coextensive with the whole social field. It is an abstract machine. It is defined by its informal functions and matter and in terms of form makes no distinction between content and expression, a discursive formation and a non-discursive formation. It is a machine that is almost blind and mute, even though it makes others see and speak.26

If our concern is with the problem of enunciability and accounting for those who cannot speak or for what remains unspeakable in the archive — namely the problem of subjectivity — then diagrammatic thinking offers a means by which insights into these gaps in the archive might be obtained by asking “what are the forces of subjectification?”27 and by making it possible to see those forces.

Although Deleuze’s interest in the potential of diagrammatic thinking for diagnosing social and political life was influenced by Foucault,28 he found in observing the paintings of Francis Bacon the transformational, and indeed revolutionary, potential of diagrams. For Bacon, in Deleuze’s view, a “diagram” was the actual marks a painter made on the canvas and the virtual ones in his/her mind, which he/she would constantly work over by making random marks on the canvas, painting, scratching, wiping, painting over again. Deleuze remarks that this irrational process of the artwork’s becoming was “like the emergence of another world”: violent in its intrusion upon one order; but creating possibilities for another and others to come.29 Recalling from Chapter 2, Heidegger’s analysis of the becoming of a work of art as a place of “strife,” diagrammatic thinking is not only aware that a conflict is taking place, but in making visible its movements, it provides an opportunity to make it articulable also.

26 Ibid., p. 34.
28 For a further discussion of Deleuze’s reading of Foucault’s notion of diagram and how it influenced his political thought see John Rajchman, “Diagram and Diagnosis” in Becomings: Explorations in Time, Memory, and Futures, ed. Elizabeth Grosz (Ithaca: Cornell University Press, 1999), 42-54.
The potential in thinking and analysing diagrammatically is that it enables an understanding of the whole picture with which we are dealing — that is, with what is immediately visible as well as what is invisible or possible — in other words it encompasses presence, absence and potential. To use a cartographical metaphor, by seeing the various points on the map and the ways they connect, Deleuze points out that we can also see the spaces that allow the opportunities for creating new pictures.30 Herein lies the revolutionary awareness of Deleuze’s thought: by thinking diagrammatically, we are enabled with opportunities for critique, resistance, reaction, transformation and change — that is, with opportunities for drawing “lines of flight” or rupture because they are also constituents of the diagram.31 In a sense, his theoretical contribution was to build upon Foucault’s invocation of diagram as a tool for unmasking and analysing the workings of power, to identify the approach simultaneously as one wherein new possibilities could be imagined.

**Conceptualizing Humanity in Spatio-Temporal Terms**

In order to explain how my study makes use of “diagram,” allow me now to introduce two perspectives — one from anthropology and one from history — which address how our systems for understanding, or “knowing,” the human subject have been responsible in creating and perpetuating the conceits of “humanity” and “history” through temporalizing and spatializing difference. As a device concerned also with the distribution of corporeal and non-corporeal bodies across time and space, my purpose in this section is to outline why and how diagrammatic thinking might be employed by interdisciplinary scholarship to explore the conditions that make possible the constitution of human and inhuman.

In a radical critique of the discipline, Johannes Fabian in *Time and the Other: The Making of Anthropology’s Object*, brings to attention its political nature and sets out to dismantle the ideological and methodological devices that retain its unequal power.

30 Ibid.
dynamics. By looking at the way time, or more specifically, “temporalization,” has contributed to the production of ethnographic knowledge, he makes two bold claims: first that time is used to construct Anthropology’s Other and, second, that the history of anthropology is about the relationship between the West and the Rest. The discipline of anthropology, he claims, arose in a climate of the rise of capitalism and its colonialist-imperialist expansion into the societies that have become the object of anthropological study. His view is that:

Anthropology emerged and established itself as an allochronic discourse; it is a science of other men in another time. It is a discourse whose referent has been removed from the present of the speaking/writing subject. This “petrified relation” is a scandal. Anthropology’s Other is, ultimately, other people who are our contemporaries.32

The tendency to “deny co-evalness,” that is to locate the object of anthropological study in a time pre-dating the time of the observer, Fabian notes, can be traced to the Enlightenment. He plots, on two diagrams, the different ways of imagining relationships with the Other through a spatio-temporal frame in the Medieval/Judaeo-Christian world and the Enlightenment.33 The first is represented by a series of concentric circles spreading from the sacred centre of Rome or Jerusalem and outwards to the Pagan World at the margins of civilization. The second is represented graphically, with “there” (spatial distance) plotted along one axis, and “then” (temporal distance) along another. Relationship with the Other is plotted as a system of co-ordinates viewed from the here and now of the “Western metropolis.” In the first, Otherness is a relationship of proximity to the centre, and the “pagan” Other is already identified for salvation or incorporation into the sacred world. In the second, Otherness is a relationship of distancing where the “savage” Other is mapped along an arrow of distancing from the centre. The image presented here is consistent with the teleological conception of human history (or civilization) prevalent amongst Eighteenth Century European

33 See Figures 1.1 and 1.2 in Fabian’s Time and the Other at p. 27.
Enlightenment thinkers. Fabian identifies in this period a shift in the relationship with Others from a logic of incorporating the Other into the dominant world view to a logic of distancing the Other from it and assembling difference along axes of time and place, which he argues, has left a legacy of oppressive power relations in the production of anthropological knowledge.

The second perspective comes from the discipline of history. Here I want to point out Dipesh Chakrabarty’s examination of the colonialist practice of temporalizing peoples in the discipline: “Historicism – and even the modern European idea of history – one might say, came to non-European peoples in the nineteenth century as somebody’s way of saying ‘not yet’ to somebody else.”34 “Historicism,” as he uses the term, is the idea that in order to understand anything, one must see it both in its unity, as a totality, and in its historical development, as fragmented stages of development. Again, it is the manifestation of a teleological organizing principle. Taking the example of the historical consciousness of liberal political thought of the Nineteenth Century, Chakrabarty argues that it demonstrates a system that included non-European peoples into world history through the promise of democracy, while at the same time declaring their lack of capacity to endure its demands. It was a way of saying that we were all heading for the same destination, but some people would arrive there earlier and others would have to wait and undergo a period of preparation, for example through a civilizing education, until they were ready to reach the same status — whenever that may be. Historicism’s “not yet” mode of socio-political relationality is a product of Enlightenment humanism, Chakrabarty argues, which entailed a universal and secular vision of the human that it exported to non-Europeans through concepts of “political modernity” such as “equality,” “democracy,” “citizenship,” “human rights” and, I think we can also add to this list, “cosmopolitanism.” The problem for history, he contends, is that all histories are characterized by Europe’s and there is no outside or beyond Europe. History, like anthropology in Fabian’s critique, had become an agent of colonialism and eurocentrism. The subalterns of history had become also its anachronisms.

Chakrabarty’s critique manoeuvres between two political registers: the politics of knowledge and the political in an empirical sense of governmental relations between

European and non-European peoples. But such attempt for critique, he points out, is paradoxical. In carrying out its task it must engage the very categories that it finds problematic. That is to say that since the very possibility of some styles of postcolonial critique rely upon categories like “Europe,” “colonialism” and the “universal Man of Reason,” they have also inherited the legacy of Enlightenment thought. Here he points out that the “Europe” we are concerned with is a hyper-real Europe, that is also a cultural construction and recent historical invention of a tradition of thought that calls itself “European.” The challenge, he identifies, is how can we write without trapping ourselves to the inheritance of this fiction?

Fabian’s and Chakrabarty’s analyses convey that the very means through which we come to know the human contribute to the production of humanity as a site of uneven temporalities and uneven subjectivities. Both writers are concerned with developing a postcolonial intellectual program that rethinks the human subject central to our intellectual enterprise in the humanities and social sciences by drawing attention to temporality and spatiality. In Fabian’s case it is to raise “epistemological questions” of how a body of knowledge can be legitimized by the temporal categorizations upon which it relies. In Chakrabarty’s terms they have been relegated to an “imaginary waiting-room of history.” Effectively, what we are dealing with here is the articulation of “uneven development,” to use James Chandler’s term or, as I discuss further in the next chapter, the “developmental paradigm,” in which human societies are presumed to follow a progressive course that renders some behind others. Chakrabarty, on the other hand aims to destabilize the figure of the abstract human by “provincializing” or

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35 Chakrabarty is particularly concerned with the Subaltern Studies tradition of postcolonial historiography.
36 For example, the socio-cultural binaries (such as traditional vs. modern, peasant vs. industrial and rural vs. urban) that have been central to anthropology and sociology, are problematic because they permit the “denial of coevalness,” or the possibility to locate the people in the former category to an earlier time in history than people in the latter category. These categories deny them existence in the observer’s present. For a further discussion of this feature of social sciences scholarship, see Christine Helliwell and Barry Hindess, “ ‘Culture’, ‘Society’ and The Figure of Man,” History of the Human Sciences. 12,4 (1999): 1-20.
37 Chakrabarty, Provincializing Europe, p. 8. In addition to the classificatory inequalities these time structures institute, they encourage an equally discriminatory methodological practice of “reading history sideways.” Arland Thornton has defined this as the application of chronological sequencing horizontally, or geographically. It involves the reading of societies or cultures that were lesser developed than Europe or the West, even if they shared the same historical present, as versions of Europe’s or the West’s past. See Arland Thornton, “The Developmental Paradigm, Reading History Sideways, and Family Change,” Demography 38,4 (2001): 449-465. See also, more recently, Arland Thornton, Reading History Sideways: The Fallacy and Enduring Impact of the Developmental Paradigm on Family Life (Chicago: University of Chicago Press, 2005).
“decentring” Europe, that is, to rethink historical experience without mediating it through a European frame of reference so that instead of adhering to the clock of European time that denies others the same present, multiple temporalities may coexist.

Although I am neither engaged in the practices of ethnography nor historiography, I have selected these two writers as a point of entry for considering the task of re-thinking the concept of humanity in the context of cosmopolitan studies for two reasons. The first concerns their insights into the division of the category “humanity” in terms of time and space. One tends to think of Anthropology as a spatially oriented discipline and history as temporally oriented. But Fabian and Chakrabarty highlight the conceptual connection between them, in which anthropology has taken on practices of temporalizing people according to a chronological code, and history has taken on practices of spatializing people according to a geographical code. Together anthropology and history work to perform a kind of mapping or diagramming of their subject “humanity.” Fabian and Chakrabarty identify as problematic, practices of selection and distancing, and relationships of deferral in these disciplinary ways of thinking that otherwise claim to be all-inclusive of humanity.

My interest in this thesis is in extending their concerns to the domain of “cosmopolitanism” and the related regime of Universal Human Rights law that has also claimed to be inclusive of all peoples, as well as to take them beyond the disciplinary boundaries of anthropology and history. If people can be located at different points on the timescale of history, and denied a present existence by being assigned to a past and promised it as a future, can it be said that the category “humanity” operates along a similar temporal continuum, and can “humanity” also be apportioned so that it is possible to possess more or less humanity than others?

In asking this question, I seek to vary Chakrabarty’s metaphor of the “waiting room of history” to treat “humanity” as the arena of waiting. This is to identify the human’s relation to its outside through considering how it is that the category “humanity” has also occurred as “somebody’s way of saying ‘not yet’ to somebody else” – that is, as a privileged status and condition for which some

39 Ibid.
people must wait. My objective here is to problematize the category of the human in which many of us are so invested in scholarship.

My second reason is to engage with the intellectual challenge of developing a critical project within cosmopolitan studies that is relevant to postcolonial concerns but which is not restricted to a politics of resistance-hegemony and which does not end up saving the universal by fighting for inclusion into it only to replace it with another problematic universal. As Deleuze put it “a slave does not cease to be a slave by taking power…”40 That is to say that it is not enough for a politics of change to identify, overturn and replace hierarchy; one must examine also how it is displaced and seek to avoid recreating it.

Third, I want to address the methodological challenge identified by critical/postcolonial cosmopolitans to open up the archive to discover a plurality of cosmopolitanisms across time and space that takes into account colonial, postcolonial and neo-colonial histories and their production of both elite and subaltern cosmopolitan experiences. Whereas their suggestion is to offer more empirical data to challenge the conventional Western cosmopolitan ideal, I want to pursue the issue theoretically bringing together a combination of postcolonial concerns and radical philosophical insights to a different archive — i.e. to a study of the intellectual history of cosmopolitanism and particularly its problematic Kantian episode — in order to reveal pluralities in reading the so-called “Stoic-Kantian” tradition of cosmopolitan ethics.

In advancing this inquiry, I want to take further Fabian’s invocation of “diagram” as a device for representing the ways in which relationships with Others were imagined in Western history, to consider “diagram” as something more than a representation, that is, as something that is “at work” in different contexts — including the archive — and as something that stretches across time and place; something that is not controlled by any one in particular; something that structures being and relationality between human and inhuman and, lastly, as something that has to be factored into inquiries into the history of ideas. The kind of diagrammatic thinking that I have in mind seeks not to make judgments, or causal

or deterministic claims, but to describe the realization of the abstract machines organizing societies.\(^{41}\)

Writing with Felix Guattari, Deleuze explains:

An abstract machine in itself is not physical or corporeal, any more than it is semiotic; it is diagrammatic (it knows nothing of the distinction between the artificial and the natural either). It operates by matter, not by substance; by function, not by form. Substances and forms are of expression “or” of content. But functions are not yet “semiotically” formed, and matters are not yet “physically” formed. The abstract machine is pure Matter-Function – a diagram independent of the forms and substances, expressions and contents it will distribute.\(^{42}\)

The abstract machine offers a transcendent model of the flows and networks that link together bodies and elements to form the parts of social machines. Concerned with the ways in which society is disaggregated and differentiated, another way to think of what Deleuze and Guattari mean here is in terms of “assemblage” or the way in which things are arranged. Assemblages can, as Paul Patton suggests, be thought of as operating along two axes: the first is composed of both discursive and non-discursive aspects; the second concerns the movements through which they operate.\(^{43}\) A more simple example that Deleuze and Guattari offer is the “abstract machine of faciality (visagéité)” which is the “black hole/white wall system” that produces faces according to the changeable combinations that form expressions.\(^{44}\) The example highlights that the abstract machine is ontologically prior to the content that gives it expression.

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\(^{41}\) Paul Patton expresses this point quite accurately and clearly in his account of the social and political thought of Deleuze and Guattari. In Patton’s words “The description of these social machines is not in itself a description of particular societies. Rather, their concern is to specify a set of abstract figures in terms of whose mechanisms particular societies may be understood.” See Paul Patton, “Conceptual Politics and the War-machine in *Mille Plateaux,*” *Substance* 44/45 (1984): 61-80 at p. 68.


\(^{43}\) Paul Patton, *Deleuze and the Political,* (London: Routledge, 2000), 44.

\(^{44}\) Ibid., p. 187.
One implication of this way of thinking is that it escapes the demand for origins accompanying historicist thinking. But neither does this suggest that the abstract machine rejects history, for, as Deleuze and Guattari point out, “when it constitutes points of creation or potentiality it does not stand outside history but is instead always “prior to” history.” In fact, another implication of this way of thinking diagrammatically, and my reason for drawing on it heuristically to establish the idea of the Anthropocentric Waiting Room as an abstract machine that can be found in different historical contexts, is that it can complement historical inquiry by providing a description of the organizing principles according to which different societies and social relations may be understood. Furthermore, diagrammatic thinking offers a means by which insights into gaps in the archive might be obtained by shifting the emphasis from subjectivity and the privileging of the speaking subject, to exploring relationality and specifically how human and inhuman are constituted in relation to each other. My idea of the Anthropocentric Waiting Room seeks to describe the diagram of (in)humanity circulating within the plane of cosmopolitan thought between the co-ordinates of the human and inhuman. Given its abstract nature, allow me now to demonstrate its key features by way of an allegory.

**Allegorical Machine**

Samuel Beckett’s *Waiting for Godot* offers a way into the Anthropocentric Waiting Room as, fundamentally, a question about the possibility of being inhuman as a condition occurring outside as well as within humanity through which it becomes possible to make visible the diagram of (in)humanity. By using the play allegorically, I want to demonstrate how diagrammatic thinking can make visible the relational dynamic that occurs between human and inhuman in the constitution of humanity, which, I am arguing is central to the problem of cosmopolitan ethics.

The play’s (anti)heroes, Vladimir and Estragon are doomed to a fate of waiting for the promised Godot to arrive. The focal point of the play is the very waiting for Godot and the anticipation of his promised coming. Its most poignant moments arise in Vladimir

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and Estragon’s exchanges with the Messenger Boy who brings Godot’s promise to come. Always tomorrow — it is Godot’s non-arrival and the promise of tomorrow, that keeps the characters waiting for him and which keeps alive their faith in him. The stage physically serves as a kind of waiting room in which Vladimir and Estragon pass away the time by complaining, pulling off boots, telling stories, arguing, nibbling on carrots, recovering memories, affectionately embracing each other and contemplating suicide whilst waiting for Godot to show. But given that the play takes up a more profound set of questions pertaining to the human condition including the meaning of life, the purpose of man’s existence and whether there is a God, this physical waiting room functions also as a metaphysical one, in which the question of humanity as a condition for which we must wait is posed.

We are confronted by this question in various ways. To begin with, Vladimir and Estragon are usually depicted as two homeless men, that is men outside society and men outside humanity, waiting to be freed of this existence, perhaps even waiting for the door of humanity to be opened to them. Subjected to displacement, poverty, hunger, physical violence and (but for each other’s company), loneliness and abandonment; their plight seems like that of the inhuman, the nonhuman, the less-than-human, outside the human. But their state is not so clear. The ambiguity is raised in the following exchange with Pozzo:

**ESTRAGON:** [*Hastily.*] We’re not from these parts, sir.

**POZZO:** [*Halting*] You are human beings none the less. [*He puts on his glasses.*] Of the same species as myself. [*He bursts into an enormous laugh.*] Of the same species as Pozzo! Made in God’s image.47

Halfway through Act 1, the monotony of their waiting is broken by the sound of a whip cracking. Lucky, the slave, enters carrying heavy baggage, stool and coat with a rope tied around his neck being driven by his landowning master Pozzo. Upon establishing that Pozzo is not the Godot they are expecting, our (anti)heroes, perhaps in fearful caution, are quick to declare their foreignness. Pozzo recognizes them as human beings

47 Ibid., p. 15.
like himself: they too are a part of humanity. We might read this exchange as a metaphor for cosmopolitanism to the extent that it echoes Diogenes’ sentiment of world citizenship read by Nussbaum as an allegiance, not to a local community but to something broader, in this case “humanity.” The incident raises the question of what it is to be recognized as a human being, for their entry into the door of humanity hinges on Pozzo’s recognition. His declaration is the moment of their becoming-humanity, noting that in Act 2 when they meet Pozzo now blind, they assume this human identity and introduce themselves with the declaration “We are men.” These two points, first the uncertainty of their identity and then their recognition as human beings, are the points between which, I am arguing, (in)humanity is diagrammed by the abstract machine of the Anthropocentric Waiting Room: until declared by Pozzo, the human made in God’s image, we can assume that Vladimir and Estragon did not have a legitimate “human” identity, but had been “in waiting.”

How is it possible for humanity to be a condition for which one must wait? One way to look at this encounter is as an instance of Hegelian self-consciousness, in which, through the process of recognition, a self, in its confrontation with another being, loses itself and must supersede the other in order to “become certain of itself as the essential being.” Confronted by their otherness, Pozzo loses his identity but regains it by defining the others in the same terms. Self-consciousness is a struggle for recognition, which Hegel cast in terms of lordship and bondage and struggle between life and death mapping also onto the human/inhuman opposition. The struggle for recognition ends when the slave gives in, grants the master recognition and resigns himself to servitude in exchange for life. But “life” in these terms is the condition of bondage and humanity is a condition of being not fully human.

In a slight variation of the theme, one might also regard the encounter as providing Pozzo with the opportunity to reconstruct his self upon the territory of the Other. Vladimir and Estragon, in their resemblance as humans, provide a plane whereupon Pozzo may recreate his image, character and lifestyle as both an extension and expansion of his self. If we take it still further, another way to see this relational dynamic is that their inclusion into humanity by virtue of Pozzo’s recognition serves to

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48 Ibid., p. 74.
fulfill his grandiosity. That is to say that, beneath its cosmopolitan benevolence, his recognition of them is a kind of narcissism: he transcends the difference of their foreignness by including them in a universal defined from the point of view of the particularity of his self, which also serves to reaffirm that self. To quote Hegel again “The outcome is a recognition that is one-sided and unequal.” The point is emphasized when, in their self-recognition in terms of human form, they have set aside their own being-for-self and take on the being established by the other. Hence, our (anti)heroes, Vladimir and Estragon, have not achieved self-consciousness as Pozzo has.

Since Aristotle, lack of self-consciousness has been a key marker distinguishing animals/non-humans from humans in the history of Western thought. Aristotle’s view on what it was to be human rested on a teleological view of nature with the beast at one end and God at another. Although man could never become a God, humanity was a scale of progression between the two points. Its final condition was to be fully human, that is, as individual man. This end could only be reached through man’s exercise of reason to control his animalistic nature. In The Politics we find that for Aristotle, full exercise of reason, and therefore “full humanity” was only possible in the polis, the reserve of the free, male Athenian. Anyone outside the polis was a “barbarian” and consequently, not fully human. This was, Aristotle argued, the way that nature had intended it to be. In his view, human society was naturally hierarchical: there were rulers and ruled, masters and slaves. Unless a person had reached the condition of individual man, nature required them to be in such a relationship of dependency.

Echoing this philosophical background, their lack of self-consciousness places a doubt over Vladimir and Estragon’s independence and status as humans. Their ambiguity as fully human presents a number of possibilities on how we might understand the category humanity here: first the “humanity” status is an arbitrary one applied to persons haphazardly; second humanity is a condition which Vladimir and Estragon have not yet achieved and third, animality/non-humanity lurks within humanity.

50 Ibid.
52 For a more detailed account of the historical usage of the term “barbarian” as a classification for non-Europeans or as a term of abuse between European powers, see Chapter 1 of Anthony Pagden The Fall of Natural Man: The American Indian and the Origin of Comparative Ethnology (London and New York: Cambridge University Press, 1982).
These possibilities are brought out further in comparison to Lucky’s plight. Particularly in Lucky’s think scene, the question of the boundary between animality/non-humanity and humanity is drawn to our attention. Until his hat is placed on his head and he is ordered to “Think, pig!” Lucky does not speak but grunts and pants. His thinking is a traumatizing spew of words. Exhausting for him and unbearable for the others, it is put to an end when they throw his hat off his head and trample on it: “There’s an end to his thinking!” declares Pozzo. 53 The capacity for thought, reason and language has been another distinguishing feature between human and nonhuman (usually animal) in the history of Western thought since Aristotle. 54 Lucky’s attempt to think is like an attempt to transcend this boundary; only he fails. His failure equates to being caught between the two points — human and non-human — but he is still outside the human.

Their recognition as human then, also serves to distinguish Vladimir and Estragon from Lucky the slave. But the relationship between Pozzo and Lucky is a much more explicit instance of the lordship and bondage struggle that underlies their relationship to Pozzo when they are recognized as human in his eyes. Lucky, provides an example of what it is to be not of the same species as Pozzo, that is “not human” and therefore provides a contrast to Vladimir and Estragon. Beaten, loaded like a donkey, fed bones, ordered to dance like a circus animal and addressed as “hog” and “pig,” Lucky is dehumanized and animalized. He is clearly an inferior being in Pozzo’s vision of humanity. Not only is the ascription of the characters’ identity a narcissistic move on Pozzo’s part, but also it conveys a characteristically anthropocentric mode of thinking. In the relationship established between the four characters we are presented with a hierarchy of being, much like Aristotle’s, but oriented around the human in whom the God-like human asserts his superiority over the animal. It offers a theory of “being,” if you like, which occurs on a hierarchical continuum of God, Man and animal, onto which our “human” characters come to be mapped, so that it becomes possible to possess more or less humanity relative to others.

54 “Nature, as we say, does nothing without some purpose; and she has endowed man alone among the animals with the power of speech. Speech is something different from voice, which is possessed by other animals also and used by them to express pain or pleasure; for their nature does indeed enable them not only to feel pleasure and pain but to communicate these feelings to each other. Speech, on the other hand serves to indicate what is useful and what is harmful, and so also what is just and unjust” Aristotle, The Politics, p. 60.
Let me offer another example from *Waiting for Godot* to draw out the complexity of the structure of humanity that we are dealing with here. Initially, Vladimir and Estragon do not make a distinction in the types of being of Pozzo and Lucky. Estragon addresses Lucky in human form as “mister” and politely asks him for the bones he has rejected. They even feel compassion for him and extend their humanity to him, until he betrays them with ingratitude:

VLADIMIR: You want to get rid of him?

POZZO: I do. But instead of driving him away as I might have done, I mean instead of simply kicking him out on his arse, in the goodness of my heart I am bringing him to the fair, where I hope to get a good price for him. The truth is you can’t drive such creatures away. The best thing would be to kill them.

[LUCKY weeps.]

ESTRAGON: He’s crying.

POZZO: Old dogs have more dignity. *He proffers his handkerchief to ESTRAGON.* Comfort him, since you pity him. [ESTRAGON hesitates]. Come on. [ESTRAGON takes the handkerchief.] Wipe away his tears, he’ll feel less forsaken. [ESTRAGON hesitates.]

VLADIMIR: Here, give it to me, I’ll do it.

[ESTRAGON refuses to give the handkerchief. Childish gestures.]

POZZO: Make haste, before he stops. [ESTRAGON approaches LUCKY and makes to wipe his eyes. LUCKY kicks him violently in the shins. ESTRAGON drops the handkerchief, recoils, staggers about the stage howling with pain.] Hanky!

[Lucky puts down bag and basket, picks up handkerchief, gives it to POZZO, goes back to his place, picks up bag and basket.]

ESTRAGON: Oh the swine! *He pulls up the leg of his trousers.* He’s crippled me!
POZZO: I told you he didn’t like strangers.\textsuperscript{55}

His feelings have been hurt by Pozzo and in a brief moment of being-for-himself, Lucky’s eye’s fill with tears. But he puts his feelings and being aside. In rejecting the possibility of another mode of being in the compassion and more humane recognition of Estragon, Lucky returns to the inferior being that his master had cast for him, and returns to Pozzo. Although granting Pozzo recognition of the Hegelian kind, Lucky offers Vladimir and Estragon recognition of a different sort. He recognizes them as the inhuman that he is, made also in Pozzo’s image. His kick reminds us of the fragility of their new-found-humanity and of the non-humanity/inhumanity within it. It is a reminder of the kicks and beatings they endure as the homeless waiting outside society, a condition outside humanity in what I am calling the Anthropocentric Waiting Room. This is also to remind us of the symbolic threat of the \textit{Muselmann}, wherein it is the similarity, not the difference, of the human to inhuman that is so troubling for the human.

Again we are confronted by the question of how is it possible to be “inhuman” or “not quite human.” Or, as Richard Waswo (considering relations between the colonizer and colonized) puts it, how is it possible to be “sub-,” “pre-,” or “proto-humanity,” which is the status of being “not \textit{quite} entitled to whatever full measure of compassion we are presumably obliged to bestow on others more like ourselves.”\textsuperscript{56} But the issue is slightly more complicated when we recognise that, to some degree, Lucky actually mirrors Vladimir’s and Estragon’s plight: they are human beings, of the same species as Lucky. Lucky does not leave his master, just as they do not leave Godot. In providing a foil to Vladimir and Estragon within the world of Pozzo’s humanity, where Lucky is the non-human/inhuman/outside-the-human, Lucky mirrors them in the world of Godot’s waiting room. The reflection raises another question of how can the non-human/inhuman exist within the human?

Re-articulating the Problem of Humanity

My argument is that, what I am coining the “Anthropocentric Waiting Room” as the diagram of (in)humanity, makes possible this absurdity, which is very much a reality. It offers an alternative way to think of the ethical dilemma confronting cosmopolitan ethics, which moves beyond the humanism/anti-humanism binary by questioning the anthropocentric bias inherent to both positions.

First, “anthropocentrism” is the idea that Man, or the Human, is the centre of the universe. It is constituted by the stem anthropo from the Greek ἄνθρωπος meaning “human” and centrism meaning “centredness.” When it operates as the principle for ordering all things, Anthropocentrism provides the point of reference for the existence of all other (that is “non-human”) matter. In privileging that which is defined as Man/human, it renders inferior that which is not Man/human. For example, as Gary Steiner argues, the anthropocentric bias in the Western philosophical tradition has resulted in the treatment of animals (that is, as a species excluding the human-animal) as morally inferior because it lacked reason.57

The capacity for reason, or rationality, has, in Western philosophical history, been the defining feature of the human. This argument was conveyed most famously by René Descartes who, having asserted that “I think therefore I am” (cogito ergo sum), would then go on Part 5 of his Discourse on Method to argue that this capacity for the “I think” and the ability to utter it, is what distinguishes the human animal from the non-human animal.58 Unlike the human animal, Descartes claimed, the non-human animal lacked reason and language. As such, non-human animals amounted to nothing more than mere machines: devoid of rationality, incapable of affective states or the awareness of feeling and deprived of an immortal soul; they had no moral worth but simply existed as machines, “purely mechanical and corporeal.” 59

59 Descartes cited by Gary Steiner, Anthropocentrism and its Discontents, 143.
Attentive to the primacy of language as the key marker between the human and inhuman, as we have seen earlier in his reflections on the Muselmann and the problem of enunciability in the archive, what is at work in the history of philosophy, Agamben argues, is the “anthropological machine.” It produces man “through the opposition man/animal, human/inhuman” where opposition works as “an exclusion (which is always already capturing) and an inclusion (which is also always already an exclusion).”

He describes two variations of the anthropological machine that we have inherited — one ancient and one modern — which nevertheless work symmetrically:

If, in the machine of the moderns, the outside is produced through the exclusion of an inside and the inhuman produced by animalizing the human, here [in the machine of the ancients] the inside is obtained through the inclusion of an outside, and the non-man is produced by the humanization of an animal: the man-ape, the enfant sauvage or Homo ferus, but also and above all the slave, the barbarian, and the foreigner, as figures of an animal in human form.

Agamben’s anthropological machine is therefore the production of the human-animal distinction at the centre of which is a “state of exception” where human and animal or human and inhuman is articulated upon the plane of “bare life.” In Homo Sacer, Agamben describes the “state of exception” as the space that manifests in the suspension of the rule of law, for example in the declaration of a state of emergency. But what happens here, he observes, is that such a state becomes the normal rule of law in which anything is possible, as fact and law become confused, and any subjective notion of rights or legal protection that might have once been possible, no longer makes sense. Agamben cites the concentration camps of Nazi Germany as the archetype of the state of exception stripping its inhabitants to nothing but “bare life.” Contra Foucault’s notion of bio-political power wherein the defining feature of modern power was the incorporation of life into politics such that the work of government involved administering the conditions and quality of life of the population, Agamben argues that

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60 Ibid., p37.
61 Ibid.
“…the realm of bare life — which is originally situated at the margins of the political order — gradually begins to coincide with the political realm, and exclusion and inclusion, outside and inside, bios and zoë, right and fact, enter into a zone of irreducible indistinction.”⁶² Bare life is neither natural, nor pre-social/pre-political life, but it is “produced in the division of biological life and political life.”⁶³ Agamben refers to it as the “hidden foundation” upon which a political system rests.⁶⁴ Both ancient and modern anthropological machines function by separating and excluding from itself this bare life in the production of human and inhuman/animal. “…Faced with this extreme figure of the human and the inhuman,” the challenge presented, Agamben points out, “…is not so much a matter of asking which of the two machines (or of the two variants of the same machine) is better or more effective — or, rather, less lethal and bloody — as it is of understanding how they work so that we might, eventually, be able to stop them.”⁶⁵

Until anti-humanist thinkers began to challenge the figure of the conscious, rational and free individual intrinsic to many modern systems of knowledge, the anthropocentric bias prevailed. But even then, it would not be enough to challenge anthropocentrism simply by rejecting the figure of man/the human that had been privileged by the anthropological machine. Derrida had pointed out that even to write the “Ends of Man,” as the anti-humanist thinking of his contemporaries demonstrated, could not be possible without reliance upon the name “Man” and without the reconstitution of that same figure of “Man” that they sought to undo.⁶⁶ Anti-humanists were, paradoxically, indebted to the same anthropocentric bias that prevailed in the history of Western philosophy.

Derrida delves deeper into the problem of the anthropocentric bias in the history of Western philosophy by positing that the “question of Animality” represents the limit

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⁶⁴ Agamben, *Homo Sacer*, p. 9. The consequence, Agamben points out at p. 11 is that “Bare life remains included in politics in the form of the exception, that is as something that is included solely through an exclusion.”
⁶⁶ In his words “The thinking of the end of man, therefore, is always already prescribed in metaphysics, in the thinking of the truth of man.” See Jacques Derrida, “The Ends of Man” in *Margins of Philosophy* (Chicago: University of Chicago Press, 1982), 121.
upon which human-inhuman relations are formed. In an interview with Elisabeth Roudinesco he puts the issue as follows:

…it seems to me that the way in which philosophy, on the whole but particularly since Descartes, has treated the question of THE (so-called) animal is a major sign of its logocentrism and of a deconstructible limitation. We are dealing here with a tradition that was not homogenous, to be sure, but hegemonic, and that in fact proffered the discourse of hegemony, of mastery itself. But what resists this prevalent tradition is quite simply the fact that there is a multiplicity of living beings, a multiplicity of animals, some of which do not fall within what this grand discourse on the Animal claims to attribute to them or recognize in them. Man is one of them, and an irreducibly singular one, of course, as we know, but it is not the case that it is Man versus THE Animal.67

Derrida is here drawing attention to the tendency of our systems of thought, philosophy, law and others, to be predicated on a very mistaken, reductionist and violent hierarchical opposition of Man and Animal. He is suspicious of the way that nonhuman forms of living beings are referred to under the singular heading “THE Animal,” as if it were a homogenous concept that could be extended to all animals in the way that the concept “Man” has been used to address all humans. He argues for the deconstruction of the binary; points out its ontological and ethical instability and instances where it cannot be sustained and, similar to the approach he takes to différance and hostipitalité, Derrida offers the neologism animot to capture the aporia and ethical demand of the animal.

For Derrida the “question of the animal” serves as an intervention the purpose of which is to call the human/animal boundary into question, for it is only in the interruption of the boundary that we can begin to take up the responsibility of ethics, as Derrida understands it. As I discussed in the previous chapter, as an approach to ethics, Derridean deconstruction is not grounded in an appeal to moral responsibility which it

would extend to all beings based on sentience or some other criteria, nor does it seek to prescribe a system of practical ethics or institute a set of norms. Thus, when he reflects upon Bentham’s question “Can they suffer?” and that it should precede questions of “Can they reason?” or “Can they talk?” as Bentham considers what it is that separates Man from Animal in the question of Rights, Derrida is not advocating for the extension of the Rights of Man to the Animal, nor is he wanting to identify the similarities between Man and Animal in order to make moral claims on behalf of animals. Rather, for Derrida, the question concerns the logic of the limit between Man and Animal. The question “Can they suffer?” is therefore taken as an interruption of the boundary between human and animal that puts into question the anthropocentric bias in our systems of thought.

Derrida’s argument can be summarized by the neologism — animot. In The Animal which Therefore I am, Derrida proposes Ecce Animot as the title for an autobiography of the animal. This is a play on Nietzsche’s Ecce Homo (How One Becomes What One Is), a satirical autobiography of his grandiosity as man and intellectual, written towards the end of his life, shortly before his mental collapse and published after his death. The word animot serves three purposes. First it addresses the problem of the homogenization of all animals under the single name THE animal by adopting the same sound as the French word animaux, that is the plural of animal (animals). Here he wants us to hear the plurality that has been erased by the singular label. Second animot includes the French word mot meaning word, which draws attention to our concern for the word in the act of naming. Derrida maintains that the first violence performed against the animal was in man’s assumption of the power to name “THE Animal,” to bestow that word upon non-humans. This act of naming is also the moment of drawing the limit between Man and Animal by the deprivation of language from the animal. Derrida’s point is not a gesture of “giving speech back” to animals, for that may only recede into the anthropocentric trap. Rather, and this is Derrida’s third point, as he did with différance, it is to bring to attention that moment of absence of the name that may also, within the lexicon of deconstruction, address the “undecidable” in order to open up a place for ethico-political reflection.  

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69 See especially his critique of the Declaration of Animal Rights at pp. 87-88 of The Animal That Therefore I am.  
70 Ibid., 47-48.
A memorable instance conveying the undecidability of the boundary between Man and Animal is a particular encounter Derrida has with his cat. Derrida expresses how terribly embarrassed and ashamed he is when he is caught naked (literally) and in silence by his cat’s gaze as Derrida comes out of the bathroom.\textsuperscript{71} He notes that in the history of theology and philosophy what distinguishes man from animal is the animal’s “being naked without knowing it,”\textsuperscript{72} that is a lack of self-consciousness, which is at the same time, a lack of awareness of good and evil. But his encounter with his cat’s gaze would disrupt this distinction, as Derrida discovers through further questioning:

Before the cat that looks at me naked, would I be ashamed like a beast that no longer has the sense of its nudity? Or, on the contrary, like a man who retains the sense of his nudity? Who am I, therefore? Who is it that I am (following)? Whom should this be asked of if not the other? And perhaps of the cat itself?\textsuperscript{73}

While these questions may suggest something of an identity crisis or even an existential crisis, if I can refer back to the “question of the question” as a characteristic of the deconstructive approach to ethics outlined in the previous chapter, what is at stake in these “questions of the animal,” upon which the anthropocentric bias hinges, is again the fragility of the human in his confrontation with the inhuman that resembles him.

My use of the term “waiting room” is intended to name that void between the points of human and inhuman in our diagram. It is indebted to Dipesh Chakrabarty’s idea of an “imaginary waiting-room of history,”\textsuperscript{74} which I outlined earlier. However, in this thesis, I have substituted the idea of “history” in Chakrabarty’s formulation, with “humanity” and “anthropocentrism” to highlight the temporalization of humanity and the privileging

\textsuperscript{71} Derrida recounts the moment as follows: “It is as if I were ashamed, therefore, naked in front if this cat, but also ashamed for being ashamed. A reflected shame, the mirror of shame ashamed of itself, a shame that is at the same time specular, unjustifiable, and unavowable. At the optical center of this reflection would appear this thing – and in my eyes the focus of this incomparable experience – that is called nudity. And about which it is believed that it is proper to man, that is to say, foreign to animals, naked as they are, or so it is thought, without the slightest consciousness of being so.” See ibid., p. 4

\textsuperscript{72} Ibid., p. 5

\textsuperscript{73} Ibid., pp. 5-6.

\textsuperscript{74} Chakrabarty, Provincializing Europe, p. 8.
of the figure of the human in this logic. The problem, I maintain, relates first to the privileging of the human as a form of life, and second to the treatment of “humanity” as something that progresses similar to the way that the idea of “history” has traditionally been considered to be progressive. Just as the unfolding of history, according to progressive accounts of universal history may be something for which some people may wait, my hypothesis is that the ruptures in discourses of cosmopolitan ethics presented in the first part of the thesis suggest that “humanness” and “humanity” may also be viewed as a promise for which some must wait. Hence, “waiting” works discursively in my analysis to open up the opportunity for problematizing the concept “humanity” through the idea of “history.”

Considering that a “waiting room” has been defined as “a room set apart for those who are obliged to wait,” it has two features that facilitate this critique. First, in dividing bodies between spaces and instituting the obligation to wait, the waiting room operates as a regulative technology. We can also think of it as a passage controlling what flows between one world and another, perhaps the world of the past, the present and a future world. It employs notions of spatiality and temporality in its regulatory techniques, which in this thesis relate to the domains of “world” and “history” in which “humanity” finds itself in but from which inhumans are set apart. But on this last point, which brings us to the second feature of the waiting room metaphor, although it is the space “outside,” at the same time it is a space “in-between.” That is to say that the Anthropocentric Waiting Room is also a “liminal” space, which, as Homi Bhabha had gestured, is a space that not only “reveals the borderline experience” but can also be a space of contestation, creativity, change and an opening up of “the possibility of a cultural hybridity that entertains difference without an assumed or imposed hierarchy.” This is consistent with the transformative potential in diagrammatic thinking.

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76 Homi Bhabha, The Location of Culture, (London: Routledge, 1994), 296.

77 Ibid., 5.
Conclusion

My idea in this chapter has been to bring together the two concepts — “anthropocentrism” and “waiting room” — in order to examine the possibility wherein and that moment in which a human can wait to become human; when one is “almost,” “not yet,” “not quite” and even “not” — human. It is an attempt to explore, through the temporality of waiting, the ambivalence within the categories “human” and “humanity.” I have discussed such ambivalence earlier in the thesis in terms of the problem of the anomaly of a universal right to humanity where, taking the example of stateless persons as Arendt discussed them, or the “unauthorised” arrivals of asylum seekers as they have been labeled by politicians more recently, their denial of access to fundamental human rights puts into question their status as members of humanity. Here I am suggesting that explaining the conceptual possibility of this anomaly demands looking at the human divorced from itself and considering how it is that difference can be constituted from sameness such that humanity can operate as a divisible, aporetic entity, within which lurks inhumanity, making it possible that the state of being human can be a privilege that can be deferred or denied.

But at the same time, I want to acknowledge that this (in)human condition that organizes humanity, is not inevitably a polarization of human and inhuman states. Rather, the liminality of the condition can open up new demands for the rethinking of cosmopolitan ethics, the discussion of which I will take up in the concluding chapter of the thesis. What will make this possible is conceptualizing the condition in terms of “diagram,” since diagrams are often employed to make visible forces that are otherwise unseen or to offer a way to think and rethink situations. The next chapter will attempt to rethink the history of the idea of cosmopolitanism in relation to the diagram of (in)humanity outlined here.
Chapter 5

Enlightenment & the Empire
Of Culture: Historicizing Human Difference

Michel Foucault’s claim to writing a “history of the present”1 received its share of criticism and rejection amongst historians.2 How can a history of the present be a form of writing history at all? The most common attack was that such an act was tainted by the problem of “presentism” and committed one of the most serious errors of historiography, the error of “anachronism.” A history of the present risked projecting onto the past present concerns that had never existed, interpreting history through a fiction and, ultimately, distorting history. Furthermore, the claim seems to carry with it the airs of grand narratives, as if the present can be totalized such that it is possible to historicize it as a singularity or to distil its essence. However, we need only look at Foucault’s critique of the Enlightenment celebration of reason3 or the knowledge claims of the human sciences4 to get a sense of his anti-totalization tendencies.5

Offering a more familiar and accurate grasp of Foucault’s methodology, Andrew Barry, Thomas Osborne and Nikolas Rose write, “the “present”, in Foucault’s work”, is less an epoch than an array of questions; and the coherence with which the present presents

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itself to us – and in which guise it is re-imagined by so much social theory – is something to be *acted upon* by historical investigation, to be cut up and decomposed so that it can be seen as put together contingently out of heterogeneous elements each having their own conditions of possibility.” This captures, quite succinctly, the position one takes in attempting to write a history of the present and the sense in which I had, in the Prologue, positioned this thesis in view of three contemporary cases that illustrated aporias in modern human rights law and practice and which raised the following questions: “what political purchase has human rights discourse in the world today? What is the currency of its cosmopolitanism? As a cosmopolitan promise, to what extent does it respond to the violence of racism and destruction demanded by a post-Holocaust and postcolonial historical situation? How do we explain human rights anomalies?” This is the array of questions that mark the present that I seek to consider the history of in this thesis. It is therefore with respect to the imagination of the present as one that demands a certain cosmopolitan sensibility that I undertake in this chapter to historicize the relationship between cosmopolitanism and the Anthropocentric Waiting Room.

The broader intellectual history that I am interested in exploring in this thesis concerns the conditions of possibility of the anomaly of a universal right to humanity gleaned through the intellectual history of the rupturing of cosmopolitan ethics. My hypothesis is that these conditions of possibility may be explained first in terms of the diagram of the Anthropocentric Waiting Room that I presented in the previous chapter and second, by re-visiting Kantian cosmopolitan thought, which I will take up in the next part of the thesis in more detail. This chapter aims to engage in a historicization of the Anthropocentric Waiting Room idea that will illuminate and connect these two components of my hypothesis and bridge the first part of the thesis with the third by showing how the Anthropocentric Waiting Room has presented and re-presented itself as a force to be reckoned with in cosmopolitan ethics. Therefore, when I make the claim to historicize the relationship between cosmopolitanism and the Anthropocentric Waiting Room, I mean to historicize a particular concept, “the Anthropocentric Waiting Room,” alongside the history of the idea of cosmopolitanism.

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This is a history that, countering the orthodoxy of cosmopolitan ethics, runs parallel to the history of imperialism. As Anthony Pagden has argued extensively, “cosmopolitanism,” a sentiment promoting or implying one-world and one-humanity, cannot escape its imperializing moment regardless of whether its universality is one that encompasses particularity or prescribes uniformity. The definition of imperialism that I am utilising draws upon Edward Said’s as “the practice, the theory, and the attitudes of a dominating metropolitan centre ruling a distant territory.” It involves both geopolitical and cultural dimensions, afflicting the colonizer as much as the colonized as Albert Memmi and Frantz Fanon had observed all too well. Unlike these writers however, my purpose is not to document the imperial or colonial experience, and the reader will note that, much against the spirit of postcolonial critical resistance, an active voice of the colonized or subaltern is absent here. Yet neither can such a voice be recovered from this archive. Given that I am situating my analysis from within the orthodoxy of the Western intellectual tradition, this is not an archive in which the subaltern had a voice, but rather it is one that bears responsibility for his/her/their production as much as their silencing.

Considering that the Anthropocentric Waiting Room, as I defined it in the previous chapter, is effectively a name for the diagram of (in)humanity, the historicizing that I engage in here is therefore made with respect to this diagram. As I outline in the first section of this chapter, the Foucauldian notion of “problematization” is an important feature of what I regard as the task of the intellectual historian. My analysis unfolds in the remainder of the chapter through three historical periods: first Ancient Greece, second Renaissance/Early Modern Europe and third the Enlightenment/Modern period. I am aware that the practice of periodization begs the question of historicism: “what was the basis of the kind of periodization I had adopted for this study?” As a form of coding, such an approach to historicization carries the risk of imposing on the past a

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categorical system that conflicts with the past. However, given that the kind of historical activity that I am engaged in takes the form of a problematization, my aim is not to make claims concerning how life really was at any point in time, but to embark on something slightly more abstract: to reveal the emergence of the Anthropocentric Waiting Room as the abstract machine organizing the site of “humanity.” Further, I have chosen these three periods because they are conventionally used in historical inquiry and especially in the study of the history of Western thought. Drawing on a selection of primary texts symptomatic of the period as well as secondary commentaries, in each context I will provide instances of how (in)humanity has been diagrammed through rationales of politics, law, and science amidst cross-cultural encounters (European and non-European). My reason for examining the relationship between cosmopolitanism and cross-cultural encounter historically is because, in addition to inheriting an association with idealist humanist ethics, the term “cosmopolitanism” has also conveyed a sentiment of cultural openness. Although the two senses of the term are often distinguished, it is commonly the case that the latter has been used as a justification for the former, as the recuperation of a Stoic-Kantian tradition of normative ethics illustrates. It is in the spirit of addressing the rupturing of cosmopolitan ethics in the first sense in light of these histories, that the fifth section of the chapter tends towards the question of Kant’s complicity in the culture of empire by considering two opposing perspectives amongst intellectual historians and the contribution that the Anthropocentric Waiting Room analytic makes to the debate. I conclude with the directive to re-visit Kant.

**Problematication as Intellectual Historiography**

The kind of historicizing activity that I engage in here might also be termed a “problematication.” Although the term is commonly used in relation to studies of governmentality to refer to the way that certain regimes of practices are called into

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11 A note on spelling is necessary at this point. The term “problemization” occurs in the translation of the interview with Foucault by Gérard Raulet made shortly before his death in 1983. See “Structuralism and Post-Structuralism: An Interview with Michel Foucault,” _Telos_ 55 (Spring 1983), 195-211, reproduced as “Critical Theory / Intellectual History” in _Michel Foucault: Politics, Philosophy, Culture [Interviews and Other Writings 1977-1984]_, ed. Lawrence D. Kritzman, (New York: Routledge 1988), pp. 17-46. The term “problematization” tends to be used by Foucault scholars for referring to the same thing and can be found in translations of other writings by Foucault. I will use “problematization” except when citing directly from the first source.
question in the exercise of power and modern rule, my use of “problematization” is influenced more by its relationship to Foucault’s idea of “writing a history of the present.” Most commonly such a history takes the form of genealogy, which under the influence of Nietzsche, Foucault explained “…does not pretend to go back in time to restore an unbroken continuity that operates beyond the dispersion of forgotten things…” but which seeks to “…identify the accidents, the minute deviations – or conversely, the complete reversals – the errors, the false appraisals, and the faulty calculations that give birth to those things that continue to exist and have value for us…”13 Then in an interview conducted in the year before he died, when asked about his historical project, Foucault replied: “Studying the history of ideas, as they evolve, is not my problem so much as trying to discern beneath them how one or another object could take shape as a possible object of knowledge.”14 That is to say that Foucault’s engagement with the work of intellectual history was not so much to track the progression of ideas over time, rather its emphasis was placed on their conditions of possibility and how these conditions of possibility operated through “history.”

Following a similar logic, it is not the evolution of the idea of cosmopolitanism so much that is my concern here, as it is my interest in a particular condition that lies beneath the history of the idea of cosmopolitanism — what I have termed (in)humanity. This is an understanding of humanity that acknowledges that its possibility relies upon its proximity to inhumanity; an acknowledgment that the inhuman is outside, or expelled from humanity, yet also (silently) embedded within it. As I outlined in the previous chapter, the neologism serves to problematize humanity philosophically. Now I seek to demonstrate how it emerged historically as a problematic alongside the idea of cosmopolitanism. Of course I make no pretence at writing an exhaustive history, but I do attempt the reconciliation of two contradictory demands that the approach of problematization requires to be rigorous. As Robert Castel identifies:

13 Michel Foucault, “Nietzsche, Genealogy, History” in The Foucault Reader, p. 81.
14 The interview was conducted in 1983 with Gérard Raulet. See Michel Foucault, “Critical Theory/Intellectual History” (Interview), p. 31.
…on the one hand is the need for humility toward historical work and history as a profession…On the other hand, the interpretation provided must be different.15

With regard to the first, I rely quite heavily on the work of prominent historians as I attempt the second aim. At the same time, given the discursive focus of my study, this is not the kind of analysis that demands an exhaustive survey of works that would constitute a canon of cosmopolitan intellectual history. Considering the claim made by Pollock and his colleagues “cosmopolitanism is not some known entity existing in the world, with a clear genealogy from the Stoics to Immanuel Kant”16 and also my examination in Chapter 1 concerning how the Stoic-Kantian genealogy of cosmopolitan ethics came to be “invented” as a historical entity, the cosmopolitanism that we are dealing with here is as general as the descriptions “Stoic-Kantian tradition” (normative ethics), “Stoic-Kantian genealogy” (Critical Cosmopolitanisms) and “cosmopolitanism’s heritage” (Aporetic Cosmopolitanism), which can also come under the commonly used heading of “Western intellectual tradition.”

Nevertheless, in the absence of a single exhaustive history of the concept of “cosmopolitanism,” I have benefited from a range of works, which together, frame its conceptual archive.17 The most influential of these has been Pagden’s genealogies of cosmopolitanism, which make a compelling argument for the imperialist legacy of cosmopolitanism in the Western intellectual tradition:

...cosmopolitanism is a distinctively European concept, however we define it, whose fortunes have been linked, for far longer than has been supposed, with the history of European universalism. For although it might be over-simple to brand all forms of cosmopolitanism, as many of its enemies have done, as merely imperialism under another guise – with the rule of the International Monetary Fund, the World Bank, or various kinds of well-intentioned but hopelessly under-informed NGOs replacing that of the conquerors and the priests - it is hard to see how cosmopolitanism can be entirely separated from some kind of “civilizing” mission, or from the more humanizing aspects of various imperial projects with which it has been so long associated.18

For Pagden, the reality that emerges from the idea of cosmopolitanism is imperialism. Even if it is with respect to the present that Pagden traces the imperialistic tendencies of cosmopolitanism’s past, this is not to impose upon a reading of the intellectual history of cosmopolitanism whatever feelings one may have towards the current climate of imperialism. Against Nussbaum’s desire for finding in the Stoic-Kantian tradition a cosmopolitan morality for the present, Pagden shows how the same sources contain a vision of the world that lend themselves to the ideological objectives consistent with the goals of empire.

“Empire” here need not be limited to territorial expansion or to a system of direct rule by one sovereign authority over the inhabitants of another territory. In a similar broadening of the definition as Said’s offered earlier in Chapter 2, it encompasses cultural influences, such that, empire is “an extensive state in which one ethnic or tribal group, by one means or another, rules over several others.”19 Under this definition, Pagden argues, the contemporary United States qualifies as an “empire.” In its desire to impose its political values on other parts of the world (the “democratization” of the Middle-Eastern states to which the invasions of Afghanistan and Iraq had aspired being

19 Pagden, “Imperialism, liberalism & the quest for perpetual peace,” p. 47.
a recent example), and to hold them “in trust” until they are able to handle democracy themselves, Twenty-first century American imperialism shares similar aspirations to earlier projects of empire. But where the United States differs in its approach is in pursuing its imperialistic goals for the longer term through “commerce” rather than “conquest,” that is, Pagden says, “to create a world of democracies bound inexorably together by international trade.”

It is a vision of the world and a project of world-making, which Pagden rightly points out, finds its expression in Kant’s “Third Definitive Article for a Perpetual Peace.” But the link between Kant and imperialism is not so explicit and it is quite easy to construe Kant’s promotion of a cosmopolitan existence as anti-imperialistic. Before turning to the question of Kant however, let us survey some of the influences on his thought commencing with world citizenship in Stoic cosmopolitanism.

Diagramming Humanity Through Foreignness in Antiquity

Whether we treat it as a feature of the Western tradition or seek to break with that tradition, a historical reflection on “cosmopolitanism” must, in some way, acknowledge its Greek associations. Like many prominent ethical and political ideas, “cosmopolitanism” is said to have originated in Ancient Greece. It enjoys a Cynic and Stoic legacy in the philosophy of Diogenes the Cynic (404-323BC), Zeno of Citium (335-263BC), and Marcus Aurelius (AD121-180).

As I had noted in Chapter 1, when asked the question “where are you from?” Diogenes the Cynic is said to have replied “I am a citizen of the cosmos (kosmopolités).” From this declaration stems the archetype of cosmopolitanism as a sentiment of world citizenship that has come to mark the founding moment of the Stoic-Kantian tradition of cosmopolitan thought in which Diogenes’ words have taken on moralistic tones, usually in the form of a positive embrace of “humanity.” But given its centrality to the ideal, what is the nature of the cosmos or “world” to which citizenship was attached and who was entitled to it?

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20 Ibid., p. 55.
Stephen Toulmin writes that *cosmopolis* referred to two kinds of order into which humans were born. The first was the order of the *cosmos* or the “Order of Nature” referring to the realm beyond human control. The second was the order of the *polis* or the “Order of Society” referring to the realm under human control. Ludwig Binswanger offers a slightly more complex interpretation of *cosmos* as signifying, since Anaxagoras (c. 500 - c. 428 B.C.), “not the (objective) world, but the (subjective) state of unification (κοινός) and dispersion (‘ιδιός).” For the philosopher Heraclitus (c. 500 B.C.) “what, defines this unification or dispersion” Binswanger continues, “is the “Logos,” a word that sometimes must be translated…as “word” or “discourse” and sometimes as “thought,” “theory,” “logical necessity,” “rational, lawful relation”…” Here *cosmos*, is associated with the mind and *logos*, as we saw in the previous chapter, associated with the faculty of reason, is what defined human from inhuman as law. The distinction between human and inhuman was one that occurred through the status of foreignness as a distinction between Greeks and barbarians, for one could only be truly human in Greece, and full humanity could only be exercised in the *polis*. Initially, as Kristeva describes, the term “barbarian” referred to non-Greeks, but then the defining criteria changed in terms of *logos* rather than race or birth such that the term “barbarian” referred also as a position of inferiority to inarticulate Greeks (or non-philosophers). If the concept of *cosmos* was ultimately of the order of *logos*, then it follows that it was also structured by the separation of Greek from barbarian or human from inhuman. That is to say that inherent to the classical ethic of cosmopolitanism was a rationale for the constitution of the human by the separation of human and inhuman, or alternatively, a rationale for an order of what I have been calling (in)humanity.

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24 For a further historical account of the distinction, see Anthony Pagden, Chapter 2 “The Image of the Barbarian” of his *The Fall of Natural Man: The American Indian and the Origins of Comparative Ethnology* (London, New York: Cambridge University Press, 1982). For a general overview of Ancient Greek ideas of humanity see H.C. Baldry, *The Unity of Mankind in Greek Thought* (London: Cambridge University Press, 1965). He argues that the common thread in the development of Greek thought on humanity is “the idea that only those who conform to certain standards can properly be called man or included in the unity of the human race ” at p.10. Amongst these were standards of speech, with the ability to speak Greek articulately constituting full humanity. The Greek view entailed a dichotomy of Greeks/barbarians which mapped onto additional dichotomies including civilization/savagery and human/less-than-human.
The paradoxical character of classical Greek cosmopolitanism is illuminated by the ambiguities of the archive. For instance, given the limitations of the historical record, very little is known of what *kosmopolités* might have actually meant for the Cynics. Instead, we have had to rely upon hearsay and the interpretations of anecdotes. Classicists have tended to describe Cynicism as a spirit of asceticism that emphasized the importance of individual freedom, self-reliance, preference for “natural” life over “social” life and the rejection of social practices of rank and class. Cynics have earned a reputation for their critical view of society displayed in practices of “defacing,” which varied in form from parody and satire to more subversive acts of urinating in public. Diogenes himself, sometimes referred to as “Socrates gone mad,” has been presented as a rather eccentric figure often depicted on ancient vases and gemstones as living in a barrel or walking with a beggar’s staff, shabby cloak and dog by his side, like a nomad or exile. To the extent that he is often credited as the father of cosmopolitan ethics, what Diogenes himself may have intended by his utterance could be something quite different from what our contemporaries intend by it. It is quite possible that when Diogenes declared himself as “citizen of the world” (*kosmopolités*) and “without a home” (*a-oikos*) and “without a city” (*a-polis*) he was in fact, in the sarcastic spirit of Cynicism, rejecting the norms of his society and insulting it, rather than envisaging a more benevolent social order for his fellow human beings. Accordingly, some commentators have suggested that Cynic cosmopolitanism can be interpreted as a negative outlook.\(^{26}\)

In a slightly more complex interpretation, John Moles argues that Cynic cosmopolitanism, even if it was anti-*polis*, nevertheless implies positive attitudes to the world, mankind and animals.\(^{27}\) For Moles it appears that what is positive about Cynic cosmopolitanism is the appeal to the *possibility* of a common humanity. But Moles is too quick to posit Diogenes’ rebellion in terms of a contemporary sense of cosmopolitanism and it is too simplistic a move to equate a desire for common humanity with good, for what is left unaccounted for is the self-centredness through which Diogenes occupies the exile that situates him as a cosmopolitan. I am inclined to invite an alternative interpretation of Stoic cosmopolitanism along these lines.


considering the comparison Moles makes between Diogenes’ and Zeno’s cosmopolitan sentiments. As Moles recounts, Zeno, the founder of the Stoic School of Philosophy, is said to have declared that “all human beings should be members of the same people and fellow citizens, and there should be one way of life and one cosmos.” The crucial question is how might we understand his “one-world, one-humanity view”?

Two alternative ways of reading Zeno’s remarks demonstrate further the problematic of “world” and “humanity” in this ancient Greek episode of cosmopolitan thought. The first treats it as an appeal to universality, the second as a demand for uniformity. The first is Nussbaum’s reading of a different but very similar quote where Plutarch reports Zeno’s dream “of a well ordered and philosophical community”:

…we should not organise our daily lives around the city or the deme, divided from one another by local schemes of justice, but we should regard all human beings as our fellow demesmen and fellow citizens, and there should be one way of life and one order, just as a herd that feeds together shares a common nurturance and a common law.

For Nussbaum, Zeno promises the ideal of a cosmopolitan political outlook that incorporates a moral orientation to humanity as a whole as well as to members of one’s local networks. The second is Pagden’s reading, in which Zeno’s vision, though heartening as it might seem at first, presents a rather disconcerting view of what a universal order might look like. Like other Stoics, Zeno was not Athenian, but a foreigner and therefore a barbarian. It is tempting then to read his cosmopolitanism as a sentiment seeking to embrace foreigners within local communities. But Pagden argues that when Zeno spoke of one way of life, he had in mind “the Greek polis extended to non-Greeks” — that is a small and exclusive group of people who shared the same culture as himself and, furthermore, that particular culture was privileged over the possibility of any other in his idea of the “universal.” Zeno’s is a shift from the exclusion of non-Greeks from the polis to their incorporation into it and hence the

28 Ibid., p. 117
expansion of the Greek way of life. As far back as its Greek origins, cosmopolitanism, Pagden argues, shares its legacy with the history of imperialism, the implications of which Nussbaum, in her recuperation of the Stoics has not accounted for. In juxtaposing these two readings, my point here is not to make a determination on whether the cosmopolitanism of the Stoics was positive or negative, but to consider how the ambiguities in these ancient Greek expressions of cosmopolitanism give way to a problematization of the underlying concept of humanity on whose behalf modern cosmopolitan ethics aspires. From Zeno and the Stoic cosmopolitanism that he founded, Pagden traces the genealogy for modern imperialism. On this reading, the cosmopolitanism of the Ancient Greeks is the root of imperialism and, when engineered as a “moral project,” cosmopolitanism serves the expansion of one way of life over others. Pagden contends that “Far from extending a benign cultural relativity to all possible peoples, Stoicism was, in origin, a philosophy well suited to the spread of empire.”

The thought of Stoicism’s most eminent figures reveal this much. For example, Marcus Aurelius, a foreigner of Spanish descent, adopted and educated by Stoic philosophers, became a Roman emperor interested in preserving and expanding the Roman Empire. We might read this in Honig’s terms as a cosmopolitan moment of “foreign-founding,” which lends itself to a pro-multiculturalist argument when multiculturalism is treated in terms of how foreigners benefit “us.” Additionally, Nussbaum regards as morally exemplary for cultivating a cosmopolitanism for our times Marcus’ style of “world thinking” where, in his encounter with the foreign cultures of Parthia and Sarmatia, he embraced an ethos of thinking of humanity as one body made up of limbs representative of its many people. However the unifying impulse of Marcus’ encounter with difference cannot be praised too early, for in reading his cosmopolitanism through his imperial ambitions and through the egocentrism of his spiritual self-cultivation, the model of humanity that he has in mind is far from one that attributes equal value to difference or a respect for others as they are. Although humanity in his cosmopolitan vision is imagined as a whole made up of parts, those parts are attributed more or less worth in relation to each other in Marcus’ understanding of the functioning of the whole. For example, Marcus recounts in his Meditations that:

31 Ibid., p. 6
The Mind of the universe is social. At all events, it has created the lower forms to serve the higher, and then linked together the higher in mutual dependence on each other. Observe how some are subjected, others are connected, each and all are given their just due, and the more eminent among them are combined in mutual accord.33

Like his Greek predecessors, Marcus subscribed to a teleological view of life in which, as the master of the body, the mind was also the source of the cosmos or universe and master of its various parts. Resting on this theory of mind, the cosmopolis takes on an image of the world organized as one society and Marcus’ cosmopolitan imagination is structured by a hierarchal order made up of lower and higher life-forms governed by a central force. A cosmopolitan community is therefore one that is organized by a central state.34 Humanity, as another term for this cosmopolitan community, is made up of different people that are mapped onto the same hierarchical relation of mind to body.

Literally entitled To Himself, the Meditations of Marcus Aurelius are his personal journal entries. They were not intended for publication but were written as a therapeutic practice late in his life whilst depressed and in exile. On the one hand the text presents a man in a personal struggle to overcome his vices in pursuit of virtue by reflecting on his character, his emotions and how he might improve himself; but on the other hand it is also revealing of his Stoic philosophy and worldview, which was equally self-oriented, albeit paradoxically. On the one hand it bears the humility with which the individual confronts himself and embarks on a course of spiritual grooming; but on the other hand it is also a revelation of the arrogance with which he regards his way of life as morally and culturally superior. By the time that Marcus Aurelius becomes its head of school, the cosmopolitanism of Stoicism was, as Kristeva sums it up, “less a thought of the other that would integrate the foreigner’s difference than an autarchy that assimilates

the other and erases him under the common denominator of reason, the one not amenable to it falling into the category of the insane.”

Diagramming Humanity Through Law

in the Renaissance

Like Marcus’ theory of unity of humanity in terms of parts of the body, the Christian world view of Renaissance Europe had a similar version in the Pauline allegory of the community of Christ’s body wherein each limb had its designated place, function and status in the symbolic order:

Christ is like a single body with its many limbs and organs, which, many as they are, together make up one body. For indeed we are all brought into one body by baptism, in the one Spirit, whether we are Jews or Greeks, whether slaves or freemen, and that one Holy Spirit was poured out for us all to drink. A body is not one single organ but many. Suppose the foot should say, “Because I am not a hand, I do not belong to the body;” but it does belong to the body nonetheless. God appointed each limb or organ to its own place in the body, as He chose... Now you are Christ’s body, and each of you a limb or an organ of it. Within our community, God has appointed, in the first place apostles, in the second place prophets, thirdly teachers.

If this were the model for harmonious existence in the Christian world order, how would it be affected by an encounter with non-Christians?

Until Christopher Columbus’ discovery of the Americas in 1492, Europeans, particularly Christians, had regarded themselves as the centre of the world. The

35 Kristeva, Strangers to Ourselves, p. 59.
appearance of a “New World,” as Carl Schmitt has pointed out, rendered Europe “old” and demanded a reconceptualization of the world picture. But despite its conceptual challenges, “the emerging new world did not appear as a new enemy but rather as free space – an area open to European occupation and expansion.”

Schmitt and Walter D. Mignolo identify the European Renaissance from the Fifteenth to Sixteenth Centuries as an important period in world-making. Schmitt draws attention to the Christian use of “global lines” used to establish a global spatial order through drawing lines that divide and distribute the earth. Not only were they geometrical and cartographic techniques, but they were politico-legal ones that would define the consciousness of the world and its history. Mignolo uses the concept “global design,” by which he means a planetary managerialism “driven by the will to control and homogenize,” to discuss how non-Christians came to be incorporated into the Christian world picture. Here I want to point out that in drawing a world picture, the same set of lines drew also a picture for (in)humanity substituting the religious image of humanity as the body of Christ with a secularised version.

In this section I explore conditions under which the aggregate “humanity” emerged, existed and changed, by examining the Spanish justification, in a legal framework deemed to be universal, of their war against and subsequent land appropriation of the American Indians. My purpose is first to show how, through creative legal constructivism, “the human” was something that existed in relation to an outside and, second, that as a result of this spatial distancing, it became possible for “humanity” to occur as a condition for which one must wait, that is, as a system of temporal distancing. Here I also present an instance of the Anthropocentric Waiting Room at work in the history of what we have now inherited as international law and the order of the Westphalian system of states.

Since the Fifteenth Century the status of American Indians respective to humanity was at best a discovery of difference for Europeans. Accounts by Renaissance explorers drew attention to their fantastical qualities. Within scholarly contexts, they were not classified within the fields of knowledge concerned with human beings in general, but

were treated as a “special kind of Other” for whom a unique discipline of Indianology was created.\textsuperscript{39} This suggests that American Indians may have been human in the European mind, but they were deemed to be of an unusual kind. In resembling people, but not of the same variety as Europeans, for they were not Christian and did not share the same ways of life, American Indians presented the challenge to extend the parameters of the category humanity in which was vested a special rights-bearing subjectivity. The question of the American Indian was a pressing question of legal personhood, which was equivalent to a status of “full humanity.” Its urgency had bearing on the legality of Spanish actions in the New World, in particular their taking of American Indian lands.

The question of the American Indians’ humanity did not emerge without their subjection to inhuman acts of violence, massacre and destruction. In his \textit{Short Account of the Destruction of the Indies}, Dominican Priest, Bartolomé Las Casas (1484-1576), set out some of the atrocities Spanish colonists committed against the American Indians. These are graphic accounts of Spaniards forcing their way in to native settlements, hacking the limbs off American Indian men, women and children, slicing their bellies with swords, stringing their victims by their feet in order to set them alight whilst still alive and then taking their possessions. Noted for his humanism and compassion towards the American Indians, whom he regarded as “delicate,” “innocent and pure in mind” and “gentle lambs,” he asked the colonists:

\begin{quote}
With what right and with what justice do you keep these poor Indians in such cruel and horrible servitude? By what authority have you made such detestable wars against these people who lived innocently and gently on their own lands? Are these not men? Do they not have rational souls? Are you not obliged to love them as yourselves?\textsuperscript{40}
\end{quote}

\textsuperscript{39} For a history of “Indianology” as a subdiscipline of Anthropology see Chapter 5 of William Y. Adams, \textit{The Philosophical Roots of Anthropology} (Centre for the Study of Language and Information: Stanford, 1998).

Such questions had underpinned a debate in 1530 between Las Casas and chaplain and official historian of the Crown, Juan Gines Sepúlveda (1490-1573). Sepúlveda, it is reported, defended the Spanish waging war against the American Indians and taking their lands on the grounds that they lacked the human qualities worthy of bearing rights to property. He claimed that they were cannibals and criminals who worshipped idols and sacrificed humans and that such barbarism violated the law of nature and denied them of their natural rights.41 Despite being a fierce critic of the Spanish brutality towards the American Indians and wanting to improve their conditions of “savagery,” even Las Casas did not regard them to be morally nor legally equivalent to the Spanish. In his view, their ignorance of Christianity was a condition of being abandoned by God and a statement of their unworthiness to Him.42 He may have disagreed with the way that the Spanish conducted themselves in its course, but Las Casas was not opposed to their actual conquest of the Americas. He regarded it as the duty of Christians to cultivate their “natural goodness” and teach them the Christian faith, in order to deliver them to their full human potential as Christians made in God’s image. In both men’s views, the conception of the human was predicated on a particular cultural understanding where personhood was tied to belief in the Christian God. Thus, for their lack of shared beliefs, the American Indians were denied equivalent human status.

The same question was taken up with an appearance of greater objectivity and deeper jurisprudential rigour by the Spanish theologian, Francisco de Vitoria (1486-1546). Also a critic of the Spanish colonists, in lectures delivered in 1539, but not published until 1557, Vitoria had argued that the American Indians’ lack of Christianity was not enough to warrant the conquest. But it is misleading to think of Vitoria as a defender of the American Indians. Rather, he was a clever jurist who, as Anthony Anghie has argued, created a system of law that would bring culturally different societies under the same legal regime.43 In his lecture On the American Indians, Vitoria set out the legal justification of the Spanish conquest of the Americas which has recently granted him a foundational status in the historical emergence of international law and, more

42 For a more thorough analysis of Las Casas’ dilemma see Anthony Pagden, European Encounters with the New World: From Renaissance to Romanticism, (New Haven: Yale University Press, 1993).
infamously, it has earned him a reputation for establishing the legal justification for the colonization, exploitation, subjugation and even destruction of other peoples.\footnote{See Robert A. Williams, \textit{The American Indians in Western Legal Thought} (New York: Oxford University Press, 1990) for a historical overview of the dilemma the American Indians presented for international law and for a discussion of laws’ facilitation of imperial expansion, “genocidal conquest” and colonization non-Western peoples since Christopher Columbus encountered the New World.}

At the outset of the lectures Vitoria sets out three main questions:

i) By what right (\textit{ius}) were the barbarians subjected to Spanish rule?

ii) What powers has the Spanish monarchy over the Indians in temporal and civil matters?

iii) What powers has either the monarchy or the Church with regard to the Indians in spiritual and religious matters?\footnote{Francisco de Vitoria, “On the American Indians” in Anthony Pagden and Jeremy Lawrence, eds. \textit{Francisco de Vitoria: Political Writings} (Cambridge: Cambridge University Press, 1991 [1539]), 233.}

The purpose of his deliberations however, was to answer the question of “by what right could the Spanish (lawfully) conquer the American Indians?” Ultimately such right depended on establishing grounds for Spanish declaration of a “just war,” for unless a thing, in this case territory, was held to be \textit{res nullius}, that is, belonging to no one, it becomes the property of the first taker.\footnote{Ibid., p. 280. See also Andrew Fitzmaurice, \textit{Humanism and America: An Intellectual History of English Colonisation, 1500-1625} (Cambridge: Cambridge University Press, 2003) at p.140 for a discussion of the doctrines of \textit{terra nullius} and \textit{res nullius} as legal fictions established in the course of the colonial history of international law since the Spanish Conquest of the Americas.}

If it was not, the Spanish would have unlawfully acquired the American Indians’ lands by force. Vitoria must therefore find a legal strategy that prevents such an outcome. Although he systematically lays out his reasoning, considering pro and contra of a series of propositions, his conclusion rests largely on the establishment of one fundamental legal question: “whether these barbarians before the arrival of the Spaniards, had true dominion, public and private?”\footnote{Vitoria, “On the American Indians,” p. 239.}

Throughout his lecture Vitoria refers to the American Indians as “barbarians.” The term was borrowed from the ancient Greeks and was used by the Christians.
in the Early Modern period to denote foreignness, inferiority and lack of humanity. 48 Barbarians were the outside in relation to which humanity was defined. “Dominion” (dominium) was the general Roman Law word for the right to ownership or property of a thing, and more specifically it referred to territory. 49 Such right was predicated on having the capacity to be a master over chattels, that is to say that a slave could not own any property. Determining whether the American Indians had dominium depended upon the question of by what law could the Spanish judge them. As we will see below, it is through the mechanisms of law, and one that is alien to them, but is nevertheless constructed in response to them and claimed for them, that the otherwise barbarian, inhuman American Indians come to be recognised as members of humanity whilst still retaining their non-humanity in Vitoria’s jurisprudence. 50

“Law” for Vitoria takes its meaning under four headings 51 through which we can also see, as it was for the Stoics, a hierarchical ordering of humans on a scale of possessing more or less humanity respective to others. The first type of law he considers is “human law,” which is law guided by reason and enacted for the common good. Basically, this was Spanish law and to be human was to be a subject of the Spanish law. As he found that the American Indians were not such subjects, it followed also that they were not human in this sense: “Since the barbarians we speak of are not subjects [of the Spanish Crown] by human law (iure humano), as I shall show in a moment, their affairs cannot be judged by human statutes (leges humane), but only by divine ones…” 52 The second type of law, “divine law” was prescribed by God and revealed in the scriptures. In Medieval and Early Modern times it was claimed that, as God’s representative


51 Vitoria’s four groupings generally follow St Thomas Aquina’s categorisation of law for his inclusion of the law of nations and omission of “eternal law” (lex aeterna), divine reason or God’s plan for the universe known only to Himself. See Francisco de Vitoria, “On Law: Lectures on ST I-II.90-105” in Anthony Pagden and Jeremy Lawrence, eds. Francisco de Vitoria: Political Writings (Cambridge: Cambridge University Press, [1533-34] 1991), 153-204.

on Earth, it was the pope’s duty to spread Christianity throughout the world and he had universal jurisdiction. However, Vitoria precluded deliberations on the question of the American Indians based on divine law finding that such law did not concern matters of legality, but questions of conscience, which only the Church, and not jurists, could determine. If we look at it another way, with respect to the question of the American Indians, Vitoria’s rejection of divine law was a search for secular foundations for a law that would govern non-Christians.

The opportunity was found in the third type of law, “natural law” (ius nauturae), derived from the dictates of nature through the enactment of human reason. Put simply, natural law is the belief that there is a moral system, usually prescribed by nature or by a divine order like God, in which socially made laws should be grounded. Natural laws were regarded to be “universal.” Since their concern was with how we ought to behave, they were regarded also to be rational. It then followed that to act according to reason was to act according to nature’s intention. As a belief system, natural law afforded much power to the various schemas for ordering humanity that came to rely upon it. For instance, it offered Vitoria a basis upon which to mount his arguments for Spanish seizure of American Indians’ land. However, he is rather strategic in his application of natural law to arrive at this position.

At first he identifies the American Indians as the natural slaves that Aristotle typologised. But they are so only to the extent that they resembled a class that ought to be governed by “more superior men.” Vitoria challenged:

And if it is true that there are such men, then none fit the bill better than these barbarians, who in fact appear to be little different from brute animals and are completely unfitted for government. It is undoubtedly better for them to be governed by others, than to govern themselves.55

53 See Williams, The American Indian in Western Legal Thought.
54 Natural law has been described by one legal scholar as providing “a name for the point of intersection between law and morals.” See Alessandro Passerin d’Entrèves, Natural Law: An Introduction to Legal Philosophy, (London: Hutchinson, 1970), 116.
55 Vitoria, “On the American Indians,” p. 239.
They were not slaves in the sense that they could not hold dominion. In so far as they had a lifestyle recognisable to the Spanish, Vitoria finds in the American Indians some capacity for rationality, bringing them within the scope of natural law rights to property:

…they are not in point of fact madmen, but have judgment like other men. This is self-evident, because they have some order (ordo) in their affairs: they have properly organized cities, proper marriages, magistrates and overlords (domini), laws, industries, and commerce, all of which require the use of reason. They likewise have a form (species) of religion, and they correctly apprehend things which are evident to other men, which indicates the use of reason.56

Their lack of intelligence, as he put it, was a result of their forsakenness by God and grounds for governing them so that they could reach their full human potential, but it was not a justification for taking away their dominium. Vitoria has it both ways in his application of natural law: the American Indians lack the requisite humanity to be candidates for government by more superior humans; but they have enough humanity to have the dominium, which, we will see, grounds Vitoria’s development of the legal principle that ultimately renders the Spanish conquest lawful.

Having established that the American Indians were the true masters of their lands, Vitoria was still left with the question of by what title were the Spanish permitted to take possession of their territory. He found the justification in the fourth type of law, the “law of nations” (ius gentium), which at the same time extended to them recognition as equal members of the cosmopolitan community of humanity:

…by natural law running water and the open sea, rivers and ports are the common property of all, and by the law of nations (ius gentium)

56 Ibid., p. 250.
ships from any country may lawfully put in anywhere; by this token these things are clearly public property from which no one may be barred, so that it follows that the barbarians would do wrong to the Spaniards if they were to bar them from their lands.\textsuperscript{57}

This was the foundation of the \textit{hospitality} principle that would become a central feature of Kantian cosmopolitanism and an \textit{aporia} within the humanitarian claims of international law. It endowed all people with the right to peacefully visit, trade or settle on other lands; but refusal of entry justified a declaration of war and conquest by the foreigner. Here Vitoria founded a legal principle upon which any potential coloniser could wage war against another people, who otherwise unaware that they had been co-opted into such an obligation, may feel inclined to respond in ways that do not conform to the same definition of “peaceful.”

The legal discourses arising from the Spanish encounter with the American Indians diagrammed humanity along spatial and cultural lines, which generations of political thinkers would exploit or struggle against. It signals a point at which the peoples of the world would be swept up into a new iteration of the abstract machine complementing a cosmopolitan ethos. Notably, in ascribing to them obligations under the law of nations, Vitoria was incorporating the New World peoples into a legal doctrine that had been established in Europe. It was in effect a Eurocentric standard presented as a universal and, as Kant would reconfigure it, “cosmopolitan” law. Anghie finds in this history the creation of international law as a colonial force: “The problem confronting Vitoria, then, was not the problem of order among sovereign states, but the problem of creating a system of law which could be used to account for relations between societies which he understood to belong to two very different cultural orders, each with its own ideas of propriety and governance.”\textsuperscript{58} Anghie identifies that Vitoria dealt with the problem of the American Indians by reconceptualising existing legal doctrines and inventing new ones.\textsuperscript{59} To this I want to add that in this history we also find a legally instituted division

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\textsuperscript{57} Ibid., p. 279.
\textsuperscript{59} Mignolo makes a similar point identifying that Vitoria changed the relationship of \textit{ius naturalis} (natural law) to \textit{hominis} (human beings) by replacing the latter with \textit{gentes} (people). This demonstrates that although the American Indians were not recognised as humans within the Christian imaginary, they
\end{flushright}
and hierarchization of the category “human” by which the aggregate “humanity” would also be organised so that on the basis of difference, degrees of humanity or humanness could also be apportioned.

The example of Vitoria’s deliberations highlights that the American Indians’ difference from the Spanish was not a question of difference between already constituted humans, for the status of the American Indians was ambiguous vis-à-vis humanity. Their treatment in law presented a statement on their quality of humanity as not quite human/less than human: American Indians were human enough to come under the order of the law of nations, that permitted the Spanish to wage war against them and take their lands under an artificially created right to hospitality; but they were not human enough to be vested with the rights of human subjects under more established legal doctrines. The “not yet” status of their humanity, that is their consignment to the waiting room of humanity, occurs in that moment in Vitoria’s argument where the American Indians’ supposed lack of rationality was an argument for their governance but it was not, as otherwise prescribed by natural law, grounds for denying them the dominium required for a Spanish declaration of war against them, which effectively stripped them of their dominium. Treated conceptually, we find that what emerges in this encounter is the question of the difference of the human from itself in the sense that to be human was not only defined from the Spanish point of view, but that the human (the Spanish) exists in relation to an outside (American Indians) — an inhuman, whose similarity threatens to destroy their humanness unless kept under control. When Vitoria includes the American Indians in the aggregate “humanity,” the latter occurs as a condition that cannot be conceived of apart from the relationship of human-outside-the-human. To put it another way, it is another instance where the “human” depends on the “inhuman” for its constitution.

The diagram of humanity drawn through law by the Spanish encounter with the American Indians informed social and political imaginaries from the Seventeenth to Nineteenth Centuries and set the foundations for humanity’s diagramming along temporal lines. In Western intellectual history, the legal constructivism demonstrated by Vitoria would set a precedent for the treatment of American Indians and other non-presented a question of property ownership and governance that demanded a reconsideration of the categories of person used by law to determine these relationships. See Mignolo, “The Many Faces of Cosmo-polis: Border Thinking and Critical Cosmopolitanism” at p. 730.
European, particularly indigenous peoples, as constituting a pre-historical condition of humanity that would perpetuate the machine of the Anthropocentric Waiting Room. A Century later, for example, in his *Second Treatise of Government* published in 1690, John Locke (1632-1704) famously declared that “…in the beginning all the World was America, and more so than it is now” by which he may have been insinuating that America was a representation of Europe in a much earlier time, or Man in the State of Nature.

Thomas Hobbes (1588 – 1679) also represents a common Early Modern perspective on the condition. In *Leviathan*, he described the State of Nature as a state of lawlessness, disorder and barbarity. Underscored by a pessimistic view of human nature as selfish, evil, violent, corrupt and quarrelling, it was a state of perpetual war, where war was “every man, against every man.” Hobbes presented it as a hypothetical scenario for the purposes of justifying the virtues of a system of discipline and social order obtained through the institutions of modern law and government. However it did have empirical allusions, for Hobbes also found in the American Indians the semblance of this State of Nature: “For the savage people in many places of America, except the government of small Families, the concord whereof dependeth on naturall lust, have no government at all; and live at this day in that brutish manner…” The contrast was captured in the frontispiece of Hobbes’ *De Cive* (the Citizen) by the depictions of Religio, Imperium and Libertas.

These three states are like the God-man-animal continuum underpinning humanity in Godot’s waiting room described in the previous chapter. The first represents Hobbes’

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61 For a more attentive discussion of Locke’s announcement see Chapter 2 “In the beginning all the World was America” of Ronald Meek’s *Social Science and the Ignoble Savage* (Cambridge University Press: Cambridge, 2000) pp. 37-130. See also Barry Hindess’ examination of the function of idea of the state of nature in Locke’s thought, most notably his observation that “Locke’s state of nature occupies a region around one pole, the historical starting point, of a developmental telos which encompasses all sections of humanity.” Europe, Hindess continues, occupies the other pole in Locke’s work and historical development occurred between the two poles: Barry Hindess “Locke’s State of Nature,” *History of the Human Sciences*, 20,3 (2007): 1-20.  
63 Its antithesis was a Common-Wealth, or *Civitas*. A Commonwealth was a way of securing peace and preventing the state of perpetual war that men were otherwise doomed to by virtue of their natures. It did this by requiring all men to enter into a Covenant in which each individual gave up his right of self-government and transferred that power to a single entity, Leviathan or the “sovereign power.” The sovereign’s power could be attained in either one of two ways, either by force (e.g. war) or by voluntary agreement (i.e. consent or social contract).  
64 Hobbes, *Leviathan*, p.89.  
commitment to the Christian doctrine of eschatology and the last two his doctrine of the state of nature. Religio, is featured in the top panel of the illustration. It represents the Christian idea of eternal salvation in the Kingdom of Heaven with Christ descending to Earth to judge the fate of humanity. They are divided into the saved on the left and the damned on the right. In the bottom panel beneath the saved, we have the statue of Imperium, which in Latin means order, sovereignty, supreme authority and empire. It referred to the “civilised” society of the Europeans. It was represented by the figure of the sovereign fully clothed in a toga, wearing a crown and carrying a sceptre in one hand and the scales of justice in another. Behind this figure is the peaceful scenery of farm-life and agricultural prosperity as peasants cultivate their crops. In the distance we find a city, which in western culture has denoted the epitome of human progress. In this same panel beneath the damned stands the statue of Libertas, meaning freedom, liberty and outspokenness. Represented by a half-naked figure, dressed only in a grass skirt and band of feathers around his arms — the image of the savage — it referred to the “uncivilised” life of the Indian. Behind this figure are scenes of primitiveness: shanty huts, people hunting, a lack of cultivated crops and even a possible rape scene that is suggestive of unruliness, immorality and a debased and animal-like sexuality.

Not only does the illustration highlight the ambiguous status of the American Indian vis-à-vis humanity, tending towards the “less-than-human,” but it is iconic of the conceptualisation of humanity that would inform social and political thought as the Renaissance world picture expanded. In bringing them in spatial proximity to the humanity of European civilization, it conveys that the possibility of people with a different way of life had challenged not only the European’s view of him/herself, but also his/her understanding of the human made in his/her image. This challenge would only be exacerbated in the Eighteenth Century with the discovery of another New World — the islands of the Pacific — and further in Nineteenth Century colonial missions to other parts of the world. It was a common feature of the cosmopolitanism of the Renaissance and Early Modern period that the emergent spatial consciousness of

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67 Richard Waswo makes the point etymologically: “…both ‘civilization’ and ‘civility’ come from Latin and depend on belonging to a city (civis, civilis: citizen, polite; civitas, civilitas: city/citizenship, courtesy)” at p. 4. He emphasises the centrality of the city, a form of sociality and organization of space and persons that entailed expansion and production, superseding and erasing other modes of human existence such as village life and agrarian forms of living. See Richard Waswo, The Founding Legend of Western Civilization: From Virgil to Vietnam (Hanover: Wesleyan University Press, 1997).
“other” peoples translated into the invention of a temporal consciousness of humanity in terms of a present and its backward “other.” It is as if European experiences of travelling through space was, at the same time, an experience of travelling through time as Fabian describes. This conflation of space and time in cross-cultural encounter would be reinforced by the universal humanist spirit of Enlightenment Cosmopolitanism.

Diagramming Historical Development in Enlightenment

From the few available intellectual histories of European Enlightenment cosmopolitanism, we can observe that it is characterised by contradictions. These tensions surface when we juxtapose the six forms in which cosmopolitan ideas occurred. As a “psychological construct” or “attitude of mind” cosmopolitanism was an identification with something broader than one’s geographical locality — “the world” — and often presented as an abstract romantic sentiment. As a “cultural” disposition, one interpretation is that it valued the cultures of different peoples (European and non-European). Another contends that culturally-speaking, cosmopolitanism was narrowly conceived — it just meant similarity of manners, education, culture, dress and fashion of a class of Europeans, and for the philosophes in particular, “world citizenship” meant to be a member of an elite pan-European group of intellectuals. As an “economic” rationale, a cosmopolitan outlook was one that advocated a free international market. As a form of “law” it was to be distinguished from international law, which is to say that it sought to transcend the interstate order for purposes of bringing all people under its authority. As a “moral” position it was aligned with values of humanism, peace and equality. Finally, as a “political” orientation, cosmopolitanism was a reaction to

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69 See Kleingeld, “Six Varieties of Cosmopolitanism in Late Eighteenth-Century Germany,” p. 515. Another version of this perspective can be found in Sankar Muthu, Enlightenment against Empire (New Jersey: Princeton University Press, 2003).

70 Schlereth, The Cosmopolitan Ideal In Enlightenment Thought, p.11.

71 Schlereth notes the importance of Hume, Smith, Franklin, Turgot and Bentham.
parochialism that sought to transcend nationalistic loyalties. Contemporary cosmopolitans, as we saw in Chapter 1, often treat this as valuing foreigners the same as co-nationals, but intellectual historians have offered a different interpretation where it was not related to a morality of loving mankind, but to questioning, philosophically, the assumptions of state formation and legitimacy in terms of nationalist sentiments. Overall, as Thomas Schlereth argues, on the one hand, Enlightenment cosmopolitanism claimed a universal humanist spirit, but on the other hand it was invested in elitist parochialism. Much like the Stoic version, Enlightenment cosmopolitanisms had a narrow view of who was included as fully human in their conception of humanity.

There has been a lack of academic interest into why these contradictions have occurred. Karen O’Brien suggests this may be because “‘Cosmopolitanism’ is no longer a term much favoured by intellectual historians: as an idea, it seems to lack intellectual content; as a category of political thought, it has no referent.” But given that contemporary thinkers have recuperated cosmopolitanism to respond to contemporary political circumstances, this neglect leaves a significant gap in the field. My suggestion is that the contradictory character of Enlightenment cosmopolitan thought relates, at a general level, to tensions in Enlightenment conceptualisations of humanity, and, at a more specific level, they can be observed in the cosmopolitan thought of Immanuel Kant. I address the first issue below and take up the second in the following two chapters after some preliminary remarks here.

There is already an extensive literature on that period in intellectual history between the Seventeenth and Nineteenth Centuries that we call “the Enlightenment” and my purpose here is to provide a mere sketch that points to some key themes that situate it as a crucial period in the perpetuation of the Anthropocentric Waiting Room as the diagram for (in)humanity alongside an emergent cosmopolitan sensibility. It must be noted first that the term “the Enlightenment” is somewhat problematic, serving more as a shorthand characterisation of a historical cultural and intellectual movement for contemporary categorical purposes than an accurate reflection of how its subjects saw themselves. To begin, the homogenization of different movements under the single name “The” Enlightenment misrepresents the geographical and ideational diversity of

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72 For example see Toulmin, *Cosmopolis: The Hidden Agenda of Modernity*, p. 140.  
the time. There were, across Europe, different manifestations of enlightenment thought including the French Lumières, the Scottish Enlightenment and the German Aufklärung, within which divergences also occurred. Second, connotations of tangibility or concreteness, that is the treatment of the Enlightenment as something, have to be qualified, for what we often address under this heading are of a primarily abstract and academic nature (i.e. ideas). Third, the definitive nature of the name is also somewhat misleading given that “enlightenment” appeared more as a question, aspiration and subject of debate, than a proclamation of identity or state of being. The question “Was ist Aufklärung?” was most famously debated in 1783 in the leading Prussian periodical, the Berlinische Monatsschrift. When Johann Erich Biester, one of the journal’s editors, had argued for civil rather than church authorisation of marriage in the name of Aufklärung, the prominent clergyman, Johann Friedrich Zöllner, accused him of misusing the term to promote socially disruptive actions that would lead to the moral decline of the population. Zöllner had only posited the question in a footnote, but it was soon to be ceased upon by the most distinguished of Prussian philosophers, including Moses Mendelssohn and Immanuel Kant.74

Kant’s 1784 essay, “An Answer to the Question: ‘What is Enlightenment?’” is symptomatic of many, but not exclusive to all, of the central themes of Enlightenment thinking and it is worth highlighting some of these. Historically, as Foucault had also stipulated, the essay cannot serve as a summation of “the Enlightenment,” “the Aufklärung” or even the spirit of the late Eighteenth Century in Europe.75 Nevertheless, using the essay as a frame of reference for intellectual historical analysis affords an opportunity to see how what we have been calling “the Enlightenment” serves as a “problematization,” in the sense of putting into question the status quo. Written almost like a manifesto, with a balanced tone of revolutionary fervour and informed wisdom, quite boldly, Kant asserts: “Enlightenment is man’s emergence from his self-incurred immaturity” and the motto of enlightenment is “Sapere aude! Have courage to use your own understanding!” 76 Already in his opening paragraph Kant captures three central Enlightenment themes — progress, reason and cultivation (or culture) — each directed

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74 For a more detailed account of this episode in German intellectual history and an excellent analysis of the meaning and history of Aufklärung see H.B. Nisbet, “Was ist Aufklärung?”: The Concept of Enlightenment in Eighteenth-Century Germany, Journal of European Studies, xii(1982): 77-95.


towards a fourth (and arguably the most crucial in signaling a rupture from the traditional way of thinking) — *man* (or the human being). For Kant, the call to enlightenment is man’s awakening: it is when man becomes aware of his capacity to reason, to understand and to free himself of the prejudices of tradition that had for so long restrained him from his achievement of his full potential.

Kant’s attention to man is indicative of a wider Enlightenment trend. By the Eighteenth Century, a humanist consciousness emerged from three intellectual transformations. The first was a shift away from God, as demonstrated for instance by Vitoria’s departure from divine law in the attempt to create a secular foundation for the law of nations in natural law. It was, to some extent, influenced by a second shift in perceptions of man’s place in the cosmos enabled by the scientific revolution of the Renaissance. For example, by overturning the previously held view that the sun moved around the earth, and replacing it with the observation that the Earth revolved around the sun, Nicholaus Copernicus (1473-1543) drew to European awareness that the Earth was not the centre of the universe, but was part of a larger planetary system. In the Seventeenth Century, as Toulmin describes, philosophers had also begun thinking about the social world in scientific terms and approached problems of human life using “rational methods.”

Renée Descarte’s (1596-1650) meditations on his mind provides a well known illustration of an attempt to use rational methods to explore man’s inner world. In social and political thought, thinkers like Hobbes shifted from grounding political ideals in religious dogma, to justifying them in terms of “human reason” or “rationality.” For Eighteenth Century thinkers, Ernst Cassirer notes “Reason” becomes the unifying and central point of this century, expressing all that it longs and strives for, and all that it achieves.” The third intellectual transformation was the invention of the human sciences to deal with this emergence of, as Foucault has called it, the “figure of man,” which would flourish in the Enlightenment.

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sensibility of its humanism was also deeply Eurocentric. As global explorations
brought back stories of people in far away lands who looked human like themselves but
were different, how was the European mind to make sense of what human beings were,
as much as what they were not?

Since the early anthropology of the Sixteenth and Seventeenth Centuries, Margaret
Hodgen details, the explanations used to make sense of human difference had always
been “Europocentric,” that is, drawing from Judeo-Christian biblical narratives or from
the history of Western philosophy rather than the conceptual frameworks of other
peoples. By the Eighteenth Century, the expansion of European voyages of global
discovery increased the opportunities for cross-cultural encounters as well as the
collection of more data on human difference. Attempts to make sense of human
difference were, arguably, no less Europocentric than before, the only difference was
that with the promotion of rational methodologies and scientific rigour in the studies of
man, the biblical and other founding legends of European civilization became better
masked.

A relevant example is Kant’s Conjectures on the Beginning of Human History (1786),
which takes as the origins of humanity the biblical Genesis story. “Conjectural history”
is a form of historical thinking and practice in terms of hypothetical constructs, or
imaginations of “what might have happened.” Kant is all too aware of the unreliability
of conjecture, for a historical account based solely on conjecture, he says, amounts to
nothing more than a work of fiction. But he nevertheless defends the practice in
circumstances where the exercise of conjecture is a tool employed by reason to explain
the origins of a phenomena (such as how human beings came to exist) which cannot be
deduced “from prior natural causes” but which is nevertheless consistent with present
experience. Conjecture, as Kant employs it, is a method of filling in the gaps in what we
can know. Enlightenment thinkers commonly relied upon conjectural histories in their
attempts to explain human difference in terms of theories of universal history.

“Universal histories” were attempts to explain the laws of human history in much the

82 See Margaret T. Hodgen, “The Ark of Noah and the Problem of Cultural Diversity” in her book, Early
Anthropology in the Sixteenth and Seventeenth Centuries, (Philadelphia: University of Pennsylvania Press, 1964),
207-53.
83 Waswo, The Founding Legend of Western Civilization.
84 Robert Wokler, “Anthropology and Conjectural History in the Enlightenment” in Inventing Human
Science: Eighteenth Century Domains, ed. Christopher Fox, Roy Porter, and Robert Wokler (Berkeley:
same way that the natural sciences had attempted to explain the laws of the universe: that is in terms of natural law and evolutionary stages of development. The latter have come to be known as “stadial theories.”

Stadial theories flourished in the Eighteenth Century as thinkers became preoccupied with developing theories that would grasp the concept of “humanity” as a sum total of different parts. Examples include the ideas of William Robertson (1721-1793) who, in the Scottish Enlightenment tradition characterised a developmental notion of human history in terms of three stages: savagery, barbarism and civilization. Jean-Jacques Rousseau (1712-1778), whom I will address further in Chapter 7, based his social and political theories on the same three stages. The Italian thinker Giambatista Vico (1668-1744) had a different schema for his three stages theory. Cast as a “theory of Nations” he claimed that societies passed through three successive stages (or as he called them, “ages”) of Gods, heroes and men. The interesting feature of Vico’s theory of human history is that, unlike many in his time, his did not follow a linear progression, but a cyclical or spiraling one. Nations developed through three kinds of natures (divine, heroic, and human), from which arise three kinds of each of the following aspects of human society: customs, natural law, governments, languages, characters, jurisprudence, authority, reason and judgements; each one itself moving through the three ages. In Adam Smith’s social and political writings we can find a “four stages theory” proposing that human societies progressed through four stages: hunting, pasturage, agriculture and commerce. Another approach to human history demonstrated by Friedrich von Schiller was to treat societies as advancing along a time scale from “immature” to “mature” states, just as the individual grew from infancy to childhood, adolescence and adulthood. And of course one cannot overlook Kant’s attempts to theorise a universal history for humanity.

“History” for Kant, was the process through which man emerged as rational and attained civility. Again, in his Conjectures on the Beginning of Human History, summarised under the heading “The End of History,” Kant offers something of an

86 For a detailed discussion of the Four stages theory in the though of Smith and other Scottish, French and English Enlightenment thinkers see Meek, Social Science and the Ignoble Savage.
alternative three stages theory to convey this process: “The following period began with man’s transition from the age of leisure and peace to the age of labour and discord as the prelude to social union.”

The first stage is “leisure and peace” which Kant also alludes to as an animalistic state of nature. The last stage is a social union; the cosmopolitan end or cultured existence as “humanity” in pursuit of which, as Kant argues elsewhere, nature wills the human species. But humans have not yet arrived there, and as such, the human species effectively resides in a state of inhumanity. Hence, as I have been suggesting, it is best to refer to our situation as (in)humanity. The period that captures the condition of the times is the second, “the age of labour and discord” which, as the stage in between the beginning and end of human history, is marked by conflict from which steps must be taken for the administration of order and justice in pursuit of a peaceful existence. “From these first crude beginnings,” Kant writes, “all human aptitudes could now gradually develop, the most beneficial of these being sociability and civil security.” But it is clear from Kant’s next remark that the rate at which different parts of (in)humanity progressed varied and it fell upon those that had already achieved the destined stage to facilitate the course for those left behind: “The human race could multiply and, like a beehive, send out colonists in all directions from the centre – colonists who were already civilised.”

Universal histories and stadial theories were, I have tried to illustrate, a version of conceptually diagramming humanity to make sense of human difference. Their developmental stages created intervals wherein their inhabitants must wait to enter into the next and higher stage of human development. In many of the stadial theories of the Enlightenment period, non-Europeans occupied the earlier or uncivilized stages of humanity and, in the spirit of Locke’s proclamation earlier that “…in the beginning all the World was America,” American Indians were usually located at the bottom of the ladder of civilization in these accounts. Given their extensiveness across Enlightenment minds, the most pressing question is what, if anything, was to be made of these theories? Were they to remain an abstract organizing framework for perceptions of human difference and the explanation of ethnological data; or were they to be applied beyond the confines of the ivory tower in view of shaping the material

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88 Kant, “Conjectures on the beginning of human history” in Kant: Political Writings, 221-34 at p. 229
89 See Kant, “Idea for a Universal History with Cosmopolitan Purpose” in Kant: Political Writings, 41-53.
90 Kant, “Conjectures on the beginning of human history” at p. 230
91 For a comprehensive analysis of this trend see Meeks, Social Science and the Ignoble Savage.
world in accordance with the theories such that their diagramming of (in)humanity could be made concrete?

**Developmental Paradigm or Cultural Recognition?**

As the bearer of a confrontation with questions of human difference in other parts of the world whilst attending to the social and political shifts occurring in their own homelands, it is not surprising that the question of Enlightenment intellectual complicity with imperialism should come up, especially for political philosophers who were confronted with questions of governance over populations beyond Europe. How useful could the theoretical attempts of intellectuals in grappling with the question be in the work of imperial government?

Contemporary intellectual historians have approached the question in terms of two contrasting perspectives. One school of thought argues that Enlightenment political thinkers fostered an implicitly racist developmental view of humanity, while another argues that a deviant strand of “anti-imperial” thinking predicated on “cultural recognition” emerged. The first I have named “the developmental paradigm thesis”; the second “the cultural recognition thesis.” Their differences, I find, concerns the application of liberal values and the question of whether a commitment to humanity’s progress necessarily entails a hierarchical theory of humanity. However, it is not my intention here to take sides for or against liberalism, as I find that the binary is too limited a mode of engagement with the question of the ambivalence towards humanity in Enlightenment cosmopolitanism. Neither do I seek to make homogenising claims about the character of political thought in any period. Instead, I use the debate to illuminate how the machine of the Anthropocentric Waiting Room was at work alongside Enlightenment cosmopolitanism by attending to the question of the role played by the concept of “culture” in the diagramming of (in)humanity.

Largely in response to the generation of stadial theories of human history in Eighteenth Century Europe, the first school of thought contends that universal views of humanity in
Enlightenment thought were based on European standards in which cultural difference was treated as a kind of deviance and cross-cultural encounters were framed by a developmental view of humanity that offered theoretical justification for the pursuits of imperialism. It is concerned with a conceptual framework, which the demographer Arland Thornton has named, the “developmental paradigm.” As he describes it, the “developmental paradigm” organises life in terms of a progressive scale and naturalises transformation from one stage to another as a necessary and uniform course. They can be found in the writings of key social and political thinkers, in the orientations of scholarly disciplines and in the agendas of national and international institutions of government.

Critics of the “developmental paradigm” are mainly concerned with three things. The first is the overarching conceptual framework and ambition of developmental theories. Their critique has less to do with specific thinkers or models of human history than with its presumption that this was the uniform course for all people. That is to say the point of departure for this critique is not with the question of “universalism,” but with “uniformity” of humanity — an imperative to be the “same” rather than “encompassing” and to perpetuate, to use Tully’s rather apt phrase, an “empire of uniformity.” The second concern is with the treatment of “difference” in these theories: human difference is the criteria for locating peoples at different points of the scale of humanity such that the developmental paradigm provided a diagram according to which cross-cultural difference could be explained as much as it could be created to fit with the goals of the empire of uniformity. The third concern is with their temporal structure: developmental theories were mostly chronological and treated development as a quantifiable scale of more or less advanced in terms of standard of life. Some theories relied upon simple dichotomies like rude to polished; backward to civilized; traditional to modern; undeveloped to developed, while others were more complex in their

93 On demography see Thornton “The Developmental Paradigm, Reading History Sideways, and Family Change;” on anthropology see Fabian *Time and the Other* and also Adam Kuper, *The Reinvention of Primitive Society* (London: Routledge, 2005); on history see Chakrabarty, *Provincializing Europe*; on the social sciences in general see Meeks, *Social Science and the Ignoble Savage*
94 Examples include the UN and World Bank as discussed in Pagden, “The Genesis of ‘Governance’ and Enlightenment Conceptions of the Cosmopolitan World Order.”
conceptualization of multiple and complex stages. In this sense critics of the developmental paradigm echo Fabian’s concerns of a denial of coevalness and an implicit racism towards non-European peoples in much Enlightenment political thought that provided a rationale for their colonization which reached its height in the civilizing missions of the Nineteenth Century.

The second school of thought seeks to draw attention to an alternative strand of European Enlightenment reception of others that would challenge the conflation of developmentalist perspectives on humanity with the project of empire. In his book *Enlightenment Against Empire*, Sankar Muthu argues that the tendency to treat Enlightenment political thought as imperialistic, is predicated on a monolithic understanding of Enlightenment and has prevented opportunities for finding its critics. Muthu acknowledges that certainly there were racist developmentalist theories in this period and there were intellectual advocates of empire, but his defence of a strand of anti-imperial Enlightenment political thought rests on a fundamental methodological critique: that we need to pluralise our notion of Enlightenment. There is no single Enlightenment, he argues and treats it instead as a “temporal adjective” from the late Seventeenth to early Nineteenth centuries avoiding characterisations of what it signified as an “age” of philosophical thought. It is possible, Muthu suggests, that awareness of an “anti-imperialist strand of Enlightenment-era political thought,” is the result of reading back into the Eighteenth Century Enlightenment Nineteenth Century racism, nationalism, imperialism and progressive accounts of human history.

European Enlightenment thought, Muthu contends, was characterised by two different conceptions of humanity. The first was represented by thinkers like Lahontan and Rousseau whose discussions of non-European peoples relied on “stripped down” accounts of humanity, or man in his natural state, while the second is represented by those thinkers he refers to as “anti-imperialist” such as Denis Diderot (1713-84), Immanuel Kant and Johann Gotfried Herder (1744-1803) whose discussions entailed a view of humanity as being characteristically social, cultural and plural. The difference between the two positions, Muthu argues, was that in its reliance upon a view of

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98 Ibid., p. 1.
99 Ibid. p. 6.
“humanity as cultural agency,” the second was able to develop “a more genuinely inclusive,” cosmopolitan anti-imperialist political theory, while the first was not. By stripping away the social and cultural attributes of non-European peoples and by presenting them as pure humanity, or man in his state of nature, Muthu argues, the first type of approach actually dehumanised non-European peoples and failed to generate the sympathy necessary for opposing imperialism. The logic of Muthu’s thesis is that understanding non-European peoples as “cultured” enabled recognition of their equal moral worth as humans and would generate opposition to imperialism’s destruction of them. In so far as the “anti-imperialist” thinkers illuminate “the underappreciated philosophical interconnections between human unity and human diversity, and between moral universalism and moral incommensurability” they offer, for Muthu, the promise of a “true” cosmopolitan ethic. That is to say that a cosmopolitanism in which universalism and particularism can be reconciled is one that conceptualises humanity in terms of “cultural agency.” This is not a multiculturalist point of view, but as Muthu defines it, it is the belief “that human beings are fundamentally cultural creatures, that is, they possess and exercise, simply by virtue of being human, a range of rational, emotive, aesthetic, and imaginative capacities that create, sustain, and transform diverse practices and institutions over time.”

Jennifer Pitts advances a similar thesis concerning liberal political thought by identifying a peculiarity between the Eighteenth and Nineteenth Centuries. She argues that the Eighteenth Century generated an anti-racist current of thought, committed to colonial rule on the grounds of human equality, while Nineteenth Century political thought was tainted by the kind of racism that Edward Said has also addressed, that is, a colonialism that treated its subjects as inferior. She identifies Adam Smith, Edmund Burke and Jeremy Bentham as critics of empire who did not have a pejorative attitude to non-Europeans but instead “combined such universalist commitments to “humanity” and “justice” with a sensitivity to cultural particularity that led them to respect many of the values embodied in non-European societies.” In her reading, Smith’s developmentalism managed a belief that Europe had reached the advanced

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100 Ibid., p. 7.
101 Ibid., p. 3.
102 Ibid., pp. 7-8.
105 Pitts, A Turn to Empire, p. 244.
stage of human progress without being arrogant to lesser-developed peoples;\textsuperscript{106} Burke’s inclusion of Asians under the same law of nations as the English demonstrates a universalism sympathetic to Asians;\textsuperscript{107} and Bentham’s pamphlet “Emancipate your Colonies!” was an expression of his anti-imperialism. The finding, she suggests, demonstrates that it is possible to be committed to progress and have a progressive view of humanity without being condescending or adopting a prejudicial stance of superiority.

Such pejorativism, Pitts suggests, apparent in the writings of James Mill and celebrated liberals like his son J.S. Mill and Alexis de Tocqueville, emerged in the Nineteenth Century, marking the implication of liberal political thought with colonialism.\textsuperscript{108} In contrast to the Eighteenth Century thinkers, Pitts observes that, in the Nineteenth Century “Theories of progress became more triumphalist, less nuanced, and less tolerant of cultural difference, as a sense of civilizational – and more specifically national – self-confidence came to pervade the political discourse in both Britain and France.”\textsuperscript{109} Similar to Muthu, by differentiating an imperialist liberal mentality from a cosmopolitan one, that is by arguing that a liberal “turn to empire” away from a proto-liberal current of political thought critical of European expansionism can be located at a particular point in historical time, Pitts attempts to show that liberalism had not always been complicit with imperialism. However, the argument reaches its limit in its attempt to rescue from the history of liberal political thought a cosmopolitanism that would continue a legacy for liberalism countering its tainted imperialist legacy.

What is lacking in both Muthu’s and Pitts’ accounts, is a problematization of the investment in the very category “humanity” and how it may be politically mobilized. For example, by contrasting Eighteenth and Nineteenth Century perspectives on “humanity” conceived in terms of a developmental entity, or as an aggregate of persons

\textsuperscript{106} Ibid., p. 25ff.
\textsuperscript{107} Ibid., p. 80ff.
\textsuperscript{108} James Mill, a member of the East India Company’s executive government, played a direct role in colonial government and, Pitts describes, viewed all non-European peoples in terms of social infancy, reduced the complex four stages theory of Scottish Enlightenment thinkers into a simple dichotomy of “civilization” and “rudeness” and argued that the mental capacities of people corresponded to the historical stage of development of their societies following this continuum. J.S. Mill, following his father, took the view that Indians, like Jamaicans, were backward peoples in need of British government and was committed to improving colonial government through a liberal cosmopolitanism. In Tocqueville she finds a defender of French imperialism in the name of French civilization.
\textsuperscript{109} Ibid., p. 240.
divided into stages, the question of whether “development” necessarily entails “hierarchy” is raised. I think Pitts is right to suggest that we cannot assume that developmental succession is equivalent to one stage being more superior than another, for such valuation is a judgement imposed, on what we might treat as a basic diagram of one step following another. But what is more telling, I want to propose, is an examination of how the diagram works as an abstract machine, for it is just as possible that the developmental structure underlying a theory of humanity offers a foundation, first for the hierarchization of its different components and, second, for ascriptions of attitudes of superiority and inferiority. Additionally, Muthu, who attends more directly to the theories of humanity of the thinkers he wishes to defend, seems to take for granted that inclusion into humanity is what is going to enable anti-imperialist sentiments but overlooks the violence that occurs at the borders, which I acknowledged in the previous chapter by addressing how humanity is inextricably linked with inhumanity. An alternative reading, I suggest, is possible by problematizing “culture.”

The concept of culture, as we often use it today to refer to, at its most simplest level, those ways of life, or those aspects of everyday life, that shape patterns of people’s behaviour and action including beliefs, values, symbols, signs, rituals and discourses, emerged in Europe around the Nineteenth Century. Previously, the concept “culture,” in most European languages, Raymond Williams finds, “was a noun of process,”110 referring to growth or development and dependent on cultivation. This is closer to the way Kant uses it in the German *Kultur*, which I am inclined to read, borrowing from Ian Hunter, as “spiritual grooming”111 or self-improvement. As a result, in the following chapters, I will arrive at a less celebratory reading than Muthu of Kant’s cosmopolitanism in light of its educative and civilizing mission.

Normative political theory tends to treat culture as something that different people “have” that should be protected and respected in an effort to appreciate human diversity.112 However, this discourse overlooks the political relationship between

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“culture” and “difference.” By surveying the history of the “conceivability” — rather than the “existence” — of culture, Bernard MacGrane argues that in the Nineteenth Century, “cultural difference” and “cultural diversity” became a way to create and explain the difference of the “alien Other.” Culture's dual role was made possible, put into effect and validated, by the invention of practices of knowledge, such as the academic disciplines of anthropology and ethnology. Culture's invention, Said has elegantly argued, was related to Western imperialism. First, “culture,” and the practices of “knowing” it, supported the myth of the supremacy of European civilization by constructing the very possibility of Europe's Others that the myth relied upon. Second, “culture” provided the context through which that myth could be empirically experienced. In other words, on this analysis, “culture” was a European invention for the production, demarcation and distancing of people (who, to their horror bore similarities) as “different” or as “Other” and was, at the same time, the means through which their difference and Otherness could be explained and maintained.

Ahistorical appropriation of the culture concept by political theory, David Scott has argued, demonstrates that many of its practitioners are more interested in identifying with an idea of culture that best supports liberal-democratic theory, than they are interested in culture per se. Inattention to the political rationalities behind the invention of the culture concept risks reproducing its imperialistic legacy in the very use of that concept. For example, the liberal appeal to recognition of and respect for cultural difference is predicated upon a concept of culture that produced the cultural Other in the first place. Furthermore, this liberal appeal serves to entrench the production of that Other in its very recognition of culture. The point, in short, is that the culture concept’s complicity in the production of the difference with which contemporary liberal political theory struggles, for example in questions of multiculturalism and now cosmopolitanism, has been overlooked by liberal discourses around culture. By unquestioningly appropriating the same concept of culture, liberal political theory

115 Said, *Culture and Imperialism*.
maintains the Othering that is an inherent problem of the tensions of cultural difference that it seeks to remedy. My concern is that Muthu, and to some extent Pitts, encounter a similar problem in their attempt to recover a non-racist, non-hierarchical humanitarianism from Enlightenment thought in their use of the culture concept.

My argument is that even if we read some form of cultural benevolence into the political theories of the European Enlightenment, the Anthropocentric Waiting Room, which plays a machinic role in dividing and hierarchizing life, is still a central feature of cosmopolitan cross-cultural encounter. For example, what I have referred to as the “Anthropocentric Waiting Room” or “diagram of (in)humanity” is at work also in the view of “humanity as cultural agency” which Muthu promotes in the development of a counter-imperialist Enlightenment narrative. Here the concept of “culture” performs the diagram, for, as Muthu describes:

...the more that political thinkers treated the universal category of humanity as socially embedded at a fundamental level and as necessarily marked by (what we would now call) [emphasis added to note a possible ahistorical appropriation of the next concept] ‘cultural difference’ – that is the more that differences among humans were viewed as integral to the very meaning of humanity – the more likely it became that foreign, and in particular, non-European, humans were accorded moral respect as humans. Hence, the more the universal category of the human was particularized, the more meaningful and robust it became in moral practice. Put somewhat differently, the acknowledgment of others as social and cultural beings helped to foster respect for actual, concrete others as human beings.119

The property of humanity is one that has a special status in the ethico-political order that Muthu envisages. In this logic, culture is a marker of humanity: only humans possess culture and what distinguishes human from inhuman is the capacity for “culture.” Muthu finds this formulation as a particular virtue in Kant’s cosmopolitanism, which he

119 Muthu, *Enlightenment against Empire*, pp. 122-123.
reads also as anti-imperialism. Further, Muthu is quick to read Kant’s linkage of humanity with culture as an ethic that implies and fosters anti-racism and the incorporation of foreigners into the community of subjects entitled to moral respect. But he misses one fundamental criteria for entry into this community, which Spivak is sharp to spot: “It is not possible to become cultured in this culture, if you are naturally alien to it.”

The accordance of moral respect towards others as humans on the basis of recognition that they might be beings endowed with the capacity for culture (and hence civilization) is, contra Muthu, the grounding for an imperialistic relationship consistent with earlier practices of cross-cultural encounter as the constitution of human and (in)human subjectivities. To find humanity in the other on the basis of culture is, if I may quote Kristeva again who put it so astutely, “less a thought of the other that would integrate the foreigner’s difference than an autarchy that assimilates the other and erases him under the common denominator of reason…” As Reason’s leading advocate, this is to implicate Kant as an important contributor to the machine of the Anthropocentric Waiting Room. The next part of the thesis will address how.

**Conclusion**

In bringing this chapter to a close and summing up the results of my historicization of cosmopolitanism and the Anthropocentric Waiting Room, paradoxically, I am going to invoke cultural anthropology’s silent witness the “native informant” to denote the problematizing function of the concept of culture as it has circulated in the debate on the complicity of Enlightenment political thought with imperialism and in the broader historical linkages between cosmopolitanism and imperialism over the periods covered here. But the native informant that I am invoking is somewhat related to Spivak’s, which serves as a method of reading at the margins. It provides a mode of critical engagement and initiates an ethical intervention that acknowledges the problem of the subaltern without reproducing its subjectivity and positionality in this double bind of

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representations. As much as Spivak warns of “the slippage from rendering visible the mechanism to rendering vocal the individual,” one has also to be conscious that “there is something Eurocentric about assuming that imperialism began with Europe.” The issue is how do we think and write without trapping ourselves into the categories of our problematizations?

Spivak’s response is:

To steer ourselves through the Scylla of cultural relativism and the Charybdis of nativist culturalism regarding this period, we need a commitment not only to narrative and counternarrative, but also to the rendering (im)possible of (another) narrative.

Our task therefore, is to open up a third avenue of critique that is not enslaved by a master discourse nor confined to a resistance-hegemony paradigm, but which is situated in-between. In arriving at this third position, Spivak’s reference to “the rendering (im)possible of (another) narrative” requires attention first to the rendering possible of narrative and, second, to the rendering impossible of another narrative.

This schema has, in this chapter, occurred in two moments: first in the context of the broader theme of the relationship between cosmopolitanism and imperialism; second on the narrower question of the complicity of Enlightenment political thought with imperialism. In the first, the narrative concerns a positive (imperialist) cosmopolitanism, and the counternarrative addresses a negative imperialist cosmopolitanism. In the second, a shift in the orientation of the master discourse occurs such that the narrative becomes “Enlightenment political thinkers were complicit with imperialism,” and the counternarrative becomes “some Eighteenth Century Enlightenment political thinkers were anti-imperialist.” Of course we cannot homogenise Europe’s encounters with its others, for these experiences varied according to time, place, the cultures and social

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126 Ibid., p.6.
arrangements of both sides of the encounter, the intentions of particular voyages and
travellers and the individual views of key thinkers as well as the intellectual traditions
that influenced their thought. Nor, as both Pitts and Muthu point out, can we
homogenise the thought of scholars located in a particular time frame, like “the
Enlightenment” or “the Eighteenth Century.” I am aware that my representations here
may appear to make these errors, but my concern is less with the details of the
perspectives than with the discursive strategies through which they are presented. In the
attempt to address “the rendering (im)possible of (another) narrative,” my purpose in
this chapter has been to point out how the idea of the Anthropocentric Waiting Room as
a characterisation of the diagram of (in)humanity that occurs in the history of the idea of
cosmopolitanism mediates between the limits of a narrative and its counternarrative.
Having traversed this history quite broadly here, the next part of the thesis will re-visit
the specific case of Kantian cosmopolitanism thought to explore its place in the history
of diagramming (in)humanity and in the genealogy of the anomaly of a universal right
to humanity.
Part III

REPETITION:
Re-visiting Kant

“I ask you. I ask myself. Who are they, those creatures starving for humanity who stand buttressed against the impalpable frontiers (though I know them from experience to be terribly distinct) of complete recognition.”

Chapter 6

The Anthropology of Ethics:
World Citizenship, Race &
Remembering “Man”

Kant’s writings hold a canonical place in the Western academy. Having made contributions to philosophy, mathematics, jurisprudence, politics, history, anthropology, geography, education and theology, his influence can be found in the history of almost every discipline. However, Kant is primarily branded as a philosopher whose greatest achievement was the formulation of a new method for approaching the problem of knowledge. Until the publication of his *Critique of Pure Reason* (1781, revised 1787), metaphysics had been dominated by two conflicting approaches: empiricism and rationalism. The empiricist approach held that knowledge could only be shaped by experience and derived from the senses. The rationalist approach attempted to transcend the limits of experience (and the empiricist image of the mind as a blank slate\(^1\)) in order to find out truths about the world that could be based on reason alone. Kant rejected both traditions insofar as he rejected the empirical/ transcendental distinction as marking the impossibility of metaphysics; but he acknowledged that there were aspects of both traditions that could be of value for addressing problems of knowledge.

Kant attempted to develop a synthesis of the two traditions that would mark a turning point in philosophy. The outcome was a new doctrine of transcendental idealism: “everything intuited in space or time, and therefore all objects of any experience possible to us, are nothing but appearances, that is, mere representations, which, in the manner in which they are represented, as extended beings, or as series of alterations,

have no independent existence outside our thoughts.” 2 Put very simply, but much less eloquently, Kant proposed that since our experience of the world was the result of applying our understanding to sensations arising from the world, it followed that the world was constituted by our ideas. The implication for obtaining knowledge of the world was that it could only be derived from the being capable of forming ideas of it. Thus, knowledge of the world was intricately linked with knowledge of a certain subject — man — which we saw in Chapter 2 was, for Heidegger, the problem of subjectivism that had defined humanity in the modern age.

Given their great philosophical ambitions, Kant’s three Critiques — Critique of Pure Reason, Critique of Practical Reason (published in 1788) Critique of Judgment (published in 1790) — have tended to be privileged in Kant studies at the expense of other equally innovative, if not radical, parts of his corpus. And Kant has tended to be studied as the “transcendental Kant”; the Kant of “all knowledge which is occupied not so much with objects as with the mode of our knowledge of objects in so far as this mode of knowledge is to be possible a priori.”3 The historically, anthropologically, culturally and empirically oriented Kant has, until very recently, received much less attention.4 In the Anglophone academy this has partly to do with the unavailability of many of the writings in which Kant addressed non-explicitly philosophical themes. But the challenge they present to the desire to preserve a purity of his philosophy and to afford it certain timelessness, especially for continuing the relevance of his ethical thought, is also a contributing factor in their neglect.

In this part of the thesis I seek to revisit Kant in order to recover from the Kantian archive some of his more controversial writings concerned with the relationship between man and the world, which, I contend, demand a review of the meaning of cosmopolitanism in his thought. For example, although often celebrated for his

2 Critique of Pure Reason p. 439
4 Important scholarly works that have begun shifting the paradigm of Kant studies include: the intellectual histories of Kant such as Ian Hunter’s Rival Enlightenments, (Cambridge: Cambridge University Press, 2001) and Anthony Pagden’s “Stoicism, Cosmopolitanism and the Legacy of European Imperialism,” Constellations 7: (3-22); research into Kant’s theories of race including Robert Bernasconi’s “Who invented the concept of race? Kant’s role in the Enlightenment Construction of Race,” in his book Race, (Oxford: Blackwell, 2001) pp.11-36; and reviews of his anthropological writings such as Robert Louden’s Kant’s Impure Ethics: From Rational Beings to Human Beings, (New York: Oxford University Press, 2000) and Brian Jacobs and Patrick Kain (eds.) Essays on Kant’s Anthropology, (Cambridge: Cambridge University Press, 2003).
humanism, upon closer inspection, it is possible to find an anti-humanist and perhaps even misanthropic current in Kantian cosmopolitanism. This much is apparent in his reflection “On the relationship of theory to practice in international right considered from a universally philanthropic, i.e. cosmopolitan point of view” where Kant deliberates:

Is the human race as a whole likeable, or is it an object to be regarded with distaste? Must we simply wish it well (to avoid becoming misanthropists) without really expecting its efforts to succeed, and then take no further interest in it? In order to answer such questions, we must first answer the following one: Does man possess natural capacities which would indicate that the race will always progress and improve, so that the evils of the past and present will vanish in the future good? If this were the case, we could at least admire the human species for its constant advance towards the good; otherwise, we should have to hate or despise it, whatever objections might be raised by pretended philanthropists (whose feelings for mankind might at most amount to good will, but not to genuine pleasure).

These remarks are not to be dismissed as a fleeting aberration from Kant’s humanism nor a validation that he was going senile at the time of his late writings. Rather, I will argue that the attitude towards humanity expressed in the above excerpt is symptomatic of the Kantian cosmopolitan point of view. This is a deeply ambivalent attitude: Kant loathes the follies of his fellow men yet finds the possibility for redemption in their potential for progress and wants to help them to salvation by cultivating these qualities.

In his last major work published in 1798, Kant will recast the same concerns about humanity into a single question: “Is the Human Race Continually Improving?” Sharing in the Enlightenment project of progress, Kant submits that in order to evaluate how

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6 The erratic appearance of Kant’s late writings, especially when compared to the great tomes of his critical philosophy are often trivialized as the products of senility. Robert Louden notes this senility theory in his Kant’s Impure Ethics.

7 Immanuel Kant, “The Contest of the Faculties” in Kant: Political Writings, ed. Reiss, p. 177.
humanity has performed, we must first question whether humanity’s individual unit — man — is capable of progress. For Kant it is man that potentially stands in the way of humanity’s progress and he turns the attention of philosophy to this subject. The root of Kant’s ambivalence towards humanity conveyed in the above excerpt therefore rests on the question of man — a fundamentally anthropological problem.

This chapter will argue that Kant’s anthropological theories are central to his cosmopolitan thought. It aims to restore to the history of cosmopolitan ethics a body of Kant’s thought, including his writings on race and his course on Pragmatic Anthropology, which, despite spanning a large part of his career, have been neglected by the standard interpretation of Kantian cosmopolitanism. Pheng Cheah captures rather comprehensively this standard interpretation in terms of four different “modalities.” “These modalities,” he writes, “which are part of a systemic whole are; a world federation as the legal-political institutional basis for cosmopolitanism as a form of right; the historical basis of cosmopolitanism in world trade; the idea of a global public sphere; and the importance of cosmopolitan culture in instilling a sense of belonging to humanity.”8 They are to be found in Kant’s Perpetual Peace: A Philosophical Sketch (hereafter Perpetual Peace), which, despite being the most commonly cited source of his cosmopolitan vision, is not the most illuminating of the complexity of Kant’s cosmopolitanism, unless, as I discuss in the next chapter, we explore its satirical nuances accompanied by considerations of its historical context and the influences of the broader Kantian archive.

Perpetual Peace certainly lends itself to a politico-legal reading of Kant’s ideas of what it might mean to live in a “cosmopolitan” community in terms of the first three modalities. But the meaning of the fourth modality, to which the other three are linked, cannot be ascertained without two deeper inquiries that I take up here. These concern “what is the theory of humanity underlying Kant’s cosmopolitan thought?” and “how does Kant envisage cosmopolitanism in terms of a “culture” that is to be instilled in its members?” Pursued through Kant’s anthropological writings, the first is to ask how does Kant diagram (in)humanity and the second is to ask what does it mean to be a “citizen of the world” in Kantian cosmopolitanism? Without addressing the way that Kant’s particular anthropological views shaped his cosmopolitan vision for humanity’s

The Anthropology of Ethics

future, the standard interpretation neglects these questions. Instead it takes Kantian cosmopolitanism at face value, reading it in terms of political categories such as global governmental institutions, international trade and human rights, which are intelligible to our present political situation, but do little to comprehend the distinct character and structure of Kant’s cosmopolitan project.

By unmasking the anthropological framework upon which Kantian cosmopolitanism is based, this chapter mediates between two objectives for the broader thesis. First, as a contribution to cosmopolitan studies, it seeks to re-open the questions of “what is Kantian cosmopolitanism?” and “how does it work?” My intervention rests on the presumption that the understanding of Kantian cosmopolitanism that has dominated the field lacks an appreciation for the tensions in Kant’s conceptualisation of man and humanity that inhabits his cosmopolitanism. By approaching Kant’s ethics through his anthropological thought in the first instance, rather than through his transcendental philosophy or moral law, I show that it is possible to access the hidden violence of Kantian cosmopolitanism through its connection to the question “what is man (human being)?” (Was ist der Mensch?). Second, this chapter therefore makes a methodological argument for “remembering Man” in Kant’s cosmopolitan thought – where “Man” (standing in for “human being”) derives from Kant’s anthropology in which a certain kind of subject, constituted by the empirical / transcendental duality, is the protagonist. The implication for interpreting Kantian cosmopolitanism is that, charged with the cultivation of world citizenship, it is primarily concerned with subject formation. Attention to this agenda, I argue, needs to be restored in our reading of Kantian cosmopolitanism in order to avoid making the mistake of glorifying Kant’s cosmopolitanism as anti-imperial, non-racist or anachronistically promoting human rights.

This chapter unfolds in four sections. Following the controversy of the relationship of Kant’s political thought to the project of empire from the previous chapter, I take as my point of entry a debate amongst contemporary philosophers on the question of Kant’s racism. While allegations of racism in intellectual history are provocative and can sometimes risk their own variety of interpretative reductionism, considering Kant’s raciology in light of his place in the canon of cosmopolitan ethico-political thought invites a timely reinterpretation of Kantian cosmopolitanism and a critical reflection
upon the “philosophical” legacies that we have inherited in the human sciences. Much of the normative philosophical commentary on Kant’s cosmopolitanism has overlooked his theories of race, leaving Kant’s thought intact as part of a virtuous philosophical history to which we can turn for building an ethical political present. In order to unearth the more dangerous elements of Kant’s thought for the history of cosmopolitanism, the second section traces the development of Kant’s raciology and explains how it informed the diagram of (in)humanity that structures Kantian cosmopolitanism to be consistent with racism. The third section makes a case for reinstating Kant’s largely neglected anthropological writings to the reinterpretation of his cosmopolitanism, which I argue in the fourth section, aimed at the cultivation of the subject “Man” as “Citizen of the World.” The chapter’s primary objective is to recast our conceptualisation of Kantian cosmopolitanism as an anthropological project concerned with shaping a certain kind of subjectivity suited to the image of the world in which Kant envisaged humanity could reach its full potential. It was to give effect to the machine of the Anthropocentric Waiting Room.

“How can a cosmopolitan also be a racist?”

In a compelling essay entitled “Will the Real Kant please stand up: The challenge of Enlightenment racism to the study of the history of philosophy,” Robert Bernasconi confronted the discipline with the question of its own inherent racism. This, he argued, was demonstrated by tendencies in the field to ignore the apparent racism in the writings of some of its key figures. “My question,” Bernasconi stated, “is whether there is not an institutional racism within contemporary philosophy that emerges in our tendency to ignore or otherwise play down their racism while we celebrate their principles.” He raised three issues that scholars who study and utilise philosophical thought should consider. These are: first, ignoring or setting aside the racism of the philosopher’s earlier work; second, addressing the views of the time in which he or she was writing; and third, investigating the sources that philosophers used to produce their views. Bernasconi’s was an appeal for the consideration of intellectual history in philosophical scholarship.

10 Ibid. p. 13.
The case of Kant highlights both the ethical and methodological significance of the issue. Considering that raciology, or the theorization of race, was a demonstrated area of his scholarship, can the question of racism in Kant’s thought simply be dismissed as a biographical feature separate from his thought or as an aberration from his “philosophical” project? What is philosophically interesting about the evidence of racism in Kant’s writing, Bernasconi notes, is the question how it coexists with his moral universalism. Or, as I have rephrased the question, somewhat provocatively, “how can a cosmopolitan also be a racist?” How can we reconcile a tension between one sentiment that professes to love humanity, respect and value it in all its difference, with another that harbours prejudice, antagonism and hatred towards people that are different from “us”? The controversy demands a recasting of the way that scholars conceptualise the ethical impulse of Kant’s cosmopolitanism.

In Anglo-American scholarship, perhaps due to the unavailability of translations of Kant’s less famous works, the racial dimension of Kant’s thought is only recently being studied. Amongst philosophers, recognition that there were “negative aspects” of Kant’s relationship to race was noted in Nathan Rostenstreich’s 1979 book Practice and Realization: Studies in Kant’s Moral Philosophy.\(^\text{11}\) The German philosopher, Christian Neugebauer, took up the issue again much later in 1990 in an essay on “The Racism of Kant and Hegel.”\(^\text{12}\) Neugebauer questioned whether Kant’s comments on race were merely the result of a “false empirical statement” that could be refuted by empirical evidence to the contrary\(^\text{13}\) and responded that the issue was much deeper than replacing one set of views with another. Kant’s comments on race, he concluded, convey a racist attitude that was based on a “racialist theory” in his thoughts on humanity. Because of this racialist theory, Neugebauer argued, Kant’s “racist attitude cannot be considered an exception.”\(^\text{14}\)

Neugebauer’s essay formed part of a collection on African Philosophy entitled Sage Philosophy: Indigenous Thinkers and Modern Debate on African Philosophy. From the

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\(^{13}\) Ibid. p. 266.

\(^{14}\) Ibid. p. 268.
perspective of “sagacious and philosophical thinking of the indigenous native Africans whose lives are rooted in the cultural milieu of traditional Africa,” the contributors challenged three central claims that are assumed in “philosophy”: first, the presumption that the practice of “critique” is a Western, not African one; second, that philosophy is a “written” practice and therefore cultures that do not produce written thought are not capable of producing “philosophy”; and third, that only the thought of the Ancient Greek Sages count as “philosophical” — not the thought of African Sages. The collection mounted a challenge to the Western-centricity of the enterprise of philosophy through tracing the development of philosophical thought in Africa and argued for recognition of the importance of Sage Philosophy in that tradition. Odera Oruka’s “Introduction” defined the problem of a disciplinary racism as follows:

The issue about African philosophy has not really been that it is now wide enough to embrace various kinds of intellectual approach to knowledge and life. The issue has been that some scholars either explicitly or implicitly denied to African philosophy what they saw as the “Western Mode” of philosophy: And this, as I have already mentioned, has been that conceptual and critical analysis is “Western” and foreign to the African mind.

African thought, Oruka argued, had only been recognised by the Western academy as “anthropology” — a discipline that “philosophers” seldom engaged with in their work. Although the fields of African Philosophy, and more recently Postcolonial African Philosophy have expanded, particularly in the North American Academy, demarcated as a sub-discipline, their impact on traditional approaches to philosophical thought can easily go unnoticed. The effect is the racialization of philosophy, wherein what

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16 A “sage” can be understood as a “wise person” that can be found in many different societies. Oruka describes this in the “philosophical sense” as someone who is concerned with and has the ability to advise upon a society’s ‘ethical and empirical’ issues. See ibid., p. xix.
constitutes philosophy has a distinctively European legacy, and non-European or non-Western thought is relegated outside the bounds of philosophy. This is not only to marginalise critical research that threatens to challenge the orthodoxy of Kant scholarship, it is to institute willful ignorance of the more sinister moments in philosophical history by excluding from the discipline those that bring it to attention. But even more disconcerting for the present state of the academy, it is indicative of an inherent racism that Bernasconi has been courageous to name.

The argument that research into Kant’s racism is more properly an area outside of philosophy has therefore served as an explanation, or more strongly, a justification, for the overlooking of Kant’s racism by mainstream moral philosophy. Still in the area of African philosophy and the related field of African-American philosophy, two other scholars took up the issue of Kant’s “racism.” Ronald Judy, in an essay “Kant and the Negro” published in 1990, offered a detailed and technical reading of Kant’s treatment of the Negro in light of Kant’s “pure” philosophy. Using Kant against Kant to show how the categorical development of the “Negro” in Kant’s anthropological writings was inconsistent with and undermined his philosophical system of categorical development, Rudy’s argument managed to undermine the Kantian philosophical system and to challenge Kant’s statements on “Negros” using it, but his method of critique still privileged Kant’s critical philosophy.

A later essay by Emmanuel Chukwudi Eze, “The Color of Reason: The Idea of “Race” in Kant’s Anthropology” attempted a more substantive consideration of the implications of Kant’s idea of race for students of Kant. In response to the question of the “scholarly forgetfulness” of Kant’s racial theories, Eze argued that it is because of a desire to see him as a “pure philosopher” that the reputation of Kant cannot be tainted. Eze advanced this argument by considering Kant’s raciological thought through his writings on anthropology (or “impure philosophy”) and showing how it influenced his “pure philosophy.” He connected the two strands with the Kantian idea of “human nature” that relied upon Rousseau’s “distinction between the primitive “man in a state of nature” and the civilized European “state of human nature.”

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20 Ibid. p. 223.
anthropological distinction to which Kant ascribed a corresponding distinction in moral status, so that civility equated to morality and primitiveness to immorality. Eze concluded that Kant’s philosophy contained his theory of race. On Eze’s analysis, preservation of Kant’s moral philosophy is also to preserve its raciology.

In their 2001 essay on “Kant and Race,” Thomas E. Hill and Bernard Boxhill challenged Eze’s position based on two considerations: first, whether the texts support the charge of Kant’s “racist beliefs” and, second, whether the alleged “racist beliefs” infect his critical philosophy or “deep theory.” On the first issue, they argued that the racist allegations are based on “anecdotes, quotations and stories reported from others…which seem to reflect racist and sexist beliefs and attitudes on Kant’s part” and on that reasoning they disagreed on the second issue. Although willing to concede that Kant did, in some writings, express “beliefs and attitudes” that might be called “racist,” they still defended him on the grounds that he was just careless. “His failings,” they argue, “were not only faults of commission (what he said) but also faults of omission (what he did not say but should have).”

Additionally, Hill and Boxhill disputed the charge that Kant’s moral philosophy maintains a prejudicial Eurocentrism that treats as less-than-human anyone that does not share the civility of the European Enlightenment lifestyle; but they nevertheless supported the social agenda behind Kant’s promotion of “reason” for the development of groups and individuals. Indebted to a Kantian liberalism, Hill and Boxhill advocate “deliberative reason” as a necessary condition for the progress of human societies. It is apparent that the central driving force of Hill and Boxhill’s article is the promotion of “deliberative reason” or the use of “reason” and “dialogue” to address social problems. Therefore, as one of “reason’s” key theorists, they need to preserve Kant’s critical philosophy and moral theory to support their own intellectual project. Its preservation means non-contamination by allegations of racism.

Against the background of these debates on the question of Kant’s racism, Bernasconi is right to question an “institutional racism within contemporary philosophy” that reveals itself in tendencies to ignore or excuse the prejudices of key thinkers in order to

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22 Ibid. p. 449.
celebrate the principles we might like to retain for our own ethico-political imperatives. But the way that the debate on Kant’s racism was framed limited, in three ways, its transformative potential for the way we approach his corpus. To begin with, one of the key challenges in the study of intellectual history concern the decisions we make in interpreting a philosophical archive. In the selection of reliable or unreliable; valid or invalid sources in research, we are ultimately making a decision about what legitimately and seriously “counts” as Kant’s thought and which of Kant’s writings are to be used in representing it. Ironically, the debate between Eze and Hill and Boxhill reproduced the aporia of Kant studies that has allowed its raciology to be deferred or ignored. Both positions privileged, in different ways, Kant’s “pure philosophy”: Eze by showing the importance of Kant’s anthropological writings in terms of its connection to it; Hill and Boxhill in their prioritisation and preservation of it against contradictions raised by Kant’s other works. Both approaches were framed by an institutional mindset that privileges the Kant of the Critiques or the Kant of transcendental philosophy as the “real Kant.” The second problem is that the issue has been addressed in terms of whether there is a contradiction between racism and moral universalism both of which are “moral” positions. This framing makes it difficult to get at the heart of the more pressing issue of what is the nature of Kant’s conceptualisation of humanity that is suggestive of a tension between his theory of race and his cosmopolitan thought. Third, the polarization of the debate, or the racist/non-racist paradigm in which it played out, limits the possibility of more analytically nuanced readings of the Kantian archive.

In what follows I offer my Anthropocentric Waiting Room analysis developed in Chapters 4 and 5, as an alternative frame of reference in which to address the suggestively uncosmopolitan cosmopolitanism of Kant. In particular, I seek to address, in my reading of the relationship between Kant’s raciology and his cosmopolitan thought, the theory of humanity underlying it. This involves identifying the diagram of humanity operating in Kantian cosmopolitanism. My response then, to the question “how can a cosmopolitan also be a racist?” is that it invites a review of how Kantian cosmopolitanism has been understood. Rather than treating cosmopolitanism as if it is antagonistic to racism, my proposal is that the two concepts are to be read as consistent in Kant’s thought. What makes this reading possible, I argue, is attention to the diagram of (in)humanity underlying Kant’s thought.
The Diagram of Kant’s Raciology

Before asking the question of Kant’s racism, I suggest first the consideration of Kant as a prominent theorist of race. For it is by considering Kant’s raciology and his place as one of the founding theorists of race that the excuse that “he was just carelessly expressing a mentality of his times” can no longer dismiss the severity of the issue. Additionally, to avoid any charges of committing the error of anachronism in the history of ideas, it is important to state the somewhat obvious at the outset: the concept or idea of “race” and therefore the possibility of prejudice on racial grounds, or racism, did exist at the time of Kant’s writing. In Keywords, an important collection of conceptual history, Raymond Williams traces the origins of the concept “race” as far back as the Sixteenth Century in references to species and lines of descent according to blood. But it is his citation of Johann Friedrich Blumenbach’s classification of humans as either Caucasian, Mongolian, Malayan, Ethiopian or American (Indian) in terms of the measurement of skulls and marked by differences in skin colour that relates more explicitly to the ideas that we might commonly associate with the concept of race as we know it today. Williams dates it as 1787, however Blumenbach, a German natural scientist by profession, had commenced his work on the classification of races much earlier marked by the publication of his dissertation On the Natural Variety of Mankind in 1775. Blumenbach’s argument against “polygeneticism,” or “the view that the different races of mankind arose independently of one another,” rested upon the thesis that first, speech and reason distinguished man as a species from other animals and, second, although humans had different skin colours as a result of climatic factors, they were transitions from the pure white skin of Europeans. In other words Blumenbach was an advocate of “monogeneticism” or the view that all races share the same genetic origins.

Although overlooked by Williams, historians of the human sciences, anthropologists and philosophers are increasingly recognising the historical significance of Kant’s contribution to theories of race. In the anthology This is Race, edited by Earl W.

25 For further discussion of Blumenbach’s theory see John H. Zammito, “Policing Polygeneticism in Germany, 1775 (Kames), Kant, and Blumenbach,” in The German Invention of Race, ed. Sara Eigen and Mark Larrimore (New York: State University of New York, 2006), pp. 35-54.
Count,\textsuperscript{26} Kant is featured as the second theorist of race in the history of the idea after Comte de Buffon.\textsuperscript{27} Additionally, in the Introduction to \textit{Race, Writing and Difference} the editor Henry Louis Gates Jnr. cites Kant as one of the most significant writers on “race” in European philosophy\textsuperscript{28} and, more specifically, his contribution to race in the history of German thought is assessed in the collection edited by Sara Eigen and Mark Larrimore.\textsuperscript{29} Robert Bernasconi, acknowledging that although the term “race” was first used at the end of the Seventeenth Century, proposes that it is Kant who is worthy of recognition as \textit{the} first theorist of race.\textsuperscript{30} Agreeing with these scholars on the significance of race in Kant’s thought, my purpose here is to offer an account of Kant’s theory of race in order to illuminate his diagram of (in)humanity. Race, we will see, enframes his conceptualisation of humanity as being made up of pure and impure, or superior and inferior, forms of human beings.

Kant laboured on the topic of “race” over three decades. His first published comment on race appeared quite early in his postdoctoral career. In his 1764 book \textit{Observations on the Feeling of the Beautiful and the Sublime}, his first and only work on aesthetics until the publication of the \textit{Critique of Judgment} in 1790/1793, Kant, blurring the categories nationality and race, outlines his observations of the portrayal of feelings of the beautiful and the sublime amongst the different peoples of the world. His comments quite clearly demonstrate a regard for the superiority of some nations/races over others. For instance, “Of the peoples of our part of the world,” he writes of Europeans, “in my opinion those who distinguish themselves among all others by the feeling for the beautiful are the Italians and the French, but by the feeling for the sublime, the Germans, English, and Spanish. Holland can be considered as that land where the finer taste becomes largely unnoticeable.”\textsuperscript{31}

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\begin{itemize}
\item\textsuperscript{26} Earl W. Count, ed. \textit{This is Race} (New York: Henry Schuman, 1950).
\item\textsuperscript{27} Comte de Buffon (1749) “A natural history, general and particular” in \textit{This is Race}, ed. Earl W. Count (New York: Henry Schuman, 1950), pp. 3-15.
\item\textsuperscript{29} See the essays in Part 2, “Race in Philosophy: the Problem of Kant” of \textit{The German Invention of Race}, ed. Sara Eigen and Mark Larrimore (New York: State University of New York, 2006).
\item\textsuperscript{31} Immanuel Kant, \textit{Observations on the Feeling of the Beautiful and the Sublime}, (originally published 1764; Berkeley: University of California Press, 1960), 97.
\end{itemize}
Amongst “other parts of the world” Kant claims “we find the Arab the noblest man in the Orient, yet a feeling that degenerates very much into the adventurous…” and then “If the Arabs are, so to speak, the Spaniards of the Orient, similarly the Persians are the French of Asia.” Moving further east, Kant considers that “The Japanese could in a way be regarded as the Englishmen of this part of the world, but hardly in any other quality than their resoluteness – which degenerates into the utmost stubbornness – their valor, and disdain of death.” Next, arriving at India, Kant grows even more disapproving as he observes “The Indians have a dominating taste of the grotesque, of the sort that falls into the adventurous. Their religion consists of grotesqueries. Idols of monstrous form, the priceless tooth of the mighty monkey Hanuman, the unnatural atonements of the fakirs (heathen medicant friars) and so forth are in this taste.” Yet Kant finds the tastes of the Chinese demonstrable of even more “trifling grotesqueries.”

But comparatively, they are not as trifling as the “Negroes of Africa”, whom Kant says, “have by nature no feeling that rises above the trifling.” He continues, “So fundamental is the difference between these two races of man, and it appears to be as great in regards to mental capacities as in colour.” So disapproving is he of “the Negro” that it is quite possible that he is condoning slavery when he remarks “The blacks are very vain but in the Negro’s way, and so talkative that they must be driven apart from each other with thrashings.” A few pages later Kant will equate blackness with stupidity.

Finally, Kant concludes, “Among all savages there is no nation that displays so sublime a mental character as those of North America…All these savages have little feeling for the beautiful in moral understanding, and the generous forgiveness of the injury, which is at once noble and beautiful, is completely unknown as a virtue among the savages, but rather is disdained as a miserable cowardice.” Underlying Kant’s observations is the Ancient Greek Four Humours Theory, which proposed that the presence of four

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32 Ibid. p. 109.
33 Ibid. p. 109.
34 Ibid. p. 110.
36 Ibid. p. 111.
37 Ibid. p. 111. Here Kant might be interpreted as condoning slavery.
38 See Kant’s response to the anecdote concerning a certain Father Labat’s encounter with a Negro. Kant says of the Negro “…this fellow was quite black from head to foot, a clear proof that what he said was stupid” ibid., p. 113.
bodily humours – blood, phlegm, choler and black bile – with requisite degrees of heat and cold, determined a person’s temperament.

Despite referring to these views as mere “observations,” the hierarchal ordering of the races and the sense of inferiority with which Kant regards the non-white races, permeates throughout the remainder of his career. More explicit discussions of race in Kant’s writings can be found over the decade of the 1770s. In 1775 over two decades after Buffon’s A Natural History, General and Particular was published and in the same year that Blumenbach’s system of racial classification was devised, Kant published “On the Different Races of Man”, in which he offers a more detailed and scientific account of his racial theory. The basic argument was sketched out as part of an advertisement for his lectures on Physical Geography in the same year. But it was republished in 1777 as “Of the Different Human Races” with slight modifications. Kant’s central thesis is that there is one original human and differences, such as racial and sexual, are but deviations from this pure form. He makes four key claims to support this thesis.

First, because human beings produce children of the same species when they procreate, they can be said to all “belong to the same natural genus.” Second, the human genus is divided into “races.” He explains “race” as follows:

…Negroes and Whites are not different species of humans (for they belong presumably to one stock), but they are different races, for each perpetuates itself in every area and they generate between them children that are necessarily hybrid, or blendings (mulattoes). On the other hand, blonds or brunettes are not different races of whites, for a

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43 Kant, “On the Different Races of Man” (1775), p. 16.
blond man can also get from a brunette woman altogether blond children, even though each of these deviations maintains itself throughout protracted generations under any and all transplantations.\footnote{Ibid. p. 17.}

Third, there are four races from which all other “hereditary ethnic characters” can be derived. In 1775 these are:

1. the race of Whites
2. the Negro race
3. the Hunnic (Mongolian or Kalmuck) race
4. the Hindu or Hindustanic race\footnote{Ibid. p. 11.}

But in 1777 Kant changes his mind about the scheme, redefines the four races and summarises the human race as follows:

Lineal root genus
White of brownish colour

First race
Noble blond (northern Europe)
from humid cold

Second race
Copper red (America)
from dry cold

Third race
Black (Senegambia)
from humid heat

Fourth race
Olive-yellow (Asian-Indians)
From dry heat\footnote{Kant, “Of the Different Human Races” (1777), p. 20.}
Fourth, adopting a similar rationale to Blumenbach concerning the effects of different climates in the development of different characteristics, Kant claims that the different races are caused by “nature.”

This racial taxonomy is repeated in his lectures on Physical Geography and his lectures on Pragmatic Anthropology delivered in alternating sessions from 1772 to 1796 and the latter published in 1798. By the 1780s Kant supplements it with a theory of human history which took the theory of human difference that he had been formulating as a scientific theory and extended it to a moral, social and political realm under the defence of teleology, more specifically. “Teleology” from the Greek telos meaning purpose, generally refers to a theory that offers its explanations in terms of purposes or “final causes.”47 For Kant, “Purposes are either purposes of nature or of freedom”48 – the former concerns the universal laws that order appearances;49 the latter relates to what Kant had called “practical freedom,” a free will independent of the senses.50 Teleological arguments can be found throughout Kant’s critical and moral project51 but in appealing to “nature’s purpose” in his raciology, Kant was supporting a theory of a single origin of Man (or unity) and offering an explanation for deviation from it (or separation). For example in his review of Herder’s Ideas in 1785 Kant defends his theory of the external climatic causes of different racial characteristics in humans against Herder’s rejection of it.52 Where Herder had proposed an alternative theory of an internal process or “genetic force” within man that reacted to different climates and generated different characteristics, Kant maintains that this was in agreement with his theory, only he had named the genetic force “germs” (Keime) likening man’s adaptation to different climates by changing skin colour to the way that birds develop another layer of feathers when they migrate to colder climates. In both cases Kant argues that it was nature’s purpose to have equipped them with the capacities for adaptation.53

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47 For example, Aristotelian ethics, which take as its basis for evaluation of conduct their purposes or ends.
49 See Kant, Critique of Pure Reason, p. 237.
50 See Kant, Critique of Pure Reason, p. 633.
51 For example see Part 2, “Critique of the Teleological Power of Judgment.”
53 See Kant, “Of the Different Human Races” (1777) p. 13.
As I will discuss in the next chapter, this teleological rationale presented in his 1784 *Idea for a Universal History With a Cosmopolitan Purpose* will work politically by the publication of *Perpetual Peace* in 1795 to support Kant’s cosmopolitan view that nature required man to inhabit different parts of the globe. But its philosophical basis is set out in his 1788 essay “On the Use of Teleological Principles in Philosophy” and elaborated in the Second Part of *The Critique of the Power of Judgment* in 1790/1793. The appeal to “nature” served as an alternative to the appeal to God, whose physico-theological existence Kant had argued was difficult to prove. Theoretical knowledge of nature had already been developed by Newtonian physics, but such scientific methods could only offer an explanation of nature’s purpose to the extent it could be known by experience. Kant was searching for a knowledge system overcoming this limit. The alternative he proposed was a *metaphysics of nature*: “By contrast,” he claimed, “the method of metaphysics is *teleological* and can employ only a purpose established by pure reason for its end.” The key difference is that where natural history can only make claims to offering hypotheses, a metaphysics of nature, as Kant conceives of it, can make claims to “truth.” In order to argue that there was an *a priori* purpose for different races, Kant had to find a metaphysical method through which to advance it. The result is much the same as his account of racial difference presented since 1764, only with two additional contributions from the teleological argument. First it enables the conceptualization of humanity in terms of a theory of unity and separation: unity resides in a shared “original line of descent”; separation occurs through reproduction. Second, the demand for an origin means that the genesis story offers a suitable fit for his monogeneticist theory of humanity. Defending this thesis he responds to his critics as follows:

…one might remember that I did not assume that these primary predispositions were *divided among different* kinds of human beings but instead that they were *united* in the first human couple. For if this were not the case there might have been several *lines of descent*. Thus the descendants of this first human couple for whom the *complete*
original predisposition is still undivided for all future deviate forms, were (potentially) fitted for all climates.\(^{57}\)

I want now to pause for a moment to draw out the significance of these illustrations of Kant’s raciology to the conditions of possibility of (in)humanity with which my thesis is concerned. The term “(in)humanity” as I have been using it in this thesis, where the “in” of humanity located within parentheses, denotes a negated yet also relational subjectivity: outside the human, alongside the human, but also hidden inside the human, within humanity, constituting humanity. Kant’s thought here contributes in five ways to its diagramming.

First, despite repeating many of the sentiments of his earlier *Observations on the Beautiful and the Sublime*, which presented some races as more superior in their humanity than others, Kant’s later raciology is presented within a discourse of scientific and scholarly authority as a diagram for making sense of humanity. He claims that it is not an “academic taxonomy” (as he characterizes Buffon’s), which is merely a system of labeling; but it is a “natural taxonomy,” which “seeks to bring them [creatures] under a system of laws.”\(^{58}\) Here Kant is claiming to be translating nature’s law, but arguably, his theorization of race and racialization of humanity is a naturalization of what is otherwise a cultural construction given the fluidity of the categories between the two years separating his two essays.

Second, it is worth noting that the differences between humans are not simply descriptive, but they are invested with claims to purity and impurity. For Kant there is “one stock” or an origin of humanity and anything different from it is referred to as a “deviation,” which has connotations of an aberration, an anomaly and a degeneration that is less-than-human or inhuman. Like Blumenbach, Kant may also be considered an advocate of “monogeneticism.” Since this “one stock” tends towards the white race, upon Kant’s logic the other races are “deviations” and consequently not truly human. Hence, in Kant’s diagram of (in)humanity, race serves to mark out what is (in)human from what is truly human.

\(^{57}\) Ibid. pp. 46-47.

\(^{58}\) Kant, “On the Different Races of Man” (1775) p. 16.
Third, and also related to this ambiguity concerning whether all races qualify as “human,” is the question of the status of the American Indian, which we saw in the last chapter has, in much of the history of European thought, been designated as “not quite human.” Kant is just as ambivalent. Before they appear towards the end of the 1777 text as the “second race,” a few pages earlier, American Indians had not qualified as one of the four races of humanity because they had “not yet fully acclimated itself [themselves] to this region as would a distinct race…”\(^59\) To put it in the terms that I have been using in this thesis, since, for Kant, humanity was constituted by race, by virtue of being in the waiting room of racialization, it follows that American Indians were simultaneously in the Waiting Room of Humanity, for race was a property only of human animals in Kant’s rationale.

Fourth, adopting a similar rationale to Blumenbach concerning the effects of different climates in the development of different characteristics, Kant claims that the different races are caused by “nature,” but in tracing the discursive development of his raciology from anthropological observation in 1764 to a scientific anthropology by the 1780s, we find that what has occurred is the naturalization of cultural speculations derived from a western-Eurocentrism reaching their conclusion in a cosmopolitan theory of human history in which, expressed in its crudest form in his *Physical Geography* lectures:

> Humanity is in its greatest perfection in the white race. The yellow Indians already have a lesser talent. The Negroes are much lower, and lowest of all is part of the American peoples.\(^60\)

This is also Kant’s most explicit articulation of a racialized theory of (in)humanity: the sum total of humanity, occurring in the white race, is composed of lesser parts (i.e. not quite human or inhuman parts) occurring in the form of other races.

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\(^59\) Kant, “Of the Different Human Races” (1777), p. 16.

Finally, we can also note that although Kant attempts to present racial characteristics objectively as physiological phenomena, his descriptions slide into moral judgments. Given that, in *Anthropology from a Pragmatic Point of View*, Kant defines moral character (i.e. character as a way of thinking) as “what the human being makes of himself”\(^6^1\) his racialization of character in this sense of the word serves also as the moralization of different races. This is exemplified in the following excerpt from Kant’s *Lectures on Anthropology*:

(1) The American people are uneducable; for they lack affect and passion. They are not amorous, and so are not fertile. They speak hardly at all,…care for nothing and are lazy.

(2) The race of Negroes, one could say, is entirely the opposite…., they are full of affect and passion, very lively, chatty and vain. It can be educated, but only to the education of servants, i.e. they can be trained. They have many motives, are sensitive, fear blows and do much out of concern for honor.

(3) The Hindus have incentives, but have a strong degree of calm, and all look like philosophers. That notwithstanding, they are much inclined to anger and love. They thus are educable in the highest degree, but only to arts and not to sciences. They will never achieve abstract concepts…The Hindus will always stay as they are, they will never go farther, even if they started educating themselves earlier.

(4) The race of the whites contains all motives and talents in itself; and so one must observe it more carefully. To the white race belong all of Europe, the Turks, and the Kalmucks. If ever a revolution

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\(^6^1\) Immanuel Kant, *Anthropology from a Pragmatic Point of View*, (originally published 1798; Cambridge: Cambridge University Press, 2006) p. 192.
occurred, it was always brought about by the whites, and the Hindus, Americans, Negroes never has any part of it.\textsuperscript{62}

If we refer back to my introductory comments, Kant’s remarks on race here set the foundations for a response to his question “Is the Human Race Continually Improving?” Since the human race, according to Kant’s raciology is made up of lesser forms of human races, an answer to this question depends on the progress made by the most superior racial group which carries the future of the species – that is the white race. Kant’s raciology sets the course of his cosmopolitics, which I argue in the next chapter, relies on Europe to create a peaceful world order that advances humanity to its cosmopolitan end.

Not only was race a subject of considerable interest for Kant, but he had devoted a substantial part of his intellectual life to its theorization. In summary, this is a two-pronged hierarchical raciology: its first arm is a monogenetic theory of human difference in which racial difference was explained as deviation and defended by a teleological rationale; its second arm is the moralization of the characters of racial difference such that the different races came to be deemed as more or less moral than others. In mapping the second onto the first, that is, in mapping a hierarchy of moral difference onto his theory of racial difference, and vice versa, Kant created a diagram of (in)humanity in which humanity, a less than perfect aggregate, is defined in terms of a racial hierarchy and the possession of more or less humanity occurred along racial lines.

Like his predecessors Leibniz and Wolff, the notion of man’s perfectibility was central to Kant’s philosophy. Kant had opposed the Wolffian variety of metaphysics organized around the promotion of perfection of knowledge, self and society. He criticized the concept of perfection as being unmoral, empty and tautological, for one could be a perfect thief, but perfection here would not condemn the offence of stealing.\textsuperscript{63} Rather, Kant’s view was closer to Leibniz’s, for whom God was a perfect being that willed


perfection in his creations, even if they were not perfect in and of themselves. In Kant’s “Doctrine of Virtue” towards the end of the *Metaphysics of Morals*, we find the notion of the imperfect duty of self-perfection, which does not dismiss the aspiration towards perfection but recognizes that it cannot be achieved by man who is ultimately an imperfect being, but it is instead recast as an “end that is also a duty.” Kant explains this in the following terms: “When it is said that it is in itself a duty for a human being to make his end the perfection belonging to a human being as such (properly speaking, to humanity), this perfection must be put in what can result from his deeds, not in mere gifts for which he must be indebted to nature; for otherwise it would not be a duty.”

It was therefore not perfection as such that formed the telos of Kant’s philosophy, but *perfectibility*, and the perfectibility of the self was the duty that each owed to humanity. Kant explains further: “This duty can therefore consist only in cultivating one’s faculties (or natural predispositions), the highest of which is understanding, the faculty of concepts and so too of those concepts that have to do with duty.” Alternatively, Kant had described it as a human being’s duty to raise himself from animality towards humanity and, although humanity could tend towards the perfectibility of divinity, humans could never be as perfect as God. Kant’s raciology presents a picture of humanity that is consistent with this theory of humanity’s imperfect perfectibility in so far as racial differences mark the degrees to which different humans have advanced along the scale of human perfectibility.

To return to the question of Kant’s racism, although his diagram of human races presented a picture of humanity’s imperfection, which was at odds with Kant’s view of Enlightenment goals and nature’s purpose for man, Kant was not so extreme as to promote eugenics. But, as I will argue further in the next chapter, the cosmopolitan point of view that he advocated is nevertheless one that implied a racial hierarchy where the white races (particularly Europeans) were superior to the non-white races (or non-Europeans). While Kant may not have been a prominent public supporter of imperialist or colonist civilizing missions in the way that someone like James Mill was, by positing race and perfectibility as defining features of humanity, Kant had developed a

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64 Ibid., p. 226.
66 Ibid., pp. 150-151
theoretical foundation that could lend itself to the racist agenda of empire. What Kant shared with the civilizing missions of colonial governments was an interest in cultivating, or grooming, humanity’s subjects in order to improve their standards and to advance the cosmopolitan project of “humanity.”

From Metaphysical to Pragmatic Anthropology

Although cast as a transcendent moral duty, the perfectibility of humanity, to which Kant was committed, rested on a metaphysical anthropology born out of a specific cultural and historical context of politico-religious conflicts within the early modern German academy. Kant is usually situated at the end of the Leibniz-Wolff philosophical lineage and is credited for resolving the tensions between Leibniz and Wolff in the advent of his ground-breaking critical philosophy; his discovery of reason’s limits and man’s capacities for rational self-governance; and his articulation of the binding force of the moral law as the guarantee of individual freedom and stabilization of political community. But this particular philosophical historicization of Kant, Ian Hunter points out, rests on a reductionist and erroneous historiography that treats the Aufklärung as a monolithic intellectual movement. “Post-Kantian history of philosophy” Hunter writes, “prides itself on accounting for the transition from ‘metaphysical’ to ‘anthropological’ constructions of reason, treating this as symptomatic of reason’s progress from its theocentric origins to the full recovery of its autonomous grounding in man.”67 In other words, enlightenment metaphysics is viewed either as philosophy’s liberation from its theological heritage or as the reconciliation of philosophy and theology in a “rational theory of transcendent being.”68 The fundamental mistake in this approach, Hunter points out, is that it fails to account for the extent to which German enlightenment metaphysics was shaped by the religious and political conflicts of the seventeenth-century: it either excludes rival schools of philosophical thought or absorbs them into the dominant view. Consequently, not only does it distort Enlightenment intellectual history as consisting of tensions between rationalism and voluntarism; idealism and empiricism, that ultimately get reconciled in Kant’s transcendental idealism, but it fails

68 Ibid., p. 33
to grasp the history of intellectual conflict that informed much of the complexity of Kant’s thought.

In his remarkable book *Rival Enlightenments*, Hunter presents an alternative historical account of the metaphysical philosophy of Leibniz, Wolff and Kant. As he puts it, “rather than viewing them as moving closer to the recovery of human subjectivity’s transcendent(al) conditions, we treat the enlightenment metaphysicians as exponents of a quasi-religious ethos in which this recovery is the objective of a spiritual exercise.”

Having been rejected by Martin Luther, on the grounds that its claim that faith could be attained through reason was completely at odds with the foundations of the bible, university metaphysics was banished from the Protestant academy during the sixteenth-century Reformation. It was nevertheless to make a return, driven by the religious needs of the confessional state, in order to fill an intellectual void that had emerged between philosophy and theology. It was to provide a spiritual education for the agents of civil government, bridging their mere humanity to the greatness of divinity. To illustrate this history, Hunter recovers the under-researched intellectual culture of the “civil philosophy” of Samuel Pufendorf and Christian Thomasius and examines its conflict with the Leibnizian tradition of “university metaphysics.” Hunter’s study is an attempt to restore a forgotten episode in German intellectual history that sheds light on the way that religious, political and juridical viewpoints were mobilised by and through the work of philosophers. He demonstrates how, in contrast to the binding of political and legal governance with transcendent morality, civil philosophy severed that connection by desacralizing government, privatising religion and “forming a new kind of civil deportment for rulers and citizens.”

Against the background of this intellectual conflict, Kantian philosophy emerges, not as resolving or exceeding it, but as extending the tradition of university metaphysics in the grooming of a certain kind of spiritual comportment aimed at resacralising the domain of civil governance. Therefore, Hunter argues, “despite the widespread view of Kant as a non-metaphysical philosopher who transcends the history of religious, political, and cultural conflict, we have prima facie grounds for approaching Kant's philosophy in a quite different manner: namely, from the viewpoint of its emergence in a university dedicated to preserving metaphysics as a comportment-education for religious

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69 Ibid.
70 Ibid., pp. 152-153
intellectuals.” On this reading, a metaphysical account of reason is not the antithesis of an anthropological grounding of reason, rather, “in approaching it as an ethos,” Hunter remarks, “we discover that metaphysics is itself deeply anthropological; for no matter how theocentric its conception of the rational being, metaphysics remains a discipline for grooming man in an image of this conception.”

One of the most significant contributions that Hunter’s recovery of this episode in German intellectual history enables for a study of Kantian cosmopolitanism is an awareness of the metaphysical anthropology that informs Kant’s thought. The standard historicization of Kant which treats the achievement of the critical philosophy as the grounding of reason in a human (rather than divine) subject, does not allow for the complexity of Kant’s conceptualisation of man as *homo duplex*. Hunter describes this image as “the nexus of intelligible and sensible worlds,” which I have been referring to as the transcendental/empirical distinction. It is to treat what it is to be human in terms of comportment or demeanor, which in Hunter’s words, “focused in the dual characterisation of the divine intellect — simple, immaterial, active, creative, intuitional — and the complex human one, which appears as both intelligible and sensible, active and passive, creative and reproductive, intuitional and discursive.” The image of man here takes the form of a dialectical subjectivity, achieving a synthesis between the spiritual and corporeal realms. With respect to Kant, Hunter concludes, “In using the figure of *homo duplex* to organise his intellectual antinomies, Kant was able to reduce the colliding cultural worlds seen at Halle to a series of neatly paired intellectual oppositions — between rationalism and voluntarism, idealism and empiricism — which could be resolved through the cultivation of a particular intellectual deportment.”

By locating Kant’s thought in an intellectual culture where what was at stake was the power that rivaling approaches had in the subject formation of religious and civil elites, Hunter traces how the conceptualisation of man as *homo duplex* was as central to Kant’s thought as it was to his predecessors. Kant’s version, Hunter observes, was “an account of man as a rational being that remains rooted in the figure of his dual citizenship in two

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71 Ibid., pp. 278-279.
72 Ibid., p. 52.
73 Ibid., p. 364.
74 Ibid., p. 280.
75 Ibid., p. 364.
worlds, the intelligible and the material.” In Kant’s moral law for example, as the embodiment of *homo duplex*, the moral subject is one that gives up the self-interest that is fostered by his sensible-material disposition in the interests of the universal will that he accesses through his spiritual-intelligibility. But it is also worth noting that although this duality in the figure of man is needed for the legitimacy and force of the moral law’s claim to universality in a social and political climate of increasing individualism, at the same time, it presents a potential threat: preservation of the moral law depends on managing man in such a way that his base tendencies do not supersede his virtuous ones. It therefore makes sense to approach, as Hunter does, Kant’s metaphysics as an *ethos* concerned with grooming man in accordance with its image of him.

For the purposes of my concerns in this chapter, attention to Kant’s reliance on a metaphysical anthropology of *homo duplex* is important if we are to explain first, Kant’s ambivalence towards humanity and, second, how his raciology depicting humanity’s imperfection is consistent with his ethical system. By attending to Kant’s metaphysical anthropology, it becomes possible to explain these controversies in Kant’s thought as manifestations of his cosmopolitanism, rather than to allow them to be ignored because they do not fit with the image of a virtuous ethico-political function we would like his cosmopolitanism to serve. I am therefore deeply indebted to Hunter for my argument that Kant’s notion of the “citizen of the world” has to do with a certain kind of philosophical comportment. My argument, however, relies upon another manifestation of the *homo duplex* in a text that has also been marginalised in Kant studies. This is Kant’s primary anthropological text, *Anthropology from a Pragmatic Point of View* (hereafter *Pragmatic Anthropology*).

Only recently translated into English and plagued by tensions and ambiguities, as the publication is a culmination of several versions of Kant’s own text supplemented by his students’ lecture notes, *Pragmatic Anthropology* presents a number of interpretative challenges for the researcher. But this is no reason to ignore the contribution it can

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76 Ibid., p. 286.
77 Here I am in particular referring to the categorical imperative: “act only in accordance with that maxim through which you can at the same time will that it become a universal law” in Immanuel Kant, *Groundwork of the Metaphysics of Morals* (Cambridge: Cambridge University Press, [1785] 1997), 31.
78 For a further discussion of the background to its publication see the “Introduction” by Louden in *Anthropology from a Pragmatic Point of View*; also Brian Jacobs and Patrick Kain, “Introduction” in *Essays on Kant’s Anthropology*, ed. Brian Jacobs and Patrick Kain (Cambridge: Cambridge University Press, 2003), pp. 1-14 and also Werner Stark, “Historical Notes and Interpretative Questions about Kant’s
make to the study of Kant and the insights it can offer for the interpretation of his cosmopolitan thought in particular. My study has therefore relied heavily upon Robert Louden’s excellent translation, supplemented by the insights drawn from an emerging body of literature on the topic and interpretative aids from other parts of the available Kantian corpus.

It is worth noting at the outset that Kant had pronounced the importance of anthropology in his Logic published in 1800. Philosophy, he concluded, could be “summed up” by four questions:

i) What can I know? – Answered by metaphysics.
iii) What may I hope? – Answered by religion.
iv) What is Man? – Answered by anthropology.79

But “at bottom” Kant points out, “all this could be reckoned under anthropology, because the first three questions are related to the last.”80 The relationship between the four branches can therefore be represented as follows:

![Diagram showing the relationship between the four branches of philosophy](image)

Figure 6.1 Kant’s view of the relationship between the four branches of philosophy

What conclusions are we to draw from this schema regarding how the question of Man is situated in Kant’s corpus and what he saw as the contribution of anthropology to facilitate nature’s cosmopolitan plan for humanity? On the one hand we can deduce that

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80 Ibid., p. 15.

Lectures in Anthropology,” pp.15-37; Michel Foucault, Introduction to Kant’s Anthropology, (Los Angeles: Semiotext(e), 2008).
the central preoccupation of Kantian thought is the question “What is Man (or the human being)?” (Was ist der Mensch?) which already had its answer in the first three studies – that Man is a subject of knowledge, morality and religion. But on the other hand, it is also possible from Kant’s statements to treat the question of Man as the culmination of anthropology, that is, as the object of knowledge, morality and religion. We can restate the question as follows: was Man the culmination of studies in anthropology, or was anthropology the culmination of studies of Man? Or is it both – that Man is both a subject that knows, has morals and religion as well as the object of knowledge, morality and religion? The relationship between the first three and fourth questions signals an important shift in intellectual history, which Foucault had cast in terms of the emergence of the “figure of Man.” 81 It would situate Kant as a key figure in the birth of the human sciences in the eighteenth-century Western academy.

The first three of Kant’s questions would appear to belong to transcendental or “pure” philosophy, 82 while anthropology appears to be of a different order. Taking the first one, as Kant defines it, metaphysics is “a system of a priori cognition from concepts alone.” 83 To explain it another way, it is that realm of knowledge originating prior to experience and which makes experience possible. Heidegger had later described Kant’s approach to metaphysics as “the laying of the foundation” [Grundlegung] of ontology, which, in relation to human subjectivity, is to uncover the “inner possibility” of the human subject. 84 Next, if the a priori basis of morals was addressed by metaphysics, then the philosophical reflection on morals fell within the domain of ethics. As I had outlined in Chapter 3, ethics for Kant was the branch of philosophy dealing with human conduct, which could be divided into “pure” (transcendental - as in a “metaphysics of morals”) and “impure” (empirical - as in a “practical anthropology”) forms. Third, since morality could not be grounded upon anything but man’s pure reason alone, as Kant had concluded in the Critique of Practical Reason, inevitably, morality lead to religion. But

82 These three questions did in fact appear in Kant’s Critique of Pure Reason published before Logic. There Kant had defined the first question as speculative, exhausted its investigation in the first Critique and concluded that “knowledge is unattainable by us.” He decided the second question was “purely practical” falling within the scope of morals rather than pure reason and that the third question was both practical and theoretical such that it could be addressed in part by pure reason. See Critique of Pure Reason pp. 635-638.
84 Martin Heidegger, Kant and the Problem of Metaphysics (Bloomington: Indiana University Press, 1962), 4-5.
here Kant was not necessarily promoting the views of the Christian Church; rather he was asserting a new philosophy of religion – a rational theology.

It is necessary to digress for a moment to relate the context of Kant’s religious writings, as it haunts his writings to the end of his career. Having had a devout Pietist upbringing, Kant’s attitude towards it in his academic life was ambivalent and reflected in his writings. Although Kant’s deep religiosity is observable by the biblical themes in many of his writings, particularly his later political writings, as well as the necessity with which he viewed religion’s place in man’s moral well-being, Kant argued that, morality could not find its grounding in the Christian religion but in reason alone. Kant’s logic was that since God was inaccessible except through discovery in man’s conscience, it followed that God was a product of man’s reason. But this is not to say that Kant was promoting atheism (the death of God would have to wait for Nietzsche), neither was he reducing God’s importance in the world. Rather, he was trying to create a space wherein faith and reason could co-exist, or to use Hunter’s expression, Kant was engaged in the “resacralization” of the domain of civil governance. Since it was grounded in reason rather than a supernatural being, Kant’s rational theology might appear to be quite radical for its time insofar as it ruptured the place religion had traditionally held as the basis from which moral philosophy derived, but as Hunter documents, it was certainly in keeping with his “role as a Protestant university metaphysician” charged with grooming the spiritual comportment of future pastors, teachers and academics.

Kant had published his most provocative claims in Religion Within the Boundaries of Mere Reason, which brought him into conflict with the Berlin censor for breaching the 1788 “Special Edict by his Royal Prussian Majesty concerning the Religious

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85 Pietism was an Eighteenth Century fundamentalist movement within German protestantism that minimized the authority of the church, stressed individual moral conduct and opposed the intellectualization of Christianity. For a further commentary on Kant’s religious background and thought see the “Introduction” by Allen W. Wood in Immanuel Kant: Religion and Rational Theology, trans. and ed. by Allen W. Wood and George Di Giovani (Cambridge: Cambridge University Press, 1996).

86 The following remark by Lewis White Beck captures the essence of Kant’s thesis on religion: “There is no such thing as a theological morality, i.e., a system of moral rules derived from knowledge of God. There are three reasons for this. First, we do not have the knowledge. Second, if we did have it and used it as a moral premise, the autonomy of morals would be destroyed. Third, morals are not dependent upon any lawgiver, as if a difference in the nature of God (or the non-existence of God) would make any difference in the determination of duty.” Cited in cited in Roger J. Sullivan, Immanuel Kant’s Moral Theory (Cambridge: Cambridge University Press, 1989), p. 263.

87 Hunter, Rival Enlightenments, p. 278.
Constitution of the Prussian State.” Kant was accused of proselytising and, on 4 October 1794, received an order by the State to refrain from publishing anything further on religion in the future.\footnote{The edict declared that Kant had “abused his philosophy for the purpose of distorting and disparaging several principal and fundamental doctrines of Holy Scripture and of Christianity” cited by George di Giovanni in his “Translators Introduction to Religion Within the Boundaries of Mere Reason” in trans. And ed. Allen W. Wood and George di Giovanni, 	extit{Immanuel Kant: Religion and Rational Theology}, (Cambridge: Cambridge University Press, 1996), p. 47.} Different interpretations of the event have presented Kant in a different light. According to the dominant view, having found Christianity’s grounding in reason, Kant had reconciled a fundamental tension between religion and science at stake in the \textit{Aufklärung}.\footnote{See William Dilthey, “Der Streit Kant mit der Zensur über das Recht freier Religionforschung” (Kant’s Dispute with Censorship over the Right of Free Speech in Religion), \textit{Archiv für Geschichte der Philosophie}, 3(1890), pp. 418-50) cited by George di Giovanni, ibid.} Alternatively, the Religious Edict, as Hunter has argued, might be seen as an instrument of public law designed to maintain religious peace. Hunter maintains, against the dominant view, that the event provides “a new context for Kant’s theology, now seen as an unsettling public intervention in a concrete religious and political culture.”\footnote{Ian Hunter, “Kant and the Prussian Religious Edict: Metaphysics within the Bounds of Political Reason Alone,” A Paper for Presentation to the Institute for Philosophy and Religion, Boston University, 9 April 2003, at p. 5. Accessed online on 1 January 2006 at http://espace.uq.edu.au/eserve/UQ:11088/hunterkant.pdf.} The socially destabilising implications of Kant’s transcendental philosophical thought are revealed more candidly in what would have been Kant’s final philosophical work, the \textit{Opus Postumum}\footnote{Immanuel Kant, \textit{Opus Postumum} (originally published 1936-38; Cambridge: Cambridge University Press, 1993).} where Kant takes up the questions of “God, the world, and the consciousness of my existence in the world,”\footnote{Ibid. p. 229.} which might also be expressed as the positing of the self in relation to God and world.\footnote{Hence the title of the relevant section of the manuscript \textit{Practical self-positing and the idea of God}, ibid. at p.200.} \textit{Consciousness} here is not the Cartesian question of the “I think (therefore I am)” but the question of “I am.”\footnote{In defence of treating consciousness in terms of “I am” Kant says: “This act of consciousness (apperceptio) does not arise as a consciousness of something preceding (as, for instance, if I say to myself: I think therefore I am) for otherwise I should presuppose my existence in order to demonstrate this existence – which would be mere tautology.” See Kant, \textit{Opus Postumum}, p. 200.} \textit{World} is defined as “the whole of sensible beings.”\footnote{Ibid., p. 228.} While “God” is the fundamental problem of transcendental philosophy taking form as the questions “\textit{What is God?}” and “\textit{Is there a God?}” Kant finds that one cannot prove the existence of God except as an idea produced by reason. God, then, would be the limit of transcendental philosophy, or as
Kant puts it “Transcendental philosophy thinks under the concept of God…” It then follows that since transcendental philosophy is the activity of a thinking person, then “The concept of God is that of a person…” But herein lies the danger: in the inability to prove the existence of God, we are left with the idea of God as a product of the human mind and the possibility of equivalence of God to man which could only lend itself to an abuse of authority for any man to consider himself as God. Despite the contentious circumstances of its publication, if the Opus Postumum is read as Kant’s attempt to grapple with the issues that his corpus had left unresolved, it reveals Kant’s desire to protect the idea of God from the exploitation and abuse by man. This brings us to examining the last question “what is man” (Was ist der Mensch?) and how did Kant address it?

Notably, Kant conceptualised and pursued the first three branches of philosophical inquiry through the prism of reason and each was oriented in relation to the ego, the subject of the Cartesian “I think.” But the fourth area, anthropology, makes a significant shift to “Man,” substituting the ego as follows:

The opposite of egoism can only be pluralism, that is, the way of thinking in which one is not concerned with oneself as the whole world, but rather regards and conducts oneself as a mere citizen of the world. – This much belongs to anthropology.

Kant’s anthropological answer to the question “what is Man?” is not a simple one. First “Man” (or the human being), in so far as he is located in relation to the first three branches of philosophy, is a being capable of asserting the “I think” of the Cartesian “animal-machine.” But the fourth branch separates him from himself, and now “Man” is cast as a “citizen of the world,” that is, a way of regarding oneself and mode

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96 Ibid., p. 220.
97 Ibid. p. 218.
98 See the “Introduction” by Eckart Förster, ibid.
100 This is a term used by Jacques Derrida, The Animal That Therefore I am (New York: Fordham University Press, 2008), p.101 also addressed in Chapter 4 of this thesis.
of comporting oneself. Man’s duality now resides in his being a subject in the world and an object that is to be groomed towards a certain image of the world.

Anthropology, here as “pragmatic” rather than “metaphysical,” is formulated as a cosmopolitan project, with the capacity to reflect upon and attend to the conduct of other men as ends in themselves, just as one can work on the self as an end in itself. It is not to be confused with the discipline found in many of our contemporary universities, although they may share some features found in Kant’s anthropology course. Rather, Pragmatic Anthropology has a more self-formative and transformative impulse, offering to the everyday life of the every man, a practice of “spiritual grooming”, here again borrowing Hunter’s idiom. Where it differs from the metaphysical anthropological program that Hunter describes is that it is not restricted to religious and civil elites. Pragmatic anthropology can therefore be approached as a complement to the program of Kant’s metaphysical anthropology, but more to the point, I agree with Robert Louden that Kant’s anthropological thought should be treated as a part of, to borrow a term coined by Louden, “Kant’s impure ethics.” This is to emphasize the “empirical or impure side of Kant’s project in ethics” which, despite being considered as a legitimate part of philosophy by Kant as well as the broader academy of his time, seems to have been overlooked in contemporary scholarship in favour of more purist readings of his ethical thought.

Although there has been much written about Kant and cosmopolitanism, curiously, Kant’s Pragmatic Anthropology has been largely overlooked in this literature. Exceptions include David Clark’s reflections, which locate the text in a somewhat vague “cosmopolitan sphere.” Clark says that Man, in Kant’s anthropological thought, “is the creature whose uniqueness lies finally in being unique and dependent, alone and a citizen in a cosmopolitan community now imagined to reach the stars.” Peter Melville describes the Anthropology as an “intersection of cosmopolitan conduct-book and biological theorization,” that is, as a type of book of etiquette, middle-

102 Ibid., p. 6.
104 Ibid., p. 206.
classed in its orientation. In a similar critical intervention as Bernasconi’s in the racism
debate, David Harvey notes a fundamental tension between Kant’s anthropological
ideas and universalist ethics. Against contemporary Kantian cosmopolitans like
Nussbaum and Benhabib, he argues that the “questionable anthropological foundations”
of Kant’s cosmopolitanism are an occasion for rethinking Kant’s appeal for grounding a
“unifying vision for global democracy and governance.” But it is Kant’s, also
neglected, geographical theory that is at the centre of Harvey’s analysis, which he
argues, presents a more sinister side to Kant’s cosmopolitanism as a blueprint for spatial
ordering intimately connected with racism, colonialism, imperialism and militarism. I
seek to make a similar case with respect to Kant’s anthropological theories.

Grooming “Man” as “Citizen of the World”

In an attempt to reinstate Pragmatic Anthropology to its proper place in Kant’s
cosmopolitan theories, in this section I will argue for redefining Kantian
cosmopolitanism as an ethico-political project, the aim of which was to cultivate, as
citizen of the world, the subject “Man.” This is to locate Pragmatic Anthropology as
complementary to Kant’s critical project and his moral philosophy. Like these projects,
the image of Man assumed by Pragmatic Anthropology takes the form of a dialectical
subjectivity, negotiating between empirical and transcendental realms pertaining to the
real and the ideal as if they occurred along a plane with the lowly beast at one end and
the glory of God at the other. Concerned with world citizenship as a certain kind of
asceticism, it embarks upon the formation of a certain kind of subject — Man, as an end
in itself — suited to the picture of the world envisaged as a cosmopolitan one. I will
explicate further what this picture looks like in the next chapter, but here my purpose is
simply to propose that a redefinition of Kantian cosmopolitanism that accounts for its
underlying anthropology involves inquiring into Kant’s theory of subjectivity. We find
in Kant’s writing that the self takes the form of the transcendental ego (a self that
attempts to understand the world by making it intelligible through concepts), the
empirical self (a self that experiences the world by sensing it) and the end in itself (a

106 David Harvey, Cosmopolitanism and the Geographies of Freedom (New York: Columbia University
Press, 2009), 10-11.
529-564.
self invested with a sense of morality that exercises its agency. Pragmatic Anthropology is concerned with this third aspect of the self.

Situated between the empirical real (man with a lower case ‘m’) and the transcendental ideal (Man with a capital ‘M’), the project of pragmatic anthropology, enabled Kant to both perform the analysis of man’s failure to reach perfection and to offer a strategy for the pursuit of man’s perfectibility as “Man” under the sign of “cosmopolitanism.” That is to say that Pragmatic Anthropology occupies a pivotal place in Kant’s cosmopolitan vision linking the real to the ideal via the figure of the citizen of the world. Importantly, Kant’s invocation of the figure of the citizen of the world is not an adoption of the popularised figure of struggle against nationalist forms of parochialism, racism or human rights abuse that world citizenship tends to signify in much contemporary cosmopolitan scholarship. Pragmatic Anthropology reveals that in advocating a cosmopolitan point of view, Kant did not have in mind an ethical imperative of world citizenship as connecting with already constituted persons beyond local, national or cultural borders; rather world citizenship can instead be understood as an exercise in the very formation of personhood as a subject of knowledge upon which such identities could be ascribed. As Kant explains:

The aim of every step in the cultural progress which is man’s education is to assign this knowledge and skill he has acquired to the world’s use. But the most important object in the world to which he can apply them is man, because man is his own final end. – So an understanding of man in terms of his species, as an earthly being endowed with reason, especially deserves to be called knowledge of the world, even though man is only one of the creatures in the world…This kind of knowledge, regarded as knowledge of the world that must come after our schooling is not properly called pragmatic when it is an extensive knowledge of things in the world – for example, the animals, plants and minerals of various lands and climates – but only when it is knowledge of man as citizen of the world.108

108 Kant, Anthropology from a Pragmatic Point of View, p. 3.
In Kant’s *Pragmatic Anthropology*, to know the world is to know man. Knowledge of man is not pursued through the question of what nature has made of man, but of what man, as a free being makes of himself and of other men. Hence “world” here is not natural or concerned with physiological properties (this much is the substance of physical geography); it is a product of man’s making. We might today think of this in terms of social and cultural anthropology, but Kant’s project is something more prescriptive concerned, as we will see, not just with what man does make of himself but also with what he *ought to* make of himself.

Kant’s *Pragmatic Anthropology* was an attempt to establish a new discipline between empirical psychology (the domain of the *empirical real*) and transcendental philosophy (the domain of the *transcendental ideal*), both of which were ego-centric studies. What was absent from the intellectual landscape was a passage between the two, which Kant described as an “empirical study [*Beobachtungslehre*] of skill, prudence, and even wisdom [*Weisheit*] that, along with physical geography and distinct from all other instruction, can be called knowledge of the world [*Kenntnis der Welt*].”\(^{109}\) Such knowledge was however anthropocentric since the course operated on the presumption that “the human being is his own final end.” This was in harmony with Kant’s teleological philosophy and premise of the moral law.

Kant offers varying definitions of “pragmatic anthropology.” The first refers to a method “where one tries to know the human being according to what can be made of him.”\(^ {110}\) It is, in other words, knowledge derived not from essence (what man *is*), but from the ends that he can reach (what man is capable of doing). To grasp its uniqueness one has to distinguish it from physiological anthropology, which is knowledge of the human being derived from an inquiry into “what *nature* makes of the human being.” By contrast, Kant states, pragmatic anthropology is “what he as a free-acting being makes of himself, or can and should make of himself.”\(^ {111}\) In this second definition, “pragmatic anthropology” is positioned slightly differently from the previous definition. Here pragmatic anthropology mediates between two approaches to the question “what is Man?”: the first is “what nature makes of man” (a determinist perspective), the second

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\(^{109}\) See Kant’s letter to Marcus Herz cited in Louden, *Impure Ethics* at p. 62.

\(^{110}\) Kant, *Anthropology from a Pragmatic Point of View*, p. 143.

\(^{111}\) Ibid., p. 3.
is “what man makes of himself” (an autonomous perspective). Its emphasis is on the latter taken in two steps: what man does and what he is capable of doing. The former is derived from the empirical real and the latter tends towards the transcendental ideal.

An important shift occurs between the two definitions of pragmatic anthropology: in the first man is a passive object (what can be made of him?); in the second he is an active agent (what can he make of himself?). I must agree with Allan Wood that Kant is reluctant to provide a direct, or at least ontological, answer to the question “what is man?” However, I think that what Kant is setting out to do instead in Pragmatic Anthropology is to recast man’s place in the world from his subordination to a supernatural being (as it was in pre-Enlightenment philosophy) to his existence as an end in himself. A third meaning of pragmatic anthropology, and one that is delivered at the very end of the text, lends itself to this objective as Kant states:

The sum total of pragmatic anthropology, in respect to the vocation of the human being and the Characteristic of his formation, is the following. The human being is destined by his reason to live in a society with human beings and to cultivate himself, to civilize himself, and to moralize himself by means of the arts and sciences.

Herein lies Kant’s answer to the question “what is man?” as it was conceived by his anthropology: Man (or the human being) is a vocation in both senses of the word — that is, as an inclination and as an occupation. How Man was to comport himself was to be guided by pragmatic anthropology. To understand this definition further, we must next consider the substance of Kant’s course.

The study is divided into two main parts. The first is called “Anthropological Didactic.” Its objective, Kant states, is to attend to the question “what is the human being?” Subheaded “On the way of cognising the interior as well as the exterior of the human being,” it covers three topics: the cognitive faculty, the feeling of pleasure and

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113 Kant, Anthropology from a Pragmatic Point of View, pp. 229-230.
displeasure and the faculty of desire. While it is beyond the scope of my argument to trace their relations, one cannot ignore the resonance with the three Critiques here which also followed a similar model of the mind divided into three faculties: the faculty of knowledge (or cognition) addressed by the Critique of Pure Reason; the faculty of desire addressed by the Critique of Practical Reason and the faculty of feeling pleasure and displeasure addressed by the Critique of the Power of Judgment. In Pragmatic Anthropology Kant explains the mechanics of human cognition as follows:

One readily sees that if the faculty of cognition in general is to be called understanding (in the most general meaning of the word), then this must contain the faculty of apprehending (attentio) given representations in order to produce intuition, the faculty of abstracting what is common to several of these intuitions (abstractio) in order to produce the concept, and the faculty of reflecting (reflectio) in order to produce cognition of the object.\footnote{Kant, Anthropology from a Pragmatic Point of View, p. 27.}

The proportion in which human beings possessed these faculties served to differentiate between them as follows:

He who possesses these faculties to a preeminent degree is called a brain, he to whom they are distributed in a very small measure a blockhead (because he always needs to be led by others), but he who conducts himself with originality in the use of these faculties (in virtue of his bringing forth from himself what must normally be learned under the guidance of others) is called a genius.\footnote{Ibid.}

\footnote{Studies that attend to the relationship between Kant’s critical project and his Anthropology include Foucault, Introduction to Kant’s Anthropology; and Béatrice Han, Foucault’s Critical Project: Between the Transcendental and the Historical (Stanford: Stanford University Press, 2002).}
If we refer back to Kant’s raciology presented earlier in this chapter, and in particular to its assertions of the uneducability of the American Indian, the “stupidity” of the Negro, the stagnation of the Hindus and talents of whites, it is apparent that the races were also mapped in terms of a similar organization of the faculties. Kant’s identification of races of blockheads always needing to be led by others, as a feature of humanity, is consistent with the humanist rationalizations of colonialist civilizing missions.

The second part of Kant’s *Anthropology* called “Anthropological characteristic” and sub headed “On the way of cognising the interior of the human being from the exterior” sets out to address the issue of “how is the peculiarity of each human being to be organised.” This is the applied part of the study dealing with the subject of “character” in terms of the person, the sexes, peoples (including nations), races and the species. There are two senses of “character.” The first is physical character defined as “the distinguishing mark of the human being as a sensible or natural being.” The second is moral character defined as “the distinguishing mark of the human being as a rational being endowed with freedom.” Kant maintains that anthropology may reach conclusions as to the interior of a person, or their moral character, using their exterior, or physical character, as a source of information, provided that caution is exercised in distinguishing what is meaningful from what is not. This is a caution against the tendency to emphasise physiognomy in the judgement of character due to its subjectivism, for it would be wrong to assume that if we find attractive a person’s exterior that it necessarily means their moral character is of a high standard.

To help us avoid making the mistake, Kant offers the following maxim as a guide for what it is we are seeking in judging character: “The man of principle, from whom one knows what to expect, not from his instinct, for example, but from his will, has character.” Then he redefines character in another two senses: first, “what can be made of the human being” and second “what he is prepared to make of himself.” The first concerns his natural aptitude or feelings and his temperament. The second refers to his “way of thinking.” The division utilises a distinction between a person’s natural drive and moral drive where, to go back to my earlier observations on the definition of

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117 Ibid. p. 185.
118 Ibid. p. 185.
119 Ibid. p. 185.
pragmatic anthropology, the former takes a determinist perspective on the question “what is Man?” and the latter takes an autonomous perspective. However now, considering the substance of the course as a whole, we are presented with a third definition of Kant’s pragmatic anthropology that introduces its cultural impulse in the mediation between the two aspects of man’s character and the definition of Man in terms of culture (Kultur).

“Culture” here, as I noted in the previous chapter, has a particular meaning that should not be confused with the way we generally use it in the social sciences today to refer to the complex of arts, customs, beliefs, morals and laws found across human societies. In the *Critique of the Power of Judgment* Kant offers the following definition: “The production of the aptitude of a rational being for any ends in general (thus those of his freedom) is culture” but he goes on to qualify that not every kind of culture is sufficient for the pursuit of nature’s purpose. For this reason I will use Kant’s German term Kultur to signal its very specific meaning. A more comprehensive understanding of Kultur can be derived from the context of Kant’s philosophy of education, which I am indebted to Louden for offering. For Kant, education had two goals: first morality as the ends of man, and second, perfection as the ends of the species. Like many thinkers of his time, Kant held the view that education would advance the moral perfection of the human race as a whole. This view relied on the presumption that the defining feature of the human was his possession of the “capacity for reason” that was necessary to make out of himself a “rational animal (animal rationale).”

Kant’s philosophy of education entailed three stages: first care (Wartung) concerned primarily with nurturing infants; second discipline (Diszipline) concerned with driving out man’s animalistic impulses; the third was Kultur which took the sense of formation (Bildung). As Louden notes, Kant makes a further distinction between two forms of Kultur: the first is general culture aimed at skilfulness; the second is civilization aimed at skilfulness as well as prudence. The latter denotes a higher stage of development. Considered in this context, Kant’s *Pragmatic Anthropology* was more than a descriptive or empirical discipline; it was life-learning or education for the cultivation of moral and

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120 Kant, *Critique of Judgment*, p. 299.
121 With the benefit of access to Kant’s *Lectures on Education* not yet available in English at the time of writing Louden offers substantial account of Kant’s notion of Kultur in the context of his philosophy of education and I am drawing on this…mention forthcoming text
cultural attributes of the person. Its aim was, as Louden puts it “not to contribute another tome toward ‘science for school’ (Wissenschaft für die Schule) but rather to promote ‘enlightenment for common life’ (Aufklärung fürs gemeine Leben).”\textsuperscript{122} Kant’s anthropology lectures were, in other words, a kind of Enlightenment project for the general bourgeois public, the aim of which was to educate students more about the people and world around them. But “world” here, in the tradition of Bildung, refers quite narrowly to the “bourgeois public sphere” and excluded the lower classes from participation.\textsuperscript{123} Therefore education about the world, more accurately, meant grooming a certain kind of subject towards suitability for a particular ideal of the world.

By the final section of \textit{Pragmatic Anthropology} its emancipatory agenda becomes clearer and man (or the human being), as a species, is distinguished from other species. “In order to indicate a character of a certain being’s species,” the method that Kant proposes is to compare it with a higher species, which he refers to as a “terrestrial rational being.” But this, he acknowledges, is an impossible exercise, for the comparison can only be derived from the experience of each, yet we are not able to obtain experience of this higher species. “Therefore,” Kant concludes, “in order to assign the human being his class in the system of animate nature, nothing remains for us than to say that he has a character which he himself creates, in so far as he is capable of perfecting himself according to the ends that he himself adopts.” Ultimately, Man is that being whose freedom resides in his capacity to groom his own character. If the ends of man is the rational animal and man has the capacity to reach these ends, all that he has lacked is the guidance for reaching his destination. This reasoning provides the central justification for Kant’s project: pragmatic anthropology contributes to his destination by articulating a method for man to follow: “…he first preserves himself and his species; second, trains, instructs, and educates his species for domestic society; third, governs it as a systematic whole (arranged according to principles of reason appropriate for society.”\textsuperscript{124}

It would appear that after all that, the fundamental goal of \textit{Pragmatic Anthropology} is to resolve the inherent tension of \textit{homo duplex} by assisting man to achieve freedom from

\textsuperscript{122} Louden, \textit{Kant’s Impure Ethics}, p. 64.
\textsuperscript{124} Kant, \textit{Anthropology from a Pragmatic Point of View}, p. 226.
the bestiality that enslaves him in pursuit of the reason that liberates him. Embedded in Kant’s anthropological thought, Derrida informs us, is something more than just anthropocentrism — humanity is defined in terms of hatred of the animal. Adorno, Derrida notes, went so far as to find in transcendental idealism a “project of human mastery over nature and over animality,” and in Kant “nothing but hate for the animality of the human” leading to the radical claim that “for an idealist system…animals virtually play the same role as Jews did for the fascist system.”\textsuperscript{125} Although Derrida is not entirely convinced of the last part of Adorno’s reading,\textsuperscript{126} he nevertheless shares the view that an inquiry into Kantian man’s opposition to the animal (non-rational being, deprived of the “I think”), reveals the limits of Kant’s ethics and its harbouring of an inherent violence as well as the license to lawfully inflict it. Derrida argues that since the animal is deprived of rationality in Kant’s thought, it is also deprived of protection under the moral law and access to rights, since rights may only be the entitlement of rational beings.\textsuperscript{127}

\section*{Conclusion}

Derrida’s remarks bring us back to the image of homo duplex, which, in Kant’s thinking, manifests in the location of humanity along a hierarchical plane between animality and divinity. As a subject of right, man is situated between the animal and the idea of God, where the former is not entitled to make any claims to rights and the latter has “rightful power over them all.”\textsuperscript{128} As a response to the question “what is man?” Kant’s \textit{Pragmatic Anthropology} offers the crucial background for the conditions of possibility of the subject Man that becomes the subject of right. This is to separate “man” from “right” which is a necessary step in my inquiry into the conditions of possibility of the anomaly of a universal right to humanity.

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\item[125] Here Derrida is referring to Theodore Adorno’s \textit{Philosophy of Music} in Derrida’s \textit{The Animal That Therefore I am}, pp. 100-103.
\item[126] It is beyond the scope of this thesis to take up Adorno’s critique of Kant’s idealism and in particular the allegations of an inherent anti-semitism. However, for a further discussion of this theme see Michael Mack, \textit{German Idealism and the Jew: The Inner Anti-Semitism of German Idealism} (Chicago: The University of Chicago Press, 2003).
\item[127] Derrida, \textit{The Animal That Therefore I am}, p. 99.
\item[128] Kant, \textit{Opus Postumum}, p. 203.
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“Man,” Foucault had observed in *The Order of Things*, “…is a strange empirico-transcendental doublet, since he is a being such that knowledge will be attained in him of what renders all knowledge possible.”\(^{129}\) Foucault’s remark emerged out of a study of man’s representation in the human sciences in which he found that man was not natural, but a representation of the science (for example economics, biology, psychology) that represents him; he is the object of the science that speaks for him. But Kant’s intervention can be seen as the precursor to the advent of the human sciences and its project of Man that Foucault describes here. Kant may be credited substantially for this discovery (or invention, depending on which way one looks at it), of “Man.”

Although Foucault had neglected to address the significance of Kant’s *Pragmatic Anthropology* in *The Order of Things*, the work was not however unknown to him, for Foucault was, in fact, the first to have translated Kant’s text into French as part of his dissertation.\(^ {130}\) However, in his study, Foucault was preoccupied with the question of the relationship between Kant’s anthropology and the critical philosophy and with mounting a polemical argument against empirical psychology’s treatment of the human subject. He had at that time missed the opportunity to see the potential that Kant’s anthropological ethics could contribute to themes of subjectivity, power and governmentality that would later be the cornerstone of Foucault’s own critical studies of “Man.” Nevertheless, he does make an important observation that will assist my argument in the next chapter concerning how Kant might be located in the genealogy of the anomaly of a universal right to humanity – this is the distinction between “the human being” and the “subject of the law.”\(^ {131}\)

In this chapter I have proposed that the importance of remembering “Man” and tracking his steps in the Kantian archive lends itself to redefining, or at least representing anew, the project of Kantian cosmopolitanism. I have endeavoured to show in this chapter that the figure of Man in Kant’s analysis is something of a split entity, divided between what he is and what he can make of himself; located on a racialized axis between inferior and superior beings. Haunted by the animal’s debasement, confronted by God’s limit and realising man’s finitude, “Man” becomes a project to be cultivated in Kant’s *Pragmatic Anthropology* in the hope that man may, despite his constraints, still have the chance to

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130 See Foucault, *Introduction to Kant’s Anthropology*.
131 Ibid. p. 42.
fulfill his potential for progress. Nature has invested him with the means to reach his end, but it is left to his freedom to get there. How is he to make use of that freedom?

Guiding Man’s freedom by cultivating his spirit is the much-needed contribution that Pragmatic Anthropology makes to the journey of Man. This brings us back to Kant’s conclusion cited earlier that “The sum total of pragmatic anthropology, in respect to the vocation of the human being and the characteristic of his formation...” is that “…The human being is destined by his reason to live in a society with human beings and in it to cultivate himself, to civilize himself, and to moralize himself by means of arts and sciences.” Only through this process of cultivation, civilization and moralization can he become a “Citizen of the World.”

The project of Pragmatic Anthropology, I have argued in this chapter, can therefore be understood as a cosmopolitan one: to create as “Citizen of the World” the subject “Man.” Faced with “man and his double” the project of the Pragmatic Anthropology is concerned with the production of “man as his double” where the shift in the Foucauldian formulation from “and” to “as” signals Kant’s tending to a third locus: there is man (the empirical real); his double (the transcendental ideal); but pragmatic anthropology, in cultivating the subject Man as “citizen of the world,” mediates between the two by attending “pragmatically” to the possibility wherein man can become (or at least aspire towards) his ideal. Considering that Kant offers his Pragmatic Anthropology as “a contribution to the political task of the progressive organization of the citizens of the earth, “united by cosmopolitan bonds,”” I want in the next chapter to examine the manifestation of Kant’s cosmopolitanism from anthropological ethics to an ethical politics.

132 Kant, Anthropology from a Pragmatic Point of View, pp. 229-230.
Chapter 7

The Ethics of Politics:
War, Degeneration,
& Governing Right

In her *Lectures on Kant’s Political Philosophy*, Hannah Arendt observes that Kant’s political writings hold a marginal place in his oeuvre perhaps because he did not take them seriously, or perhaps because, written late in his life, his mental faculties were failing. Whatever the case, these writings, in her view, do not amount to a “fourth critique.”1 Despite proceeding to engage with the political questions that Kant took up later in his life in a series of thirteen lectures, Arendt’s engagement with Kant’s political writings is marked by a bias towards Kant’s critical project such that the approach Arendt takes to interpreting Kant’s political writings manoeuvres through the *Critique of Judgement* ending with the argument that the third critique should have formed the great critical work of political philosophy missing from Kant’s set. This chapter proposes an alternative way to locate Kant’s political writings in his corpus: as a component of his anthropological project, where his ideas for governance within and between states contributed to *Pragmatic Anthropology*’s programme for guiding man in the exercise of his freedom to facilitate humanity’s progress.

It has not been a part of my research agenda to examine the links between the critical project and Kant’s other writings and neither is there a presumption in my treatment of Kant’s writings, as there is in Arendt’s and many other students of Kant, to privilege the critical project or reduce the other writings to its terms. Additionally, I disagree with the senility theory to explain the obscurities and deviations in Kant’s later writings, finding these instead to reveal Kant’s attitudes to state, society and humanity of his times. As

1 Hannah Arendt, *Lectures on Kant’s Political Philosophy* (Chicago: University of Chicago Press, 1982).
with his *Anthropology from a Pragmatic Point of View*, one must attempt to discover why Kant wrote such strange works, rather than simply dismiss them as aberrations from his philosophy. However, I think that Arendt is quite right in her view that because of the absence of a great tome of political thought in his oeuvre, Kant has not achieved the founding father status of someone like Thomas Hobbes in political philosophy or Hugo Grotius in the philosophy of international law.

Nevertheless, the influence of Kant’s thought in modern political and legal thought is not to be underestimated. For example, in the fairly recent discipline of international relations and in the emerging field of cosmopolitan studies, Kant’s essay *Perpetual Peace: A Philosophical Sketch* has been treated as a foundational text. In an eminent collection of essays celebrating its bicentenary, the editors, James Bohman and Matthias Lutz-Bachmann, characterise the task of revisiting Kant’s text as follows:

> Any contemporary reconstruction of Kant’s ideal of peace must respond to three challenges raised by recent historical developments, one concerning the nature of the globalization process on which it is based, a second concerning the status and sovereignty of nation states as political communities within a larger cosmopolitan order, and a third concerning the reconciliation of unity and difference within the cosmopolitan identities of Kant’s “citizens of the world.”

Although, for the most part, the contributors to the collection do not find convincing Kant’s particular steps towards peace given their historical failure, rather than dismissing them as a product of naive idealism, they do still find in his idea of cosmopolitanism the best hope for refashioning a more peaceful international political order committed to human rights. Their understanding of Kantian cosmopolitanism is largely taken as the right of hospitality and, while this group of scholars concede that Kant did not give human rights the strength of “full legal status as enforceable claims,” they nevertheless find in his idea of cosmopolitan right the possibility for

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3 Ibid., p. 7
cultivating human rights norms in a political culture of international relations that has privileged the sovereignty of states over protecting human life. Kant has therefore come to be situated as a positive figure in the genealogy of human rights. Often credited as “the greatest philosopher of rights” in the Enlightenment period, the institution of respect for human dignity beyond the moral sphere into the political and juridical domain has been largely attributed to Kant. But this still leaves unexplained the disparity between the weak notion of human rights in Kant’s cosmopolitan thought and the potential identified in it for a revision in favour of a strong notion of human rights that will bind states. The deficit, I propose, concerns the anthropological basis of the political theory presented in *Perpetual Peace*.

My conceptual starting point is not how we might positively reconcile unity and difference in terms of a Kantian notion of world citizenship. Rather, it is to inquire into how a Kantian notion of world citizenship contributed to the tension between unity and difference as an iteration of the waiting room of humanity. My contribution to revisiting *Perpetual Peace* supplements Derrida’s intervention into Kant’s *pure* ethics presented in Chapter 3, with an assessment of the ethico-political impulse of Kant’s *impure* ethics, introduced in Chapter 6. Hence, my approach to thinking the passage from ethics to politics in Kant’s cosmopolitan thought involves thinking of anthropology as connecting the two. In this way, to examine the passage between the ethical and the political, is to examine the manifestation of Kant’s cosmopolitanism from “anthropological ethics” to an “ethical politics,” where the former (addressed in the previous chapter) is what defines the concept of the ethical in the latter, such that, as I will demonstrate here, Kant’s cosmopolitan vision for humanity’s future is one that incorporates his anthropological views as well as advances them politically. This is not a straightforward process but is marked by three pairs of tensions occurring between first, war and peace; second, development and degeneration and third, universal right and its anomaly. Each is addressed respectively in a separate section of the chapter. But to begin with, taking the puzzle of Kant’s preface to *Perpetual Peace* as my point of departure for opening up this text to the question of (in)humanity, the first two sections...

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4 Axel Honeth, “Is Universalism a Moral Trap?” in *Perpetual Peace: Essays on Kant’s Cosmopolitan Ideal*, p. 174. Honeth argues that “…an active politics of human rights represents the only means with which Western democracies can attempt (in their own self-interest) to continue the project of civilizing world politics envisioned by Kant.”

of the chapter offer an overview of Kant’s most famous contribution to cosmopolitan thought, *Perpetual Peace: A Philosophical Sketch*, and the secret that it harbours.

**Prefacing Perpetual Peace**

As a “saying before-hand,” prefaces enjoy a kind of transitional existence from the title page and contents to the Introduction proper. Like a text in-between and in the meantime, it is often used to converse with the reader, prepare the reader for the text to come, situate the text in time, place and intention, set particular tones for the reading of the text, all of which can constitute a kind of appeal to the reader. We might then treat the rather enigmatic yet polemical opening to Kant’s *Perpetual Peace*, quoted here in full, like a preface:

‘**The Perpetual Peace’**

A Dutch innkeeper once put this satirical inscription on his signboard, along with the picture of a graveyard. We shall not trouble to ask whether it applies to men in general, or particularly to heads of state (who can never have enough of war), or only to the philosophers who blissfully dream of perpetual peace. The author of the present essay does, however, make one reservation in advance. The practical politician tends to look down with great complacency upon the political theorist as a mere academic. The theorist’s abstract ideas, the practitioner believes, cannot endanger the state, since the state must be founded upon principles of experience; it thus seems safe to let him fire off his whole broadside, and the *worldly-wise* statesman need not turn a hair. It thus follows that if the practical politician is to be consistent, he must not claim, in the event of a dispute with the theorist, to scent any danger to the state in the opinions which the theorist has randomly uttered in public. By this saving clause, the author of this essay will consider himself expressly safeguarded, in correct and proper style, against all malicious interpretation.

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There are two parts to this preface: an allegory and a reservation. The allegory concerns the phrase “The Perpetual Peace” which Kant has also adopted as his title. “The Perpetual Peace” (*Zum Ewigen Frieden*) was an inscription upon the signboard of an inn accompanied by the picture of a graveyard. In alternative translations of the text the inscription also appears as “Toward Eternal Peace” or “Toward Perpetual Peace” conveying a future to which we are destined. These words are inscribed onto the signboard just as words are inscribed onto a tombstone. It is a puzzling story, for why single out a Dutchman and why would an innkeeper put this inscription on his signboard along with the picture of a graveyard?

Although Kant does not offer an explicit interpretation of the allegory of the inn signboard, he does follow it with a proviso or saving clause, stipulating the conditions, reservations and safeguards of the essay’s entry into the public sphere. Despite naming his target audience — men in general, practical politicians and philosophers — Kant affirms that we need not question to whom “The Perpetual Peace” applies. As for their relationship, Kant assures that heads of states (those that practice “practical” politics) need not feel threatened by philosophers (those that approach politics theoretically). Having already been censored by the Prussian authorities once before in his writings on religion as I noted in the previous chapter, perhaps Kant is here being cautious not to cause another offence in his writings on politics.

Even if Kant offers few clues for its interpretation and we are left to speculate on the meanings of the obscurities, the puzzle of the preface is too intriguing to ignore, especially when Kant had been devising a curriculum for the cultivation of the subject Man as citizen of the world under the rubric of pragmatic anthropology before turning his attention to intra-state and inter-state affairs. We might then take as our interpretative guide the common understanding of the preface as a “saying beforehand,” which Gayatri Spivak points out “harbours a lie.” In this sense the preface makes a pretence at writing about the text before the text is written, for one can really only write the preface after the text has been written. This much is argued, albeit in a dramatic textual performance by Hegel, which I will outline in some detail in order to make a methodological point before returning to the meaning of Kant’s preface.

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In his “Preface” to the *Phenomenology of Mind*, even though he strategically proceeds to write his own, Hegel makes the following damning critique of the literary device of the preface:

In the case of a philosophical work it seems not only superfluous, but, in view of the nature of philosophy, even inappropriate and misleading to begin, as writers usually do in a preface, by explaining the end the author had in mind, the circumstances which gave rise to the work, and the relation in which the writer takes it to stand to other treatises on the same subject, written by his predecessors or his contemporaries. For whatever it might be suitable to state about philosophy in a preface-say, an historical sketch of the main drift and point of view, the general content and results, a string of desultory assertions and assurances about the truth – this cannot be accepted as the form and manner in which to expound philosophical truth.  

Hegel’s is an objection to the practice of the preface as a convention of writing the (philosophical) text. For Hegel, the preface is a statement of a program of work. As such, it does nothing more than create an impression of philosophical work by merely stating the aim of the work or outlining the work. In other words, it describes a program but does not execute it. In his interpretation, the language of the preface is a generic language to which philosophy cannot be reduced because what is “philosophical” about philosophy, Hegel argues, is the very development of the program of thought, not the program conceptualised as an entity or genus, a thing in itself, as the preface structure demands. The preface, Hegel is claiming, is anomalous to the very work of philosophy, which, as an activity of consciousness, moves and unfolds by itself and speaks for itself in the course of the text and thereby structures the text. The act of prefacing denies it of this very movement and act of speaking that characterises it as “philosophy.” To put it bluntly, the preface is a lesser species of the philosophical text.

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But if Hegel finds the preface so abhorrent, why does he still, albeit paradoxically, perform it? Might there be something valuable in the preface? What has to be called into question here is the practice of the preface as a forum for speaking. The paradox, Jean Hyppolite offers, is that Hegel’s Preface supposedly comes before the speaking of his philosophical language and system, but Hegel, like many other writers perhaps, wrote the Preface retrospectively, looking back on the text after the text had been written.\(^9\) To write the Preface retrospectively means that the text has already spoken. Yet the very practice of the preface is the speaking before of the text, before the text has been written. How can the looking back on the text occur if there is no text to look back upon? It is in this contradiction, and Hegel’s performance of it, that we see the pretence of the preface or the preface perform its pretence: to write the preface according to the literary convention of “saying beforehand” is to pretend that the text has not yet spoken.

Hyppolite finds in Hegel’s apparent contradiction a philosophical purpose: Hegel’s Preface poses the “problem of language” in philosophy. It would appear, from his discussion of Hegel, that “the problem of language” in philosophy pertained to the becoming-philosophical of language, or the point at which ordinary discourse becomes philosophical discourse.\(^10\) For Hyppolite, the “problem of language” occurs as a shift between two phenomenological modes: “ordinary consciousness” (here Hegel’s discussion in the Preface), and “philosophic thought \textit{par excellence}” (the text that follows and which forms the subject of the Preface).\(^11\) The distinction that Hyppolite draws between these two modes is a distinction between knowledge as an instrument exterior to the thing known (“the self of knowledge”) and knowledge as the thing known that speaks and expresses itself (“the self of the object”).\(^12\) The first appears as a discourse about a discourse and the second as \textit{the} primary discourse, in process and irreducible. The second discourse is therefore privileged by virtue of its irreducibility.

Hyppolite concludes from his reading of Hegel’s Preface that “if” there is a thing called “philosophical discourse,” it does not make this distinction in language, for it is the very “self of the object” and as such it is “irreducible.” However, there lies a fundamental


\(^{10}\) Ibid., 166.

\(^{11}\) Ibid., 159.

\(^{12}\) Ibid., 166.
contradiction in his analysis also: Hyppolite claims that philosophical language does not make a distinction; yet his *a priori* interpretation of philosophical language is constituted by the same distinction. It follows that both the question and conclusion are predicated on one deeply problematic assumption: the *a priori* assumption that there exists a fundamentally original and internal philosophical position, which is the distinction that Kant had also tried to maintain in his pure philosophy. To assume that philosophy is “irreducible” is to claim that it exists as a whole, pure and essential form; a point of origin; the original state. Despite the representation of the becoming-philosophical of language as a thing (philosophical language) “in process,” philosophical language already knows what it is. If the preface/Hegel’s Preface poses a “problem of language,” this problem is not a question of the *becoming* of a philosophical discourse, nor is it a matter of the becoming of a philosophical discourse as *the* discourse of philosophy. Like the preface, it too “harbours a lie.”

The “problem of language” that the generic preface and also Hegel’s Preface poses, I want to suggest, is a question of reading, in this case “philosophy” (and specifically the branch of “ethics” in Kant’s case) as an expression of politics for which a deconstructive approach is more revealing. Drawing upon Derridean concepts of play, where “play is the disruption of presence,” Spivak theorises the preface as a play of repetition. By attempting to repeat and reconstitute the book or the text, the preface is a play of identity and difference. Repetition is an attempt to replicate the thing that is being repeated. It is an attempt to maintain the identity of that thing. Yet in the very act of replication the thing that is being replicated escapes; the replica is other than the thing — it is different. We have here a double play: the play of “identity” and the play of “repetition” both of which disrupt the perceived unity and continuity of the text. Following the conceptualization of the preface as a “play” of repetition of the text that Hegel had attacked, Spivak concludes that “the text has no stable identity, no stable origin, no stable end.” In contrast to Hyppolite, she suggests that we think of the preface as an “expository” rather than a “literary” exercise in order to appreciate its possible double character as presenting truth while harbouring a lie. Applying the

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14 Note that elsewhere Derrida explains that “identity” is an accumulation of differences; it is constituted by difference and by difference from/with itself. See Jacques Derrida, *The Other Heading: Reflections on Today’s Europe* (Bloomington: Indiana University Press, 1992), 9-10.
16 Ibid., x.
same logic to Kant’s preface is therefore to find in it the secret of *Perpetual Peace*. As a philosophical conundrum, the problem of language in Kant’s preface, I am suggesting, is less a phenomenological concern than an ethico-political one that pervades the rest of the essay.

**Uncovering the Secret of Perpetual Peace**

Locating Kant’s political philosophy in its historical context, then, might bring us closer to exposing the secret (or deceit) that the preface to *Perpetual Peace* is harbouring. At one level, Kant reveals it in the “Second Supplement: Secret Article of Perpetual Peace” which suggests that states should allow philosophers “to speak freely and publicly on the universal maxims of warfare and peacemaking.” But at another level, which it is my objective to uncover in this chapter, the lie that Kant’s position on peace harbours is that it is not entirely against war, but war is very much a part of Kant’s vision for a cosmopolitan transition from an inhuman to human condition.

Considering that Kant’s political writings emerged against a background of wars in Europe, these events marked a real (in the sense of a material) point of reference for the attachment of a moral concern for humanity’s future in his promotion of cosmopolitanism. Many of his political writings were published around the times of revolutionary conflict including the French Revolution in 1789 and the war between France and Russia ended by the Treaty of Campio Formio, in 1797. *Perpetual Peace*, the most notable of Kant’s cosmopolitan writings was a direct response to war. Following Abbé Charles Irenée Castel de Saint-Pierre’s *Projet pour render la paix perétuelle en Europe* in 1713 and then Jean-Jacques Rousseau’s *Projet de Paix*.

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17 See Kant, *Perpetual Peace*, p. 115. Kant is particularly defensive of the philosopher’s right to free speech and rests his argument on the philosopher’s capacity for reason free from power: “It is not to be expected that kings will philosophise or that philosophers will become kings; nor is it to be desired, however, since the possession of power inevitably corrupts the free judgment of reason. Kings or sovereign peoples (i.e. those governing themselves by egalitarian laws) should not, however, force the class of philosophers to disappear or to remain silent, but should allow them to speak publicly. This is essential to both in order that light may be thrown on their affairs. And since the class of philosophers is by nature incapable of forming seditious factions or clubs, they cannot incur suspicion of disseminating propaganda.”
Perpétuelle in 1761, Kant wrote Perpetual Peace in 1795. In the same year, just prior to its publication, the Peace of Basel, was signed to end the war between Prussia, post-revolutionary France and Spain.

The treaties were a possible inspiration for Kant’s essay and also a possible target of its attack. For example, the inclusion of six Preliminary Articles of a Perpetual Peace Between States, which place restraints on interference, aggression and war between states, point to the hypocrisy of the peace of the Peace of Basel: such a conclusion of peace, and the very concept of “peace” means to end all future wars, yet its signatories could still make reservations to break their peace in the future. Kant condemns the treaty’s strategic function: its peace was hypocritical and futile in so far as it was not lasting or “perpetual,” but merely a lull between one war and the next following the principle of “just war” under international law. This is at the same time to covertly criticise the theories of the Dutch legal scholar (perhaps symbolised by the Dutch innkeeper) Hugo Grotius (1583-1645), who argued that although it was preferable that states resolve conflicts diplomatically, the waging of war was justified by natural law in situations of defence, preventative strikes, recovery of territory and punishing unjust acts of state. Kant’s Preliminary Articles are followed by three Definitive Articles of a Perpetual Peace wherein he prescribes that, to attain peace, states should be governed by a republican constitution, they must form a federation of free states and they ought to treat strangers according to “conditions of universal hospitality.” These articles are followed by two supplements (the first authorizes Nature as the guarantor of peace; the second outlines the “Secret Article of a Perpetual Peace”) and an appendix.

In his 1957 translator’s introduction to Perpetual Peace, Lewis White-Beck suggests two ways the text might be read. The first is a standard reading, where written like a treaty, Perpetual Peace can be read as it is set out, from start to finish, like a contract laying out clauses for compliance. Read in this way, it would seem that the essay is a prescription for what states ought to do to achieve peace and what states ought to do, is establish republican constitutions and enter into an international order of states in the

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The Ethics of Politics

form of a league or federation of states in the effort to aid humanity’s transition from
the state of nature towards an ideal civil condition, or an ideal political life at the level
of the individual, the state and the international order. This is the standard reading made
in international relations theory where *Perpetual Peace* has occupied a central point of
reference for the discipline because of its themes of internationalism, war, peace and
inter-state order. These topics are typically of interest to the conventional approach to
the study of international relations.\(^{21}\) Within this broader frame of reading, two
subsequent dichotomous paradigms have framed the reading of Kant in international
relations and it is worth outlining them here given their influence on the representation
of Kant’s worldly political theorizing in cosmopolitan studies.

The first is the *statist vs cosmopolitan* paradigm. International relations scholars have
debated over the tension between “statist” and “cosmopolitan” tendencies of Kant’s
political writings. This debate is however, only concerned with ascertaining Kant’s
views on the international system of states. Proponents of the statist reading argue that
Kant was primarily concerned with improving the international order of states by
bringing it under a regime of international law that solved the problem of war while still
ensuring the independence of individual states.\(^{22}\) Advocates of the cosmopolitan view,
by contrast, argue that Kant represents a universalist perspective in international
relations that conceptualises international life in terms of a society of human beings
united by their common humanity rather than in terms of a society of states.\(^{23}\) A
variation on the theme attempts to strike a balance between the statist and cosmopolitan
camps by arguing that Kant’s project was statist in the sense that its aim was to improve
the states system rather than overthrow it, yet it was also cosmopolitan in so far as he
was concerned with the moral unity of mankind as a phenomenon transcending the
states system.\(^{24}\)

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\(^{21}\) Mark Franke has provided a comprehensive survey of this literature on *Perpetual Peace*, demonstrating
that in it, Kant’s ideas have been appropriated for the justification of governmental practices, particularly
those characterised as “foreign policy” initiatives. These include the authorisation of activities of war and
peace, a large part of which involve intervention in other sovereign and non-sovereign territories and the
justification of such intervention in the name of humanitarian or environmental protection. See Mark
Franke, *Global Limits: Immanuel Kant, International Relations, and Critique of World Politics* (New

\(^{22}\) See for example Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (London:

\(^{23}\) See Bohman and Lutz-Bachmann (eds.), *Perpetual Peace*, and Andrew Linklater, *The Transformation
of Political Community: Ethical Foundations of the Post-Westphalian Era* (Cambridge: Polity Press,
1998).

\(^{24}\) Andrew Hurrell, “Kant and the Kantian Paradigm in International Relations,” *Review of International Studies* 16
The second paradigm of reading, realism vs idealism, is closely related to the first. It too reduces Perpetual Peace to a dichotomous frame. The realist perspective views the international domain as being made up of sovereign states, which, like Hobbesian individuals, are driven by self-interest. The idealist perspective, by contrast, views the international domain as something of a possible cosmopolitan utopia of peace and harmony between states. Kant is either condemned or defended for subscribing to or reforming one or the other view. Both frameworks have produced limited insights into the question of what Kant offers by way of contribution to political thought. The realism/idealism paradigm, Franke argues, positions Kant in a disciplinary ideological debate, rather than carefully reading and analysing his work for what it might offer to political thought outside this frame.\textsuperscript{25} This critique can be equally applied to the statist/cosmopolitan paradigm.

This brief survey of interpretations of Perpetual Peace in international relations echoes a theme that we have encountered throughout this thesis concerning the reading of Kant: the invention of traditions of reading and the situating of Kant’s writings within them. We need only look to the work of Martin Wight, one of the discipline’s leading theorists, to see how the contributions of scholars have been divided into three trichotomous schools of thought within international relations: Realists, Rationalists and Revolutionaries; Machiavellians, Grotians and Kantians; international anarchy, habitual intercourse and moral solidarity.\textsuperscript{26} This is not to suggest that all international relations theory follows this model. Neither is it a claim that such readings have not made a valuable contribution to the study of Kant’s political views. Kimberly Hutchings explains that although these approaches have generated limited interpretations of Kant’s political thought, they are nevertheless premised upon a Kantian foundation. The realism/idealism paradigm is in fact, she argues, premised on the Kantian split between politics and morality and, by critically engaging with its limitations, scholars within international relations theory, she continues, have gone on to offer new ways to understand states and the interstate system.\textsuperscript{27}

\textsuperscript{25} Franke, Global Limits, p. 41.
\textsuperscript{26} Martin Wight, International Theory: The Three Traditions (Leceister: Leceister University Press, 1991).
\textsuperscript{27} Kimberly Hutchings, Kant, Critique and Politics (London: Routledge, 1996), 151.
The assessments of Hutchings and Franke suggest that the problem lies in reducing a reading of Kant to pre-given ideological paradigms that are directed towards usurping his ideas to support or contest one or other side of an intellectual or disciplinary contest. Although I have mounted a similar critique with respect to the invention of a Kantian tradition in cosmopolitan ethics, the international relations context provides yet another example of disregard for the anthropological dimensions of Kant’s political philosophy. My response to the treatment of Kant’s *Perpetual Peace* in international relations is to revise our thinking of the political such that it does not take the state or the modern international system of states for granted, but questions what it means to organise life in these terms and, in particular, to consider how did the international system of states come to constitute (in)humanity? I want now to offer an alternative reading of *Perpetual Peace* that locates it as presenting a theory of human history and a theory of humanity consistent with my Anthropocentric Waiting Room thesis presented in chapters 4 and 5.

Although Kant calls *Perpetual Peace* a “philosophical sketch,” it can also be treated as a political intervention via philosophical thought for which the preface prepares the reader. As such Kant’s text challenges the distinction between theory and practice, of which Kant had been an adamant critic in defence of the value of theory for action and practical decision-making. 28 It strategically locates politics in morality, and qualifies Kant, who identified foremost as a moral philosopher or metaphysician of morals, to intervene in political subjects under the label of “philosophy,” in a political and intellectual climate where intellectuals had often been censored in their political commentary. But remember, it was Kant’s view that philosophical questions were ultimately anthropological since they were concerned with the question of man. 29

My treatment of *Perpetual Peace* is closer to the second and less common way that Beck suggests of approaching the text. Instead of adopting a chronological reading, Beck suggests that we approach *Perpetual Peace* through four phases of argument: the anthropological phase; the moral-philosophical phase; the moral-political phase and the pragmatic or technical phase. 30 I have slightly modified Beck’s schema in order to stage

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29 See Kant’s, *Logic*, discussed in Chapter 6 of this thesis.
the culmination of Perpetual Peace as Kant’s diagram of (in)humanity according to three phases in the development of Kant’s cosmopolitical theory: a moral-political demand; a historico-anthropological theory and a juridico-governmental programme. Together Kant would have us regard them as the components of a moral philosophy, which is more a strategic characterization than a subscription to his usual practice of moral philosophizing in order to allow him to express his ethico-political views under a safeguard. Each phase concerns a certain kind of subjectivity of Man drawing on Foucault’s reading of Kant’s Pragmatic Anthropology.\(^{31}\) The first takes a moral perspective where man is a free subject; in the second man belongs to a “concrete universal”\(^{32}\) and in the third man is a subject of law. Figure 7.1 below represents my approach to reading Perpetual Peace incorporating anthropological inflections.

Each of the three phases of argument in the first column corresponds to a tension, as Kant perceives it, between humanity’s potential on the course to perfection (the ideal) and where humanity finds itself at present (the real) in the second column. These are tensions between peace and war; development and degeneration; universal right and its anomaly. The tensions, as I will draw out below, illuminate what I have been arguing is the theory of (in)humanity underlying Kantian cosmopolitanism as a version of the Anthropocentric Waiting Room, or the possibility wherein humanity is a condition for which some must wait. However, here we will also notice how the condition of being human is tied to the condition of state sociality in particular. As reflected by the third column, each phase of Kant’s argument is grounded in a corresponding branch of philosophy culminating in anthropology. The fourth column depicts the cosmopolitan solution that Kant offers drawing on Cheah’s four modalities.\(^{33}\) The fourth, the “importance of cosmopolitan culture in instilling a sense of belonging to humanity,” as I had explained in the previous chapter, can be interpreted anthropologically as the cultivation of the subject “Man” as citizen of the world. To develop this reading further, let us return to the ambiguities of the preface to Perpetual Peace and in particular, the ethico-political demand of war that it presents.

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\(^{31}\) For Foucault, anthropology provides the bridge between man conceived of a moral subject and a legal subject. See Michel Foucault, Introduction to Kant’s Anthropology. Los Angeles: Semiotext(e), 2008), 42.

\(^{32}\) Ibid.

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Figure 7.1 Approach to reading *Perpetual Peace*. 
**Peace, War & the Graveyard of Humanity**

Kant’s preface to *Perpetual Peace* has received little attention despite the importance of the essay in international relations and cosmopolitan studies. Where it has been addressed, commentators have often only made passing remarks to the irony of “Perpetual Peace” as the “graveyard of humanity” and have done little to analyse its significance beyond the paradox of the image of the graveyard or to attend to the political significance of Kant’s use of various rhetorical strategies. In particular, the lack of attention to Kant’s use of satire, which is often employed to mask hidden meanings and intentions, has meant that the ethico-political significance of the preface has been under-theorized and underestimated. Kant’s appropriation of satire is obvious, for he describes the inscription “The Perpetual Peace” on the inn signboard as a “satirical” inscription (*satirische*). This seems unnecessary, for in order for satire to have effect, it need not be identified or named as such. By naming it, Kant intervenes in our interpretation of the inn sign; he directly raises a doubt about the validity of the phrase “Perpetual Peace” and supplements it with the picture of the graveyard. Nevertheless, his intervention still keeps the puzzle in tact, for just how the satire might be interpreted is left open and it is in this openness that we are faced with the ethico-political aspects of Kant’s thought.

For a more detailed analysis of Kant’s satirical preface one has to turn to the field of comparative literature and the insightful reading offered by Peter Fenves. Read through the symbol of the graveyard, Fenves argues that *Perpetual Peace* was written “under the sign of failure” in three ways: first failure is suggested by the pleonasm “perpetual peace,” a somewhat redundant notion; second, failure is conveyed by the fate of lost life and human fallibility that the image of the graveyard denotes; and finally, by admitting failure at the end of the preface in his stipulation of a *clausula*

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36 Kant himself points this out in his first preliminary article “No conclusion of peace shall be considered valid as such if it was made with a secret reservation of the material for a future war.” He says that the adjective ‘perpetual’ is a pleonasm i.e. it is redundant because ‘peace’ already entails the idea that it is perpetual, for the very meaning of ‘peace’ is to “end all hostilities.” The term peace already encompasses a view of the future and need not be temporalized further. See *Perpetual Peace* at p. 93.
salvatoria, or “saving clause,” Kant attempts to protect himself from those politicians otherwise threatened by his critique. Susan Shell offers an alternative reading of the graveyard as a signifier of hope: a hope that one day man will live in a better order and not just be doomed to dust.37 Both readings of hope and failure situate Kant’s intervention as a religious one (what may I hope?) and suggest that Perpetual Peace can be treated as a moral-political demand expressed as a satire of the state of world politics and a prophetic warning of the dangerous course that it was outlining for humanity’s future and human history. In this section I argue that not only was Kant ridiculing state policy in the first instance, but secondly, he was signaling a moral crisis in human history and thirdly, he was offering it a saving clause via his own theories for a social and political programme — a cosmopolitan idea of a global public sphere presented to politicians as those invested with the power to practically shape the collective character of humanity.

Let us pause for a moment on ascertaining Kant’s ethico-political framework for Perpetual Peace in order to see how these three aims come together. His essay On the Common Saying: ‘This May be True in Theory, but it does not Apply in Practice’ offers some guidance. Published in 1793, two years before Perpetual Peace, Kant here expresses his burning disapproval for the separation between the abstract theorizing of the philosopher and the pragmatic decision-making of the politician, a distinction which preserved the power of the latter and undermined the influence of the former. Kant does not dismiss the “common saying” in all cases, only in the case of a theory “founded on the concept of duty”38 which appears to be interchangeable with “matters of morality, i.e. to moral or legal duty.”39 His targets are marked out early on, as he writes (rather contemptuously): “…it is easier to excuse an ignoramus who claims that theory is unnecessary and superfluous in his supposed practice than a would-be expert who admits the value of theory for teaching purposes, for example as a mental exercise, but at the same time maintains that it is quite different in practice, and that anyone leaving his studies to go out into the world will realise he has been pursuing empty ideals and philosopher’s dreams – in short, that whatever sounds good in theory has no practical

38 Kant, “On the Common Saying: ‘This May be True in Theory, but it does not Apply in Practice,’” p. 62.
39 Ibid., p. 63
validity.” Kant then turns his attention to convincing three figures (the private individual/man of affairs, the statesman and the man of the world/cosmopolitan) on the relevance of theory to practice in their three corresponding spheres: morality in general (concerned with the welfare of each individual), politics (concerned with the welfare of states) and the cosmopolitical sphere (concerned with the welfare of the human race as a whole). Since morality, as Kant argues, guides practice (free will, political right and international right) in each sphere, then “everything in morals which is true in theory must also be valid in practice.”

Located in the context of rebutting this “common saying” Kant’s moral law is ultimately, to reiterate Derrida’s observations, a creature of politics. However, and perhaps more sympathetically than Derrida’s reading, since Kant is all too aware of the dangers of the power of judgement and decision-making in the hands of men, articulating the moral law as a universal in terms of metaphysics serves as an attempt to guide or limit that power as well as an effort to invest in philosophy the freedom to critique the state and to influence the public sphere without interference by the state. The argument is extended in *The Contest of the Faculties*, the last major work that Kant had published during his life where, concerning academic hierarchies, Kant maintains that since the “lower faculty” (Philosophy) is not regulated by, nor does it serve the interests of the state like the “higher faculties” (Theology, Law, Medicine), then it should be free to critique the latter free from state interference as this is not equivalent to criticising the state. To put it plainly, there is in Kant’s “political” writings a deep concern for the protection of the philosopher’s freedom of speech which is coupled with the protection of humanity’s future: since philosophers are the only ones whose thought is not bound to the authority of government, when government falters, humanity’s only hope resides in the guidance of philosophy.

As I indicated earlier in this thesis, the concern for humanity’s future was a primary feature of Kant’s writings. Particularly in his later works, Kant demonstrated a deep concern with the dangerous direction in which humanity looked like it was heading in the hands of politicians and with bringing it back on course towards the future that it was destined for according to “nature’s plan.” This concern was possibly framed by

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40 Ibid., p. 62
41 Ibid., p. 72.
war, for at the end of *The Contest of the Faculties*, Kant sends a clear message for change to politicians that “the after-pains of the present war will force the political prophet to admit that the human race must soon take a turn for the better, and this turn is now already in sight.” Perpetual Peace can be read as the precursor to this final warning. I refer to the preface of *Perpetual Peace*, and particularly to the graveyard image, to explore further the nature of Kant’s concern with humanity’s future in the face of war that underlies his cosmopolitan thought. I suggest that the image of the graveyard offers two perspectives on Kant’s concern for humanity’s future.

First, as satire, the graveyard of humanity could represent the undesirable future that humanity, in the aftermath of war as it took shape in Eighteenth Century Europe, was destined towards – that is, as a future of more war and human destruction, given that the peace treaties were no guarantee of complete cessation of war. In terms of this reading, the irony of the “perpetual” dimension of the graveyard is that it referred not to a future of everlasting life, as in the continual reproduction of the human race on earth, but it referred to the gravestone as a monument to that unattained potential of humanity’s perfectibility that had been disrupted by war. For example, the inclusion of a secret article in the *Treaty of Basel* wherein states could reserve the right to future war, was to harbour a threat of war that threatened also the flourishing of humanity according to the teleological intentions of nature. With such a guarantee of peace, Kant had a cause for his claim that the future looked bleak for humanity and a platform upon which to advocate an alternative vision for it as a moral imperative.

The second reading of the graveyard moves beyond the war/peace binary to incorporate a broader moral horizon central to Kant’s thought situating at the centre the figure of Man waiting for God. Here the graveyard image invokes Christian images of the “last day” and man’s end, a future that Kant had been reflecting on for some time up to his last writings. For example in *The End of All Things*, Kant writes:

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42 Kant, "The Contest of Faculties," in *Kant Political Writings* at p. 190.
… judgment day; the judgment of forgiveness or damnation by the judge of the world is thus the true end of all things in time and, at the same time, the beginning of (a blessed or damned) eternity, in which the fate [Loos] that befalls each person remains as it is given to him at the moment in which it (the sentence) is pronounced.44

This second reading of the graveyard image highlights two themes that can be found at the intersection of Kant’s religious and political writings. These are the Christian idea of “everlasting life in the Kingdom of Heaven” and “law” as the vehicle for that idea’s earthly counterpart. These two ideas were brought together in Kant’s ideal of the “Kingdom of Ends” set out in The Groundwork for the Metaphysics of Morals, published earlier in 1785. The ideal of the “Kingdom of Ends” resonated with the Christian code of living in accordance with God’s laws to obtain freedom in Heaven.45 Kant reformulated it as a guide for how we should live on Earth. He described it as “the systematic union of different rational beings under common laws.”46 It resembles an ideal democratic commonwealth where members united to form a collective will that enacted a universal law under which the freedom of each individual would be preserved — in other words a civil society, only Kant’s was on a global scale.

Civil society here is to the secular what Heaven is to Christian eschatology: both are directives of man’s destiny and man’s end, which, from a construction in the imagination, were to materialise in the practices governing men’s conduct in the body of the state. This way Kant can still support the idea of the state, and the Westphalian system of states, but re-vision them in the interests of Man that is in accordance with a particular theological view. Moreover, here the graveyard could be read as a motif invoking the Christian promise of eternal life upon the condition of living according to God’s laws on Earth in preparation for the “last day.” This promise was a consequence of the Christian idea of man’s fall from grace found in the biblical book of Genesis when, disobeying God’s law, man took the bite of the forbidden fruit and made his transition from a state of innocence to a state of knowledge. He was banished from the

45 See in particular Ecclesiast chapter 12 verse 13: “fear God and keep his commandments, for this is the duty of man.”
46 Kant, Groundwork for the Metaphysics of Morals, 234.
Garden of Eden and rendered to a life in which he would have to redeem himself to return to it. Kant’s position, in short, is that law, and therefore, paradoxically, coercion, is the condition of human freedom, and it was the moral requirement of politics to enable it. By framing his political suggestions under the guise of the moral law and in harmony with religious doctrine, Kant was, in effect, enacting his saving clause and protecting his freedom to speak of the plight of humanity without being construed as criticizing the state’s policy on war.

Together these two readings of the preface to *Perpetual Peace* via the symbol of the graveyard of humanity suggest that Kant has a more complicated position on war that renders a pro-war/anti-war dichotomous reading too simplistic an approach to take to Kant’s intervention in worldly political affairs.\(^47\) Kant’s attitude to war and peace, I am arguing, has to be located in relation to the nature of his concern for humanity’s future, where the concept of the “future” takes on two senses: the first is *teleological*; the second is *eschatological*. Although the two are often treated the same, they do not mean the same thing. David Couzens Hoy explains their distinction as follows:

> Teleology implies an account of the developmental emergence of social and political events and structures. Eschatology, in contrast, suggests a sudden, disruptive occurrence such that when it happens is irrelevant. The eschatological event could happen tomorrow or centuries from now.\(^48\)

Teleology, insofar as it is organised around a *telos* or goal, pertains to hope; while eschatology, concerned with the four last things in theology (death, judgment, heaven and hell)\(^49\) severs that telos. Eschatology is therefore a potential threat to teleology. A secular version of the same conflict is being played out between Kant’s idea of universal history (a creature of the *transcendental ideal*) and the potential for war

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\(^{47}\) On this matter I disagree with Hans Reiss who is adamant in his view that Kant did not support war of any kind. See Hans Reiss, “Kant’s Politics and the Enlightenment: Reflections on Some Recent Studies,” *Political Theory* 27,2 (1999), 236-273 at p. 255.


reserved by Europe’s peace treaties (a creature of the *empirical real*). Another way of examining the tension between teleology and eschatology is in terms of a tension between humanity’s development and degeneration. This brings us to the second phase of argument in *Perpetual Peace* — a historico-anthropological theory upon which Kant may base the moral-political demand and the juridico-political programme that he promotes in *Perpetual Peace* in terms of universal history.

**Development & the Threat of Degeneration**

The concept of *degeneration* refers to negative states of decay, loss of control, regression and decline to a lower life-form. It has been, as J. Edward Chamberlin and Sander Gilman put it, “part of a convenient dialectic for the organization of contemporary thought and feeling…” whose negativity also provided its positive power as an appealing model for the organization of social life in European thought. Positioned as the antithesis to progress, degeneration is located on a developmental continuum, from lower to higher forms of life, in which the degenerate is not only something to be feared, avoided and even loathed; but it is also something that can be redeemed by virtue of this juxtaposition. Although historians of ideas have identified its prevalence in the Nineteenth Century, as a sensibility informing ideas of social and political organization, the anxiety of *degeneration* can be found much earlier in the Eighteenth Century in Kant’s writings as an anxiety of threats to historical progress.

For Kant, Man and History are, conceptually, (at least ideally) one and the same: Man is progressive in the way that History is also progressive, because History is effectively the story of Man’s path forward to a cosmopolitan end. His 1784 essay *Idea for a Universal History with a Cosmopolitan Purpose* (hereafter *Idea for a Universal History*) presents history as a course for the development of man’s natural capacities, where “man” refers to the human as both an individual and a species. What drives much of Kant’s account of history is man’s achievement of the highest stage of rationality: enlightenment and the awareness of his capacity to reason. History was merely the means to that end.

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51 Ibid.
Concerned with the development of man’s capacities for reason, civility and civilization, Kant’s idea about universal history shares the argument of Pragmatic Anthropology that it is only through a process of cultivation, civilization and moralization that man could become a “citizen of the world” or reach the cosmopolitan end that nature had intended as a historical process. However, although history was made up of individuals, as a process towards enlightenment, it was concerned with the efforts of mankind as a whole. This meant that in reality, an individual could not himself achieve the highest stage of reason, but lived as part of the process of the species’ progress to that end, which could take many generations to reach.\(^{52}\)

By advocating an Idea for universal history, Kant is not embarking upon a practice of historical thinking premised upon empirical evidence. Neither is its claim to universality grounded in any real experience; instead, in a somewhat tautological rationale, it comes from the telos of that history, which, in accordance with Kant’s anthropology, was the subject “Man.”\(^{53}\) Kant explicates his approach as follows:

> It would be a misinterpretation of my intention to contend that I meant this idea of a universal history, which to some extent follows an a priori rule, to supersede the task of history proper, that of empirical composition. My idea is only a notion of what a philosophical mind, well acquainted with history, might be able to attempt from a different angle.\(^{54}\)

The angle that Kant takes to history is a metaphysical one that derives from a perspective of divine providence, but takes the form of nature’s plan in an attempt to play down its religious origins. Just as he did in his raciology, Kant likens man’s historical development with the growth and development of other natural phenomena arguing that it was destined by nature’s course. But unlike animals, Kant points out,

\(^{52}\) See Kant’s Second Proposition in “Idea for a Universal History,” in Kant Political Writings, pp. 42-43

\(^{53}\) For a variation on this theme see Barry Hindess "The Very Idea of a Universal History” (unpublished paper presented at the Political Science Seminar Series, Research School of Social Sciences, Australian National University, Canberra, 2005). In particular, he argues that what gives Kant’s history a universal appearance is the view that all its constituents belong to the one telos but their distance from its achievement allows them to be ranked as more or less developed than others.

\(^{54}\) Kant, “Idea for a Universal History”, p.53.
humans do not act purely according to instinct, although neither can we assume that they follow their own predetermined plans as one might expect of rational beings. The problem for man that troubles Kant so much is the use that he makes of his freedom such that it results in man’s deviation from nature’s plan. But before addressing these concerns in the domain of the empirical-real, allow me to elaborate on Kant’s ideal of humanity’s development.

As I had noted in Chapter 5, Kant was a leading Enlightenment stadial theorist for whom “History,” unfolding in developmental stages, was the process through which man emerged as rational and attained civility. Kant proposed that humanity moved through three stages: leisure and peace (a state of nature); labour and discord (a movement from conflict to establishment of order); and cosmopolitanism (the achievement of social union). Within this schema it would appear that war, as a form of discord, occurred in the second stage of humanity’s development and was, therefore, a necessary part of humanity’s progress towards a cosmopolitan end. If we begin with that end, what Kant has in mind is the organisation of human life within a “federation” of republican states, which maintains peace between themselves through trade and commerce. As the spirit of commerce spreads throughout the world, states will realise that it is in the best interests of their survival and maximization of their financial strength to join the federation of peaceful trading states. Thus Kant’s cosmopolitan ideal promotes two political and economic mentalities. The first is an imperialist mentality that seeks to spread the European model of a federation of states on a global scale. The second is a capitalist mentality as Kant argues that a global commercial society serves as a

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55 It is worth noting that what Kant describes as “cosmopolitan right” is presented in terms of commercial interactions between “nations.” This is suggested in Perpetual Peace but it is made more explicit in The Metaphysics of Morals as follows:

“...And since possession of the land, on which an inhabitant of the earth can live, can be thought only as possession of that to which each of them originally has a right, it follows that all nations stand originally in a community of land, though not of rightful community of possession (communio) and so of use of it, or of property in it; instead they stand in a community of possible physical interaction (commercium), that is in a thoroughgoing relation of each to all the others of offering to engage in commerce with any other, and each has a right to make this attempt without the other being authorized to behave toward it as an enemy because it has made this attempt. This right, since it has to do with the possible union of all nations with a view to certain universal laws for their possible commerce, can be called cosmopolitan Right (ius cosmopoliticum)” (at p. 158.)

56 Cheah, Inhuman Conditions, p. 22.
deterrence to war insofar as the effects of war place a state at risk of long-term debt and obstructs their capacities to foster trading relations with other states.  

In order to reach this cosmopolitan end, individuals have to first organise themselves politically into republican states hosting civil societies, a process, which Kant acknowledges, can only be fraught with conflict. In the Fourth Proposition of his *Idea for a Universal History*, Kant proclaims, “The means which nature employs to bring about the development of innate capacities is that of antagonism within society, in so far as this antagonism becomes in the long run the cause of a law-governed social order.” In other words to reach the state of civil society, it is necessary that man move through a stage of conflict and resistance, or what Kant terms “antagonism.” Here Kant’s theory echoes the idea (or fiction) of the “state of nature” as the precursor to the formation of civilized societies.

As I mentioned in Chapter 5, the idea of the “state of nature” was given its political force by Thomas Hobbes for whom the state of nature was a state of perpetual war, where war was “every man, against every man.” Hobbes presented it as a hypothetical scenario for the purposes of justifying the virtues of a system of discipline and social order obtained through the institutions of modern liberal law and government. Hence, in his view, the state of nature’s antithesis was a Common-Wealth, or *Civitas*, which was a way of securing peace and preventing the state of perpetual war that men were otherwise doomed to by virtue of their natures. It did this by requiring all men to enter into a Covenant in which each individual gave up his right of self-government and transferred that power to a single person or the “sovereign power.” The sovereign’s power could be attained in one of two ways, either by force, for example by war, or by voluntary agreement. There is no distinction between the two modes of acquisition of power in Hobbes argument, for both methods of achieving the Covenant are motivated by the same thing: fear. In the first case, where the sovereign’s power is attained by force, men fear that very sovereign that wills power. In the second case, where the sovereign’s power is achieved through consent, men institute the sovereign whom they fear because of their first and foremost fear of each other. By instituting a fearsome

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58 See Kant’s Eighth Proposition in “Idea for a Universal History,” p. 51.  
59 Ibid., p. 44.  
sovereign to govern over them all, they seek to keep their fears of each other at bay.\textsuperscript{62} The sovereign, through this Covenant, was authorised to use his power, as he saw best, to ensure perpetual peace. Hobbes named this sovereign \textit{Leviathan}, an absolute authority to whom individuals ought to submit their wills to prevent the destruction of society.

Kant’s idea of civil society developed largely in reaction to Hobbes’. In particular, he rejected Hobbes’ model of the state of nature as an anti-social condition.\textsuperscript{63} A state of nature, Kant writes, “is not opposed to a social but to a civil condition…”\textsuperscript{64} Contrary to Hobbes, he regards that a state of nature can host society, only it is not a \textit{civil} society that affords protection through a system of public laws. Kant’s ideas of man, society and government were much closer to that of Rousseau’s 1762 text, \textit{The Social Contract}. Like Rousseau, Kant appealed to the notion of the “general will” as the force of the social contract and basis of governmental authority rather than the surrender of individual wills to the absolute authority of the state.\textsuperscript{65} But it was Rousseau’s earlier essay, \textit{Discourse of the Origins and Foundations of Inequality Among Men}, published in 1754, which offered Kant a model for understanding human society from which he could formulate his own understanding of human history and corresponding political theory.

In that essay, addressed to the Republic of Geneva, Rousseau advanced a critique of the current political order via the question “what is the origin of the inequality of men and is it authorized by natural law?”\textsuperscript{66} The work was an inquiry into the conditions of possibility of the present state of social inequality, which he explained by developing a theory of man based on an image of the state of nature that varied from Hobbes’ theory. Although also modeled on the American Indian, Rousseau’s savage was noble. Rousseau disagreed with Hobbes that man’s sense of self-preservation was a threat to others that had to be controlled by governmental institutions. Hobbes’ error, he argued was the result of a flawed understanding of the State of Nature as a state of war, which generated a flawed understanding of man as selfish and evil by nature. Rousseau took a

\begin{itemize}
\item \textsuperscript{62} Hobbes, Chapter XX, \textit{Leviathan}, p. 138.
\item \textsuperscript{63} See Kant’s argument against Hobbes in \textit{Theory & Practice}, pp.73-79.
\item \textsuperscript{64} Kant, \textit{Metaphysics of Morals}, p. 34.
\item \textsuperscript{65} For a further study of the differences between Kant and Hobbes, see Howard Williams, \textit{Kant’s Critique of Hobbes}, (Cardiff: University of Wales Press, 2003).
\item \textsuperscript{66} Jean-Jacques Rousseau, \textit{A Discourse on Inequality} (Middlesex: Penguin Books, 1984 [1754]), 73.
\end{itemize}
more positive reading of the State of Nature and of natural man. He argued that in the 
State of Nature man’s concern for himself is the least prejudicial with respect to others 
and is therefore most conducive to peace and the most suitable living conditions for 
man. His central argument, contrary to Hobbes, was that civilized society instituted 
social inequality and spoiled man’s essentially good nature.

Rousseau’s theory was based on a three stages theory of human history, which adopted 
the same categories as William Robertson’s theory, but the key difference of 
Rousseau’s theory was its moral emphasis on man’s decline rather than his progress. In 
his view, the history of contemporary society was a history of the conditions for man’s 
degeneration from what nature had intended. It is, in effect, a story of man’s regressive 
progression and humanity’s progressive regression. In the first state of “savagery” man 
was driven by instinct, concerned only with his self-preservation, he lived a natural 
existence, or the life of an animal. Because his life was simple, he had no need for 
complex mental capacities, education or progress. As everyone lived according to 
nature’s intention, all men were equal in this state. Like other natural law theorists, 
Rousseau located the state of savagery in America, but his was a romantic imagination 
of the American Indian as a naïve, childlike noble savage; uncorrupted by the ills of 
development that Rousseau saw resulting in his own society. 67 The second stage was 
“barbarism.” This stage had two steps leading to the next. The first can be identified as 
“species man” for Rousseau tells us that in this phase the human race spread across 
different landscapes and had to find ways to adapt to different climates. He invented 
tools and devised strategies, like agriculture, to adapt to and even master nature. As man 
discovered he was smarter than other animals he asserted his superiority over them. But 
awareness of his intelligence marked also the onset of social inequality, for “he became 
the master of those that might serve him and the scourge of those that might hurt him” 68 
by which Rousseau was alluding not just to beasts, but to the social-contractarian 
governmental program that thinkers like Hobbes were advocating. The second step can 
be called “individual man,” which Rousseau describes as self-interested, competitive 
and concerned with others only to the extent that it serves his own gain. By this time 
man had attained “enlightenment” and was now moving into the third stage of

67 Ibid., p.109. Rousseau also described ‘savagery’ as the state of ‘nascent man.’ In order for his survival 
and emergence as civilized man, the savage had to overcome the obstacles of nature, for example he had 
to compete with other animals for food. He responded physically and mentally by making himself fit and 
inventing tools for hunting. This development brought him into the next stage.
68 Ibid., p.110.
“civilization.” Although now aware of himself as an individual, individualization did not, however, equate to isolation. We can find in this stage two steps that can be described, not in terms of man’s character but in terms of his lifestyle. The first is “domesticity” where man adopted living arrangements within small family units. Here Rousseau finds the conditions for property ownership that created conditions for inequality between men. The second is “nationality” where men united within their particular countries to form “nations” or shared ways of living. Here, Rousseau points out, men became more sociable, they developed consideration for each other and demanded duties of civility. But civility was a paradoxical state, for man’s demand for it was predicated on his wanting revenge for injury. Again, contra Hobbes, Rousseau’s point is that it was actually the conditions of civilization that have lead thinkers like Hobbes to claim that man is by nature war-like and in need of taming by civil institutions. Put very simply, Rousseau’s reaction to his political context was despair at enlightenment gone wrong and lament for “what could have been” based on the fiction of nature’s intention. From the perspective of individual man, each stage is an improvement on the one before it, but for the human race as a whole it is a course for “the decrepitude of the species.” Rousseau’s is thus an account of man’s intellectual progression and moral regression and a theory of the correlation between the two: as man discovers his intelligence and capabilities, he sets forth his corruption and decline of the species.

Influenced by his theories of man and history, Kant shared Rousseau’s concern about man’s decline, but he did not have as romantic a view of the state of nature as Rousseau, and Kant certainly did not promote a return to it. As Ernst Cassirer notes, Kant reversed Rousseau’s method in his attempt to rescue humanity from degeneration: where Rousseau commenced with natural man in order to understand him in his savage state;

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69 Rousseau says at p. 114:
“As soon as men learned to value one another and the idea of consideration was formed in their minds, everyone claimed a right to it, and it was no longer possible for anyone to be refused consideration without affront. This gave rise to the first duties of civility, even among savages: and henceforth every intentional wrong became an outrage, because together with the hurt which might result from the injury, the offended party saw an insult to his person which was often more unbearable than the hurt itself. Thus, as everyone punished the contempt shown to him by another in a manner proportionate to the esteem he accorded himself, revenge became terrible, and men grew bloodthirsty and cruel.”

70 Ibid., p.115

71 In Rousseau’s words at p. 120:
“Nascent society gave place to the most horrible state of war; the human race, debased and desolate, could not now retrace its path, nor renounce the unfortunate acquisitions it had made, but labouring only towards its shame by misusing those faculties, which should be its honour, brought itself to the brink of ruin.”
Kant commenced with civilized man in order to understand him in his civilized state in the quest to advance that state. Kant can therefore be located as striking something of a balance between the Hobbesian and Rousseauan extremes in his account of the “antagonism” that nature invests in man to propel him from a state of nature to agree to form a state of civil society with other men. As he defines it, antagonism is “the unsocial sociability of men.” Individuals are naturally caught in a struggle: on the one hand they desire to live in isolation as individuals, but at the same time they are inclined to come together with others to live in a society in order to develop their capacities as humans. Competition, resistance and conquest therefore mark the process of formation of human societies. As Kant argues:

It is this very resistance which awakens all man’s powers and induces him to overcome his tendency to laziness. Through the desire for honour, power or property, it drives him to seek status among his fellows, whom he cannot bear yet cannot bear to leave. Then the first true steps are taken from barbarism to culture, which in fact consists in the social worthiness of man.

“Sociability” is therefore a defining feature of humanity in Kant’s thought. Later in *The Critique of Judgement* he maintains that man’s sociability “is a requirement of man as a creature with a vocation for society and hence is a property pertaining to his humanity” and further, sociability “befits [our] humanity [Menschheit] and distinguishes it from the limitation [characteristic] of animals.” But it is important to note that not just any kind of society will suffice: for Kant, the resolution of Man’s struggle and what will lead him to a higher form of being, resides specifically in the republican constitutional state.

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72 Cassirer expresses the difference between Rousseau and Kant thus: “He who would study animals must start with them in their wild state; but he who would know man must observe him in his creative power and his creative achievement, that is in his civilization.” See Ernst Cassirer, *Rousseau, Kant and Goethe*, (New York: Harper & Row Publishers, 1963), 22.
73 Kant, “Idea for a Universal History,” 44.
74 Ibid.
76 Ibid., p. 231.
It is at this point in Kant’s cosmo-political philosophy that the structure of (in)humanity does not just underpin Kant’s vision for how humans should be organized politically and socially, but the practical cosmopolitan organizational model he proposes in terms of a world federation of republican states perpetuates the machine of the Anthropocentric Waiting Room via a juridico-governmental programme that attaches the human condition to the international system of states where to be fully human is to live in the order of states. This brings us to the third phase of argument in *Perpetual Peace*, which conditions the possibility of the anomaly of a universal right to humanity in the process of cosmopolitan governance.

**Creating Subjects of Universal Right**

*& their Anomalies*

Echoing his approval for the principles of liberty, equality and fraternity emerging from the French Revolution of 1789, “A republican constitution” Kant outlines in the *First Definitive Article of a Perpetual Peace*, “is founded upon three principles: firstly, the principle of *freedom* for all members of a society (as men); secondly, the principle of the *dependence* of everyone upon a single common legislation (as subjects); and thirdly, the principle of legal *equality* for everyone (as citizens).” 77 Thus, having already moved through the phase of social conflict that resulted in the establishment of civil societies within states, European populations according to nature’s ideal plan should now be on course towards the formation of a cosmopolitan union. The only way for European states to progress in accordance with nature’s plan was for them to model the event of individuals coming together to form a civil society, by forming a federation of states (*foedus pacificum*) and expanding it globally. “Just like individual men,” Kant advises, “they must renounce their savage and lawless freedom, adapt themselves to public coercive laws, and thus form an *international state (civitas gentium)*, which would necessarily continue to grow until it embraced all the peoples of the earth.” 78 But in reality, to Kant’s horror, the potential for outbreaks of future wars between European

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78 Ibid., p. 105.
states allowed by the peace treaties of the time and the Grotian “just war” doctrine in international law, could only set humanity on a course for degeneration.

The point that I wish to stress here concerning Kant’s diagramming of (in)humanity via his political philosophy is that, although Perpetual Peace may be read as a condemnation of war, locating it as part of Kant’s historico-anthropological theory, in which the progress to full humanity is a progression from a state of nature to a republican constitutional state and then its expansion culminating in the formation of a federation of republican constitutional states as the organisational system for all peoples, offers a more complex interpretation: Kant does not universally condemn war, but regards war as a necessary feature of the development of humanity and only condemns it at certain stages of human civilization as a marker of humanity’s degeneration.79 The graveyard, in this context, is a symbol of the threat that war poses to established European states — it poses the threat of degeneration: of decay, decline, disorder and loss of control; that is a threat that they would lose control and degenerate from civil society to a state of nature. Kant’s reaction against war in Perpetual Peace then, is a reaction against war at the stage wherein Europeans have developed beyond the “state of nature” into a condition of “civility” in state sociality. It disrupts the developmental progression of humanity in Kant’s socio-political imaginary and threatens regression to an earlier stage of human development. The implication of this view is that war is not appropriate for European states but it is justified between and against people — namely non-Europeans — who did not live in this form. Furthermore, that Europe should regress, rather than progress, threatens humanity’s future more generally in Kant’s schema of human development, for the presumption of this developmental view of humanity is that European states, located at the latest end of the scale, constituted the advancement forward for the human species as a whole. Ultimately, Kant’s answer to the question “is the human race continually improving?”80 depended on the fate of Europe.

79 See also A.C. Armstrong, “Kant’s Philosophy or Peace and War,” The Journal of Philosophy 28,8 (1931): 197-204 and Louise Dupre, “Kant’s Theory of History and Progress,” The Review of Metaphysics 51, no. 4 (1998): 813-28. Armstrong argues that for Kant, on a micro level war was a stage of ‘culture’ or human development that would bring people out from a state of nature into a civil state, which Kant then extended to a macro level in Perpetual Peace, treating war as a stage of development that would bring states out of a state of nature to form a federation of free states. Dupre makes a similar claim citing Kant’s characterization of war as ‘the source of all evil and corruption in morals’ and his conviction that war was nevertheless necessary for the development of human culture and for man to reach his full potential of Enlightenment.

80 Kant, “The Contest of the Faculties,” p.177
In accordance with his raciology, implicit in Kant’s historical and political philosophy was the presumption that humanity’s cultivation rested in the hands of Europeans — the white race. Thus, if Europe presented the way forward towards attainment of full humanity according to nature’s plan, then non-Europeans would have to wait their turn in the Waiting Room of Humanity. A more extreme version of Kant’s intolerance for the “inferior races” within this developmental logic of humanity can be found in Kant’s attack on Herder’s thesis on the philosophy of history. Against Herder’s view that each person, by pursuing his happiness, had some contribution to make to the development of humanity, Kant retaliated:

But what if the true end of providence were not this shadowy image of happiness which each individual creates for himself, but the ever continuing and growing activity and culture which are thereby set in motion, and whose highest possible expression can only be the product of a political constitution based on concepts of human right, and consequently an achievement of human beings themselves?...Does the author really mean that, if the happy inhabitants of Tahiti, never visited by more civilised nations, were destined to live in their peaceful indolence for thousands of centuries, it would be possible to give a satisfactory answer to the question of why they should exist at all, and of whether it would not have been just as good if this island had been occupied by happy sheep and cattle as by happy human beings who merely enjoy themselves?81

For Kant, the existence of the Tahitians is of so little significance to humanity that they can be substituted with a species of animal as inferior to humanity as their own race. The only hope they have of improvement is in being visited, and indeed civilized, by the more civilized nations.

81 Immanuel Kant, “Reviews of Herder’s Ideas on the Philosophy of the History of Mankind,” in *Kant Political Writings*, pp. 219-220.
If the theological waiting room of humanity is Man waiting on earth to enter into the Kingdom of Heaven, then its secular equivalent is man waiting for the ideal form of state sociality. Thus, in this third phase of argumentation, returning to the promising realm of the transcendental ideal from the degenerative course of the empirical real, Kant prescribes a juridico-governmental programme, where cosmopolitanism, manifesting as a right, is attached to a world federation of republican states, in response to the moral demand (what ought to be done), not only for the attainment of peace, but for the realisation of the fullness of humanity in the figure of Man as citizen of the world. It is at this point that man, an anthropological subject, becomes a juridical subject and humanity, once achieved through the consolidation of society in the republican state, can be invested with rights.

Kant’s theory of right was not that rights should be enjoyed universally, but that the law of right applied universally. In the Metaphysics of Morals Kant had explained the universal law of right as follows:

…so act externally that the free use of your choice can coexist with the freedom of everyone in accordance with a universal law, is indeed a law that lays an obligation on me, but it does not at all expect, far less demand, that I myself should limit my freedom to those conditions just for the sake of this obligation; instead, reason says only that freedom is limited to those conditions in conformity with the idea of it and that it may also be actively limited by others; and it says this as a postulate that is incapable of further proof.82

In this account, law is not about the pursuit of justice — it is not concerned with ethics. Rather, law is an object of politics — it is concerned with governance. The distinction is an important one, for it highlights the paradoxical nature of the desire for rights. While we may welcome the possession and protection of rights, we must also consider why we do and what it is about the conditions in which we live that makes the notion of rights so appealing. One response is that the desire for rights is telling of our conditions as

82 Kant, Metaphysics of Morals, pp. 24-25.
conditions of coercion since their achievement can only be obtained through violence. This was the paradox of Kant’s theory of rights. For Kant, the only way to control the dangerous potential of man’s freedom was through coercion: in order to be free, or more specifically, in order to exercise his freedom in a civilized fashion, man had to be coerced as part of his “unsocial sociability.” Rights were therefore the means by which freedom could be protected through necessary coercion.

Kant divides rights into private (natural) and public (civil) rights. By “public right,” Kant means a system of laws, such as a constitution, governing the freedoms between people. It referred to the condition of living in a republican state. As the system of public right, in Kant’s view, provides the ideal conditions for humans to be social, it follows that the model of the state provides the ideal structure of human sociality. Kant defines the state (civitas) as “a union of a multitude of men under laws of Right.” Here he sets out, as his ideal social order, three of the key features of the republican tradition of political theory: in a state, people live in relation to each other in a “civil condition” (status civilis); these people might also be referred to as a “nation” because their union is often an inherited one; in relation to other peoples, a state might be called a “power.” By “civil condition” Kant refers to a condition under the authority of law. It is composed of three authorities: the sovereign authority (legislator), the executive authority (executive) and the judicial authority (judiciary). It is predicated upon the fiction of the “general will,” or social contract, which invoked the state’s subjects as a citizenry united by their (implied) coming together and granting of authority to the state to make and implement the laws to which they were subject. Kant favoured limited government and the protection of rights by law as the conditions in which human freedom and human flourishing could be enabled.

In the Metaphysics of Morals Kant also distinguishes between three kinds of public right. The first is the “civil rights” of individuals within their states. The second is the “international right” of states in their relationship with each other. The third is the one that we are most concerned with here — a “cosmopolitan right” — which we have already been introduced to earlier in the thesis in the form of the Third Definitive Article for a Perpetual Peace as being “limited to the Conditions of Universal

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83 As I have already explained the concept of natural law in Chapter 5, I will not take it up further here.
84 Kant, Metaphysics of Morals, p. 124.
Hospitality,” which equates to “the right of a stranger not to be treated with hostility when he arrives on someone else’s territory.”\textsuperscript{85} This schema, which constitutes man/human with rights, simultaneously constitutes its anomaly, for, in order to be a subject of right, man must live in a republican constitutional state. Therefore, the anomaly of a universal right to humanity comes to be a condition of those persons that do not live in this structure. One is not fully human in Kant’s politico-anthropological framework until they are subjects of a republican constitutional state.

A return to Derrida’s critique of the aporia of hospitality in Kant’s notion of cosmopolitan right and the example of European-non-European colonial encounter can aid in further demonstrating how the notion of cosmopolitan right constitutes the condition of what we know now as the anomaly of a universal right to humanity. Remember that, for Kant, hospitality is specifically an expression of legality. It is a “right” of the stranger or guest and therefore may be endowed with the force of law. In his lecture \textit{Force of Law: The 'Mystical Foundation of Authority'} Derrida argues that “force” and “law” are inextricable.\textsuperscript{86} “Law” here is a generic category including natural law, moral law and sovereign law. Considering the Kantian principle that, in Derrida’s words, “there is no force without law,” Derrida draws our attention to the aporetic qualities of law and justice. There is, he proposes, a crucial and “unstable” distinction between justice and law: justice is “infinite, incalculable, rebellious to rule and foreign to symmetry, heterogeneous and heterotropic,” whereas the “exercise of justice as law” is “a stabilizable, statutory and calculable apparatus…a system of regulated and coded prescriptions.”\textsuperscript{87}

Concerning the Kantian hospitality principle, Derrida’s critique of law asks us to think about how are we to distinguish between “force of law” and that violence that would be unjust? As he puts it, “what is a just force or a non-violent force?”\textsuperscript{88} Drawing on Walter Benjamin’s “Critique of Violence,” which claims that violence occurs operationally within a legal order and constitutively in the establishment of that order, Derrida emphasises the double violence of law that renders the Kantian principle dangerous for ethics: first it entails a founding violence in its initial imposition on life and second it is

\textsuperscript{85} Kant, “Perpetual Peace,” 106.
\textsuperscript{87} Ibid., p. 250.
\textsuperscript{88} Ibid., p. 234.
sustained by a preserving violence in its exercise over life. Three further aporias illuminate its departure from justice. First, justice requires freedom, but in law’s justice, freedom relies upon following rules, hence law’s freedom is paradoxically one that must follow an order. Second, justice would be the undecidable of law as that which cannot be reducible to a predetermined rule. Furthermore, taking us to the third aporia, justice requires openness to the other, but law requires a decision to be made “now” which severs this openness towards the other and the futurity of ethics as an event yet “to come.”

The case of *Mabo v Queensland*, which I have already introduced in the Prologue to this thesis, is exemplary of the aporia of law embedded within the Kantian notion of hospitality. In order to set up the example, allow me to invoke a moment in Franz Kafka’s novel *The Castle*, by way of a dialogue with Kant’s hospitality principle to bring out violence inherent in Kant’s notion of “cosmopolitan right”:

Kant: “…*Hospitality* means the right of a stranger not to be treated with hostility when he arrives on someone else’s territory.”

Kafka’s *Castle* peasant: “…but hospitality is not our custom here, we have no use for visitors.”

This dialogue appears to present different understandings of hospitality and also two different sides to the dialogue. For Kant, hospitality is an expression of legality. It is a “right” of the stranger or guest and therefore may be endowed with the force of law. It relates also to the law governing territoriality, where territoriality is understood in terms of the exclusive possession, ownership or property in land by one party. It prescribes the ways in which strangers should treat each other in relation to their first encounter. The

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92 Kafka’s Castle peasant’s statement is extracted from his first encounter with the novel’s main character “K.” K presents himself as the Land Surveyor hired by the Castle, but he is only recognized as an (often uninvited and unwelcomed) stranger, by the Castle peasants. See Franz Kafka, *The Castle* (London: Secker & Warburg [1930] 1965), 25.
stranger or *arrivant* should not be treated with hostility by the possessory party; otherwise, the rest of Kant’s *Perpetual Peace* suggests, the stranger may use force in retaliation. For Kafka’s Castle peasant by contrast, hospitality is not understood in terms of “right” but as a custom or practice in terms of the needs of the host, determined by the host. While Kant’s hospitality presents as a law decided by an external authority, universally applicable regardless of context or will of the host; Kafka’s hospitality, by contrast, is offered at the will of the host based on his/her/their need.

Now imagine that this dialogue on hospitality occurred in Australia in 1788 at the height of European imperialism, just a few years before Kant’s *Perpetual Peace* was published, in a European encounter with Aboriginals. Imagine also that the Kantian utterance was performed by European/British “settlers,” while that of Kafka’s character was performed by Aboriginals. In fact, Kant’s line could be uttered in the course of any explorational, imperial or colonial endeavor such as the kind to which this example relates since territoriality is a central feature of all three endeavors. In this 1788 rendition of the dialogue, the hospitality of the first utterance turned into the hospitality of the second, that is, hospitality was expressed in terms of the needs of the host, where the host is the one that speaks and speaks with the capacity to legislate the terms of the dialogue. Here “speaking” is symbolic of the exercise of authority, domination or the power to set the tone and the terms of the encounter. Here the host, in his capacity to legislate the terms of hospitality, performs the hospitality of the peasant in Kafka’s *Castle*, which is permitted also by the right of hospitality outlined in the Kantian expression of hospitality.

This point becomes clearer in light of the majority judgment of *Mabo v Queensland (No 2)*. In that case, Justice Brennan, representing the majority of the High Court, demonstrates the Court’s struggle with the colonial foundations of Australian law when confronted with the question of indigenous claims to land and property rights. Pressured by developments in notions of justice and international human rights law but unable to “fracture the skeleton of principle which gives the body of our law its shape and internal consistency” the Court could only recognize Native Title by constructing it as recognizable by the colonial law. Acknowledging the denigrating and discriminatory

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foundations of this law with respect to the Aboriginal dispossession of land, Brennan identified two options for permitting the recognition of Aboriginal possession of land within this framework of law: “This Court can either apply the existing authorities and proceed to inquire whether the Meriam people are higher “in the scale of social organization” than the Australian Aborigines whose claims were “utterly disregarded” by the existing authorities or the Court can overrule the existing authorities, discarding the distinction between inhabited colonies that were terra nullius and those which were not.”\textsuperscript{94} The Court opted for the second choice.

\textit{Terra nullius} is a European retrospective legal construct meaning ‘land belonging to no one’, invented by colonial law to deny indigenous peoples’ property in land. The identification of land as \textit{terra nullius}, gave European powers legal force and moral legitimacy to their theft, appropriation, possession, accumulation of and control over the land in someone else’s custody. These acts were supported by ideological formations of difference, such as those of a racist anthropology that included notions of “other” peoples in terms of “backwardness,” “inferiority,” “subject races” and “dependency.”\textsuperscript{95} These ideas underpinned such legal fictions as the doctrine of \textit{terra nullius} established in the course of the colonial history of international law since the Spanish Conquest of the New World.\textsuperscript{96}

The colonial encounter, to which \textit{Mabo} refers, exemplifies a similarity between the hospitality of Kant and the hospitality of Kafka’s peasant, in my imaginary dialogue above. In that encounter in 1788, the force of law turned hospitality into the doctrine of \textit{terra nullius} rendering the land as belonging to no one, so no one could be heard to utter “hospitality is not our custom here.” Rather, the speaker of the second utterance is silenced, and already spoken for, by the colonizer’s law. Here law constructs people as “different” and as though they are “before the law” in two senses. First law assigns Aboriginals to a fictional condition constructed by the European imagination, by insisting, in effect, that they lived in a state prior to a state of civilized sociality ordered by law. This fiction materialized in the legal doctrine of \textit{terra nullius}. It legitimated the European, here British, acquisition of foreign lands, through British standards and

\textsuperscript{94} Ibid., p. 40.
\textsuperscript{96} These themes are taken up further in Chapter 5 of this thesis.
systems of law. The second sense in which Aboriginals are constituted as subjects “before the law,” resembles the encounter presented in Kafka’s essay “Before the Law.”97 Here a man approaches the gate of the law and is subjected to waiting outside until the doorkeeper grants him admittance. The man waits for many years and, just as he is about to die, the doorkeeper shuts the gate to the law. The gate was made only for him, the doorkeeper tells him. But its hospitality was such that he was never able to enter it. In a similar way, the colonizer’s law, like the man’s gate, offered a hospitality that was limited to the construction of a group of people as Aboriginal subjects positioned before its authority and held hostage by it. The case of Mabo v Queensland (No 2), insofar as it puts the hospitality principle of Kant’s notion of cosmopolitan right to the test, not only illuminates the aporia of law as a force that is both violent and legitimate at the same time, but attests to the legacy of Kantian cosmopolitanism in the conditions that make possible the violation of human rights by denying, as human and therefore as bearers of “right,” persons that are not subjects of a state. The logic of Kant’s ethico-political thought is therefore a circular one: to have rights is to be human; to be human is to be made a subject of the law.

Conclusion

If the fundamental concern of philosophy, as Kant had concluded in Logic, concerns the question “what is man?” ultimately rendering philosophy an anthropological enterprise, then how might we comprehend the task of Kant’s political philosophy, which has provided the source of most contemporary understandings of Kant’s cosmopolitanism? In order to sum up the connection between Kant’s anthropological and political projects, allow me to again refer to the philosophical schema outlined in Logic where Kant had concluded that philosophy could be “summed up” by four questions:

i) What can I know? – Answered by metaphysics.
iii) What may I hope? – Answered by religion.

iv) What is Man? – Answered by anthropology.98

Remember also, as I noted in the previous chapter, that Kant had claimed that the first three could be placed under the heading of anthropology since the first three questions related to the last. Now “politics,” as a subject of philosophy and certainly one with which Kant engaged, would appear to be absent from this schema; but we would only be deceived in thinking so. According to its cosmopolitan or “world concept”99 Kant defined philosophy as “the science of the ultimate ends of human reason.”100 This placed philosophy as superior to all other cognitions, relating it to “usefulness” and “wisdom.” In Kant’s view, philosophy is the “lawgiver of reason” and “to that extent the philosopher is not a theoretician of reason, but lawgiver.”101 But might not the role of lawgiver, which Kant had attributed to God in *Opus Postumum*, also be assumed by the state?

This chapter has attempted to argue that in Kant’s intellectual system, politics and philosophy were in a direct conflict over the governance of man. I have suggested that Kant’s political thought aimed to offer an alternative model for the political ordering of humanity than the course states were taking in his time. Hence, Kant’s philosophical schema in *Logic* may be construed holistically as politico-anthropological and this, rather than our present desires for a peaceful world order, should be used to inform our reading of Kant’s project for peace.

By “remembering Man” this chapter aimed to set the foundations for arriving at a different assessment of Kant’s place in the philosophical history of human rights, that is, as a focal moment in the history of its denial. Having argued in the previous chapter for a reconceptualization of Kant’s notion of the “citizen of the world” in accordance with his argument in *Pragmatic Anthropology* that it is only through a process of cultivation, civilization and moralization that man could become a “citizen of the world,” I commenced my engagement with Kant’s theory of a peaceful future for humanity with the third challenge identified by Bohman and Lutz-Bachmann:

98 Kant, *Logic*, p. 29.
99 Ibid., n.28, p.27 citing the *Critique of Pure Reason*: “World concept [Weltbegriff] is called here the concept that concerns what necessarily interests everyone.” Furthermore, here Kant distinguishes the cosmopolitan sense of philosophy from its “scholastic” sense which defines philosophy as “the system of philosophical cognitions or of cognitions of reason out of concepts.”
100 Ibid., p. 27.
101 Ibid., p. 28.
“concerning the reconciliation of unity and difference within the cosmopolitan identities of Kant’s “citizens of the world.”” My approach has differed from the views presented in their collection in that it does not treat Kant’s *Perpetual Peace* as a “historical prognosis,” nor does it test Kant’s vision against historical events or sociological processes like “globalization,” which could not have been anticipated by Kant, in order to refashion, for our times, Kant’s goals towards peace “with the benefit of two hundred years’ hindsight.” I have not taken as my presumption an investment in the international order of states as the terms upon which the ideas in *Perpetual Peace* ought to be evaluated nor as the image around which an identity of world citizenship is to be positively shaped. In fact, it is precisely this state-centric world view, the promotion of state sociality and the presumption that life ought to be incorporated into or ordered by an international system of geo-political states, that I sought to problematize here with respect to Kantian cosmopolitanism.

The central thesis put forward in this chapter is that Kantian cosmopolitanism can be understood as a political project for the cultivation of “Man” as *citizen of the world*, where “Man” is a subject to be groomed for progress towards the condition of “humanity” as a condition existing within a Eurocentric system of republican states. The implication of this argument is that any existence to the contrary is equivalent to a status of inhumanity/non-humanity. Thus, to the extent that it served to diagram (in)humanity by mapping as human those that lived in states from the inhumans who did not, Kantian cosmopolitanism can be located in the genealogy, not only of tensions between unity and difference in humanity that troubles contemporary advocates of cosmopolitan ethics, but more importantly, Kantian cosmopolitanism is central to the genealogy of the tension between the universality of human rights and its anomaly. Returning to the contemporary field of cosmopolitan studies, in view of the interpretation of Kantian cosmopolitan developed here, the next chapter proposes that responding to the urgency of the anomaly of a universal right to humanity requires, not a recuperation of Kantian cosmopolitanism, but a change of course from the cosmopolitan outlook that he espoused for the future of humanity — I refer to this as “refracting (in)human rights.”

102 See Karl-Otto Apel, ““Kant’s Toward Perpetual Peace” as Historical Prognosis from the Point of View of Moral Duty,” in Bohman and Lutz-Bachman (eds.) *Perpetual Peace*, 79-110.
103 See Jürgen Habermas, “Kant’s Idea of Perpetual Peace, with the Benefit of Two Hundred Years’ Hindsight,” in in Bohman and Lutz-Bachman (eds.) *Perpetual Peace*, 113-153.
Part IV

REFRACTION:
Of the (In)Human Condition

“Thus there is no diagram that does not also include,
besides the points which it connects up,
certain relatively free or unbound points,
points of creativity, change and resistance,
and it is perhaps with these that we ought to begin
in order to understand the whole picture.”

Gilles Deleuze, Foucault,
Chapter 8

A New World Order?
Humanitarianism,
Statism & the Limits of
Cosmopolitan Democracy

The year 1995 marked the bicentenary of Immanuel Kant’s most influential essay on cosmopolitanism, *Perpetual Peace: A Philosophical Sketch*. Given that it was also the fiftieth anniversaries of the Second World War and the founding of the United Nations, there was no better time to reflect upon, what was in 1795, Kant’s blueprint for humanity’s future. Particularly concerning the question of the ethical state of the international political order, a return to Kant provided (and continues to offer) a benchmark against which we might assess humanity’s progress towards peace.

It was tested on September 11th 1990, when then US president George H. Bush embarked upon a war in the Persian Gulf in response to Iraq’s invasion of Kuwait. This war, he declared, provided the opportunity for a “new world order” to emerge. In a speech before Congress he offered:

> We stand today at a unique and extraordinary moment. The crisis in the Persian Gulf, as grave as it is, also offers a rare opportunity to move towards an historic period of cooperation. Out of these troubled times, our fifth objective -- a new world order -- can emerge: a new era -- freer from the threat of terror, stronger in the pursuit of justice, and more secure in the quest for peace.¹

Eleven years later, on September 11th 2001, hi-jacked planes would smash into the twin towers of the World Trade Centre in New York sending them crashing down. The event would be marked by its date “9/11.” Out of these troubled times, another opportunity to move towards a new world order presented itself in a war in Afghanistan and then another in Iraq under the declaration of a “War on Terror” led by the administration of US President George W. Bush and a coalition of willing states.

By now, having entered the second decade of the Twenty-First Century, it does not take long to notice how dismally we have failed in this quest towards peace, for we need only consider the number of inter-state, intra-state and international wars that have broken out since Kant’s essay appeared, to realise that we are still waiting for peace as if it were Godot. While we wait, US President Barack Obama in his 2009 Nobel Peace Prize speech reminds us that:

> Still we are at war, and I’m responsible for the deployment of thousands of young Americans to battle in a distant land. Some will kill, and some will be killed. And so I come here with an acute sense of the costs of armed conflict – filled with difficult questions about the relationship between war and peace, and our effort to replace one with the other.²

How can we tackle these difficult questions? Despite their prevalence, political failures have not prevented a number of scholars from recuperating Kant’s text or re-visioning the cosmopolitan world order that he wrote of in pursuit of a more hopeful and ethical political future for humanity validated by the rule of law. This chapter addresses the ambitions of institutional cosmopolitanism projects, which seek to design “a new world order” that promotes the reformation of democratic governance in response to the global problems that put humanity in crisis.

This chapter will argue that, despite honouring humanity and seeking to extend a humanitarian ethic juridico-politically to encompass all peoples of the world, institutional cosmopolitan projects, in their conceptualisation of humanity within the limits of statism, nevertheless risk perpetuating the machine of the Anthropocentric Waiting Room, which, I have maintained over the course of this thesis, is the underlying logic that constitutes the aporia of the anomaly of a universal right to humanity in cosmopolitan human rights. This argument unfolds over five sections. After providing a basic overview of discourses of institutional cosmopolitanism, the first section raises the problem of the statist view of humanity that they are predicated upon. Using the example of one of institutional cosmopolitanism’s major strands of thought — the cosmopolitan democracy project — the second and third sections uncover its central aporia as it is illuminated by the political rhetoric around the recent war in Iraq. The fourth section takes up a discussion of Derrida’s critique of cosmopolitan democracy and his alternative response to the political urgency of war and humanitarian catastrophes in terms of “democracy to come.” After considering Rancière’s criticisms of the depoliticizing character of Derrida’s approach, the chapter concludes by suggesting a new direction for the ethico-political concerns of cosmopolitan thinking.

**Institutional Cosmopolitanism**

The institutional strand of cosmopolitan thinking, though attentive to the ethical considerations of moral universalist versions of cosmopolitanism addressed in Chapter 1, nevertheless seeks to move beyond the register of abstract moralist theorization to a register of applied and strategic thinking that adopts a cosmopolitan framework within the domain of political practice and international law in order to develop approaches for resolving empirical global problems such as conflict, poverty and environmental challenges. It is within this context that cosmopolitan thinking takes on a new dimension, as it seeks to address the complex challenges of our time in a manner that is both ethical and practical.

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disasters. Although there are different versions of the institutional cosmopolitan project, their general defining feature is the desire to ground international relations in an ethical basis in order to guide the political practices of states and other transnational actors.

Emerging as an alternative to the dichotomous realist and idealist paradigm in international relations theory, cosmopolitanism offers a way to unsettle the binary and rethink international relations. Against the Hobbesian inspired realist tradition, which views international relations as an anarchical order of self-interested states, a cosmopolitan alternative may be one in which the responsibility of states is to serve humanitarian interests. Examples of the latter include the adoption of the doctrine of Responsibility to Protect (R2P) in the aftermath of the atrocity of the Rwandan genocide of 1994 along with arguments to shift the dominant paradigm in international relations from “state” security to “human” security. Attuned to Kant’s warning that “The peoples of the earth have thus entered in varying degrees into a universal community, and it has developed to the point where a violation of rights in one part of the world is felt everywhere,” proponents of the human security discourse welcome its promotion of human rights even if it results in justifying the use of force but attention needs also to paid to the politically expedient ways in which (R2P) has been implemented by the international community. Some critics argue that the human

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7 I have noted some of these in Chapter 1. An additional review of this literature can be found in Richard Beardsworth, *Cosmopolitanism and International Relations Theory* (Cambridge: Polity Press, 2011).
security discourse represents the “dual exercise of sovereign power and biopower” by constituting a form of life in which sovereign power can be exercised to shape the world order by authorizing interventions intended to protect human life. Others argue that it, while humanitarian intervention may create narratives in which the intervening actors (e.g. international community, UN, NATO) may identify with the part of the “hero,” they also create different realities of power relations that absorb the individuals affected.

Nevertheless, cosmopolitanism is chosen as a suitable framework for responding to international political affairs, often because it suggests a concern for the whole world in terms of the pursuit of a peaceful order upheld through the rule of law; it inspires the quest for global justice; it promotes democratic institution-building on a global scale, and it takes the implementation of human rights as its reference point. In discourses of institutional cosmopolitanism, the concept of “cosmopolitanism” works as both a frame through which to see the picture of the world, as well as the tools with which that picture can be redrawn.

Although there are a variety of specific models, the general ambitions of institutional cosmopolitans are not without their critics, several of whom we have already encountered in Chapter 2. But particularly within international relations scholarship, as Richard Beardsworth outlines, realists are critical of the cosmopolitan outlook because it reproduces the category errors of universal liberalism; since cosmopolitanism is based on basic liberal principles Marxists accuse it of lacking a strong economic analysis at best and complicity with economic globalization at worst; postmodernists problematize its liberal and humanitarian goals in order to show cosmopolitanism’s contradictions and technologizing governmental strategies. Hence, the broad intellectual stance towards cosmopolitanism represented by this body of literature can be said to take one of two forms: either cosmopolitanism needs to be recovered from its Ancient and Enlightenment heritage and revisioned as a positive response to our current global

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17 Beardsworth, *Cosmopolitanism and International Relations Theory*. 
political problems; or it is to be approached as a feature and even cause of those problems. But this dichotomy has conceptual limitations. The most significant of which, R.B.J. Walker suggests, is that these discourses of cosmopolitanism remain fixated on a statist view of the world, which is inevitably caught between *polis* (read as “particular”) and *cosmopolis* (read as “universal”), as what should be the organizing principle for the world picture.18

For Walker, cosmopolitanism calls into question the logic of the modern system of states defined in terms of an opposition between *polis/cosmopolis* and the corresponding modes of subjectivity that it produces in terms of the oppositions particular/universal and citizens/humans. These oppositions in turn signal the “limits of modern political possibility/impossibility”19 as a relationship between unity and diversity centred upon a tension between a multiplicity of states and the single international system that they inhabit. Hence, Walker proposes that cosmopolitanism might be read as: “…the story of our split identity as modern subjects, beings who are in principle both particular (as citizens) and universal (as humans), with priority in the final political instance assigned to the former and priority in the final ethical instance attached to the latter.”20

In light of the previous two chapters, this condition and hence the resulting limits of the way the “political” is conceptualised as an equation between humanity and statism, owes much to the Kantian cosmopolitan aspiration to create as “citizen of the world” the subject Man, where “Man” as *homo duplex*, is located on a hierarchical plane between animality and divinity; split between the sensible and material; split between the subject of the “human being” and the subject of “rights” and split between *what he is* and *what he can make of himself* as a condition between the lawlessness of the state of nature and the civility of republican state order. In what follows I take up Walker’s invitation to develop an alternative mode of discursive engagement with cosmopolitanism from within the limits of the *polis/cosmopolis* dichotomy using the discourse of cosmopolitan democracy as a point of departure.

19 Ibid., 271.
20 Ibid.
The Cosmopolitan Democratic Vision

It is a widely held view that despite its deficiencies, the best conditions for maintaining peace and cultivating, honouring and protecting human rights is “democracy.” A “cosmopolitan democracy” then, might sound even more appealing. In his essay “Democracy and the New World Order,” David Held observes:

The international community is at a crossroads. The post-Cold War era ushered in the possibility of a ‘new international order’ based on the extension of democracy across the globe, and a new spirit of cooperation and peace. The enthusiasm with which this possibility was greeted seems now far removed. The crises in Bosnia, Somalia, Iraq, Cambodia and elsewhere have brought many to the conclusion that the new world order is a new world disorder.

It is in response to this changing international order, where intrastate ethnic conflict erupts and genocide and human rights atrocities proliferate, that Held argues for a “cosmopolitan international democracy.” From first impressions, it would appear that his is a cautionary note against the declaration of “the end of history” and celebration of the “triumph of democracy over all alternative forms of governance” by commentators such as Francis Fukuyama who viewed the collapse of communist states in 1989 as the coming of a new world order in which a bi-polar separation of international power would be replaced by the consolidation of power into one pole — democratic capitalism. Although rejecting the future envisaged by Fukuyama and acknowledging

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23 Ibid.

the deficiencies of democratic theory, insofar as it seeks to extend, to the international sphere, an alternative version of the democratic ideal and its practices in pursuit of a peaceful future for humanity, the cosmopolitan democracy project nevertheless shares in the teleological impulse and investment in narratives of humanity’s progress found in “end of history” arguments.

In the definition of “cosmopolitan democracy” offered by Daniele Archibugi and David Held, “cosmopolitanism” refers to “a model of political organization in which citizens, wherever they are located in the world, have a voice, input and political representation in international affairs, in parallel with and independently of their own governments” and “democracy” emphasises “popular participation in the political process.”25 Deemed an “agenda for a new world order,” the core aim of the project is to cultivate post-national democracy, that is, to promote democracy at a global level through “the construction of a world order imbued with the values of democracy” 26 as well as to regulate it by an overarching cosmopolitan legal and political authority.27 As such, “cosmopolitan democracy” is effectively a theory for the practice of institutional cosmopolitanism grounded philosophically and ideologically in liberal-democratic thought.

In liberal-democratic thought the engagement with the political takes up concerns with the exercise of power, the organization of human relations in terms of governmental institutions and regulatory norms and principles for collective life, within a particular conceptual or ideological framework that promotes forms of contractarianism, consent and constitutionalism in which liberalism’s rational human beings may come together to form a peaceful society by negotiating their individual interests. Thus, traditionally a project for political organization within states, the cosmopolitan democracy project seeks to translate political liberalism to an international arena as the governing regime between (inter-national) and over (supra-national) states echoing Kant’s view that “Man is an animal who needs a master…this master will also be an animal who needs a

26 Ibid., p. 8.
master.”

As Archibugi and Held observe, although there has been an increase in the number of democratic states since the Cold War ended, this has not been accompanied by an increase in the level of democracy between states. Suggestions for how it might be achieved include the following: first cultivating a stronger commitment to the UN Charter by instituting stronger measures to uphold various principles and standards; second, creating regional parliaments for Latin America, Africa and Asia like the European Parliament and third, entrenching democratic rights, such as the civil, political, economic and social rights of United Nations human rights instruments, as a framework for political decision-making.

Similar to Martha Nussbaum and Seyla Benhabib, David Held and Daniele Archibugi represent a strand of contemporary cosmopolitan thinking that returns to a particularly Kantian tradition of cosmopolitanism (albeit an invented one as I argued in Chapter 1) in response to the contemporary political climate. Their cosmopolitanism builds on a similar ethos to the universal cosmopolitans where cosmopolitanism is the view that humanity forms a single moral community, which, to reiterate my earlier discussion, argues that each human being has a moral obligation to other human beings regardless of their race, national, religious, cultural or ethnic ties. It shares a notion of the “interconnectedness” of peoples of the world into a single community. However, where Nussbaum’s and Benhabib’s were philosophical arguments seeking to influence political practice, this approach adopts a “realist” agenda, seeking to institute a political practice to achieve a social reality.

Cosmopolitan democracy projects, whether moral or institutional in their conceptualisation, demand certain prerequisites. These include the following: that states have already achieved a high enough standard of democratic development internally in order to be able to participate in a democratic system at the international level. Additionally, they often rely on a number of problematic presumptions such as these: that democracy is the ideal condition for all peoples of the world; that democracy is
desired by everyone; that both cosmopolitanism and democracy are achievements of the West; an equivalence with capitalism and promotion of the free market and ethos of private property;\(^\text{32}\) that recognition of difference can only occur within a hegemonic framework; and, the one which I want to draw attention to in particular, the prioritisation of the democratic state as the organising unit of social and political life and indeed a life that is deemed to be “human.” Any political agenda or institutional design predicated on these presumptions risks recreating the violating dynamic of the Anthropocentric Waiting Room as the aporia inherent in an appeal to “cosmopolitan democracy.”

**The Iraq War Dilemma**

By way of illustrating this aporia, let us consider the cosmopolitan democratic imperatives of the 2003 US-led invasion of Iraq revealed in the discourse of key politicians amidst the hanging of Saddam Hussein on 30th December 2006 having been found guilty of committing “crimes against humanity.” Then US President, George W. Bush, is reported to have said:

> Today Saddam Hussein was executed after receiving a fair trial — the kind of justice he denied the victims of his brutal regime. Saddam Hussein's execution comes at the end of a difficult year for the Iraqi people and for our troops. Bringing [him] to justice will not end the violence in Iraq, but it is an important milestone on Iraq's course to becoming a democracy that can govern, sustain, and defend itself, and be an ally in the war on terror. Many difficult choices and further sacrifices lie ahead. Yet the safety and security of the American people require that we not relent in ensuring that Iraq's young democracy continues to progress.\(^\text{33}\)

\(^\text{32}\) For example, on this point, in *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance*, Held argues that “cosmopolitan democratic law must be entrenched in market mechanisms and processes if different kinds of market are to flourish within the constraints of democratic processes and outcomes” at p. 240.

On the other side of the Atlantic, the British Foreign Secretary, Margaret Beckett stated on behalf of the UK government:

I welcome the fact that Saddam Hussein has been tried by an Iraqi court for at least some of the appalling crimes he committed against the Iraqi people. He has now been held to account. The British government does not support the use of the death penalty, in Iraq or anywhere else. We advocate an end to the death penalty worldwide, regardless of the individual or the crime. We have made our position very clear to the Iraqi authorities, but we respect their decision as that of a sovereign nation. 34

Whilst in the Pacific, John Howard, former Australian Prime Minister and third key member of the “Coalition of the Willing” made the following comments:

The real significance is that this man has been given a proper trial, due process was followed. It was an appeal that's been dismissed and he has been dealt with in accordance with the law of Iraq. And I believe that there is something quite heroic about a country that is going through the pain and the suffering that Iraq is going through, it still extends due process to somebody who was a tyrant and brutal suppressor and murderer of his people. That's the mark of a country that's trying against fearful odds to embrace democracy and it's a country that deserves sympathy and support - not to be abandoned. 35

This dialogue between George W. Bush, Margaret Beckett and John Howard invoke, in a practice of cosmopolitan democracy, a theory of cosmopolitan ethics (perhaps much against the intentions of Benhabib) as “a concern for the world as if it were one’s polis” by their very speaking upon and authorisation to speak about and for the affairs of another country in the name of “crimes against humanity.” But disturbingly, the same

34 Ibid.
35 Ibid.
theory of cosmopolitanism that had made possible the condemnation of “crimes against humanity” was also invoked to justify a war in Iraq. The second result (war) occurred under the guise of the first (human rights) in two ways: the first involved, so the claim of the Coalition went, eradicating Saddam Hussein’s alleged weapons of mass destruction that held the potential for committing further crimes against humanity and, the second, was the making of a promise to bring democracy to the people of Iraq in an attempt to bring them up to the standard of “humanity” through the cultivation of a democratic state, perhaps as an expression of what might be owed to them as fellow human beings and subjects of right. In this gesture of the responsibility to protect the people of Iraq,\(^{36}\) the formula applied for the Iraqis’ equivalence as human beings is in terms of membership of, first, the democratic modern state and, second, the community of modern democratic states achieved through the struggle of war.

I am not arguing that the actions and rhetoric of these politicians are an enactment of the cosmopolitan democracy projects proposed by universal cosmopolitans or institutional cosmopolitans presented in this thesis. Neither am I suggesting that the intentions of the latter are complicit with the intentions of the former. In fact, it is precisely because of the kind of manipulation and violation of international law and principles of humanitarianism illustrated by the circumstances surrounding the 2003 invasion of Iraq that scholars continue to put their minds to creating models of cosmopolitan governance that could check such violence. Rather, what I am problematizing is the shared presumption that democracy and/or democratic state sociality puts us on a path towards full humanity, which in Kantian terms was the telos of cosmopolitanism. Between the two faces of cosmopolitan democracy lurks an aporia. Academic advocates of cosmopolitan democracy would most likely not support this second kind of cosmopolitanism demonstrated by the Iraq invasion, particularly as it occurs as a consequence of war, the morality and legality of which was highly questionable.\(^ {37}\) Nevertheless, the paradox that manifests is quite disconcerting when we think, as it is represented in the so-called Stoic-Kantian tradition, that cosmopolitanism is claimed as an ethics for peace. It raises the question of what makes the cosmopolitanism of the

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\(^{36}\) For a critique of how the United States and United Kingdom invoked the doctrine of Responsibility to Protect, see Alex J. Bellamy, “Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention After Iraq,” in *Ethics & International Affairs: A Reader*, ed. Joel H. Rosenthal and Christian Barry (Washington D.C.: Georgetown University Press, 2009), 103-129. In his view these states have undermined the legitimacy and efficacy of the doctrine in international relations and equally, they have damaged their reputation as “norm carriers” for human rights.

\(^{37}\) Ibid.
second kind (act of war) possible in the expression of the first kind (upholding of human rights)? Or, to borrow the language of psychoanalysis, what is repressed from consciousness in the first conveyance of cosmopolitan democracy as “a concern for the world as if it were one’s *polis*” (in the sense of upholding human rights) that returns as the second conveyance of cosmopolitan democracy as “a concern for the world as if it were one’s *polis*” (in the sense of an act of war)?

To explain this absent presence, I borrow the concept of the “unconscious” not as a property of any individual subject as articulated in Freud’s theory, where repressed desires await discovery and freedom, but as the notion of “lack” or the failure of presence found in Lacan’s theory, as what is concealed but also revealed by language in its concealment. In Lacan’s words “the unconscious is the discourse of the Other,” by which he means that it borrows from the structure of existing speech to reveal a different narrative. If we consider Benhabib’s discursive cosmopolitan democratic formulation a little closer for example, the “concern for the world as if it were one’s *polis*” conceptualises “the world” in terms of “*polis*.” Benhabib, however, does not explain this term *polis*, perhaps because it has a conventional understanding in political theory of the following kind:

*polis* Transliteration of the Greek word for ‘city-state’. In Plato and especially Aristotle, *polis* has the normative connotation of the best form of social organization. Aristotle’s much quoted statement ‘Man is by nature a political animal’ would be more accurately rendered ‘Mankind is an animal whose highest form of social organization is the ‘city-state.’

We find in this definition that *polis* is a term from classical Greece, which is often presumed to be the starting point of Western civilization and the foundations of democracy. In Arendt’s interpretation of this history,
To be political, to live in a *polis*, meant that everything was decided through words and persuasion and not through force and violence. In Greek self-understanding, to force people by violence, to command rather than persuade, were prepolitical ways to deal with people characteristic of life outside the *polis*, of home and family life, where the household head ruled with uncontested, despotic powers, or life in the barbarian empires of Asia, whose despotism was frequently likened to the organization of the household.  

When we pay closer attention to how the Greeks might have thought of *polis* it becomes a less innocent expression of the social, political or human condition than conventional usage might presume. In it we find not only a hierarchical view of humanity, that placed Greeks at the top, but a developmental view, that defined the Greek way of life as the “highest form of social organization” possible for mankind. It is not enough to critique this as merely another instance of Western superiority. Something more complex is at work here that makes attitudes of superiority possible whether they are based on race, culture or some other factor. Here it implies that to be fully human is to live in the *polis*, which is to be the subject of *logos*, not merely of voice.  

This “something more complex” is a diagram that allows difference and its regulation by space and time to be created from sameness in order to separate out the human from the inhuman that constitutes it. The conceptualisation of “the world” in terms of *polis* is therefore problematic, I am suggesting, because it reproduces the organising principle of the Anthropocentric Waiting Room. Therefore, I would vary Arendt’s conceptualisation of violence, extracted above, to argue that “words and persuasion” might also be enactments of “force and violence.” This is to follow Judith Butler who, considering the injurious effects of speech acts, argues that linguistic constructions do not just represent reality, but create it, and, to this extent, “speech is always in some ways out of our control.”

The discursive violation of democratic cosmopolitanism’s Others can be demonstrated further considering the implications of Bonnie Honig’s “democratic cosmopolitanism” in light of this Iraq example. As discussed in Chapter 1, Honig examines “the problem

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41 For further discussion of the link between *logos* and humanity in the classical Greek iteration of the Anthropocentric Waiting Room, refer back to Chapter 5 of this thesis.  
of the foreigner” largely against the background of anti-immigrant sentiments in immigrant societies like the United States, and offers “democratic cosmopolitanism” as a possible solution to this problem. She suggests that we address our ambivalence towards the foreigner, by considering how foreigners benefit the group. In this reading, Honig offers a rather positive and celebratory account of foreign-founding scripts, or those narratives in which a “foreigner” saves a people, by, to use Honig’s term, “founding” them democracy. It seeks to appease hatred towards the foreigner/Other in anti-immigrant politics by showing the group/Self episodes in its own history in which it was hospitable to the Other or when the Other did good things for the group/Self. This cosmopolitanism reconstitutes, as an object of desire, the Other that was once abhorred in the attempt to absolve the Self of its hatred. But what Honig’s account also reveals here is the inherent violence in cosmopolitan democracy’s mythology of the foreigner. It raises the question of whether such nostalgic romanticisation of the Other is also a reaffirmation of the initial violence that had demarcated them as Others, now re-enacted by demonstrations of hospitality towards them such as inclusion in the democratic sphere?

Hospitality, to bring back a central theme of Kantian cosmopolitanism, is here expressed in terms of the needs of the host, where the host is the one that speaks and speaks with the capacity to legislate the terms of the dialogue with foreigners. “Speaking” is symbolic of the exercise of authority, domination or the power to set the tone and the terms of the encounter. Despite their appearances of plurality and reciprocity, there is only one side to hospitality and only one side to the dialogue — they are, to put it another way, both monological forms of understanding. A “monological” understanding, as Mikhail Bakhtin defines it, is one in which the interpreter has established the reality of the Other. Ethnocentrism is one such obvious example, or Orientalism, as discussed by Edward Said offers another. It occurs in two forms. First, as Bakhtin presents it, monologism occurs in the very consciousness or recognition of the Other. The second is offered by Christina Rojas in terms of the way

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the Other is discursively constructed as “different” to legitimize the exercise of violence and domination, in, for example, Western civilizing missions of the Third World.\textsuperscript{47}

Thus, cultivating Kantian hospitality as the “right of a stranger not to be treated with hostility when he arrives on someone else’s territory” as a feature of cosmopolitan democracy in international relations might sound appealing in a context where the stranger is a suffering refugee, who was, ironically, produced by the cosmopolitanism of the incorporation of life into the structure of the modern system of states. But what if the foreigner in question is a different kind of foreign-founder, like the coloniser that has come with the mentality that it is saving a backward people by raising its standard of civilization for inclusion into the cosmopolitan family of democratic states? Hence, the implications of such celebratory narratives of the foreign-founding of democracy could support another kind of foreign-founding script that we find in histories of imperialism and colonialism. Even more controversially, the toppling of Saddam-Hussein’s Iraq might also be described as a moment of foreign-founding of democracy and saving a people.

If the comments of George W. Bush, Margaret Beckett and John Howard are considered, then at first instance, Iraq would present a case of the foreign-founding of democracy in so far as the leaders speak as though having bestowed a gift of democracy on their Others, the people of Iraq. Further, in their statements, the hanging of Saddam Hussein was initially championed as an example of democratic justice being upheld in Iraq as each leader expressed their cosmopolitan acclaim in terms of praise for the “young democracy,” as though it was a child emerging out of its immaturity, using its sovereignty and carrying out this “justice” all by itself. But since the reports and footage of the mobile phone camera recording of the taunting of Saddam Hussein by his executors released a few days after the event, the democratic civility, maturity and readiness of Iraq was doubted. As George W. Bush is reported to have expressed it to the German Chancellor Angela Merkel, he wished that the execution had “been done in a more dignified way.”\textsuperscript{48} The immaturity of Iraq’s democracy had been emphasized

\textsuperscript{47} Christina Rojas, Civilization and Violence: Regimes of Representation in Nineteenth-Century Colombia, (Minneapolis: University of Minnesota Press, 2002), xvii.

further in media updates reporting on the wait for George W. Bush to present his new Iraq plan. As one newspaper reported:

President Bush’s new Iraq policy will establish a series of goals that the Iraqi government will be expected to meet to try to ease sectarian tensions and stabilize the country politically and economically, senior administration officials said Sunday. Among these “benchmarks” are steps that would draw more Sunnis into the political process, finalize a long-delayed measure on the distribution of oil revenue and ease the government’s policy toward former Baath Party members, the officials said.49

The cultural difference between the Iraqis and the bearers of democracy is amplified as the characterisation of Iraq as “sovereign” seems to have been displaced here: demonstrating they are “not yet” ready for the gift of democracy, the government of Iraq is required to adhere to the will of foreign policy. The circulation between difference and displacement in the narrative reveals that the cosmopolitan sentiment of the Coalition was predicated upon a conception of difference derived from a monological production and violation of the (cultural) Other as its subject that performed the relationality of human-inhuman according to the logic of the Anthropocentric Waiting Room circulating amidst the pathway to democratic order. In this formulation, Kantian hospitality lends itself as a justification for colonialism just as the equation of humanity with democratic-state existence can also imply that its Other, in this case the inhabitants of a failed state, can be deemed an inhuman waiting to be democratized/civilized/humanized. Like Kantian hospitality, cosmopolitan democracy harbours an aporia that obstructs and undoes its ethical and political promise. Let us return now to Derrida’s ethico-political thought introduced in Chapter 3 to examine this proposition further.

From “Democracy to Come” to
“Cosmopolitanism to Come”

Like the advocates of cosmopolitan democracy described earlier, Derrida also rejects Fukuyama’s “end of history” thesis. But he is equally critical of appeals to the cosmopolitanization of democratic institutions. In Chapter 3, I outlined Derrida’s critique of a cosmopolitan ethics grounded in Kantian hospitality, which he argued could not be purely ethical at all so long as it was grounded in the political category of sovereign law. In what follows, I will outline the challenges he presents to cosmopolitan democracy projects with respect to three ideas — the international, democracy and temporality — before returning to their implications for cosmopolitan thinking. To this end, allow me to refer back to Derrida’s essay On Cosmopolitanism to outline the alternative way in which he responds to the same set of global problems, most notably, threats to human rights. Recall in that text Derrida’s description of the International Parliament of Writers initiative of the Network of Cities of Asylum (Cities of Refuge) as resembling “a new cosmopolitics.”

We have undertaken to bring about the proclamation and institution of numerous and, above all, autonomous ‘cities of refuge,’ each as independent from the other and from the state as possible, but, nevertheless, allied to each other according to forms of solidarity yet to be invented. This invention is our task…

The kind of “forms of solidarity yet to be invented” echoes the appeal Derrida had made earlier in Spectres of Marx where he expressed the preference for the term “new International” rather than “new world order” to appeal to the ethico-political

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51 Ibid.
52 In 1864, after the publication of the Communist Manifesto, Marx established the “The First International,” an international workers collective. See Jacques Derrida, Specters of Marx: The State of Debt, the Work of Mourning and the New International (New York: Routledge, 1994). Unfortunately I do not have the space to take up a further discussion of how Derrida’s references to Marx’s ghost works in relation to his idea of the New International or themes of cosmopolitanism in this text.
53 Derrida lists ten “plagues” of the “new world order”: unemployment; exclusion of homeless citizens and expulsion of many non-citizens, stateless persons and refugees from democratic participation; contradictions of the free market; foreign debt; arms industry and arms trade; spread of nuclear weapons;
demands of the post-1989 climate of the fall of communism, rise of intra-state conflict and human rights atrocities. Responding to the question concerning leftist academics of whether the collapse of communism signaled also the death of Marxism, Derrida’s invocation of the Marxist heritage of the term “International” is an appeal to retain the sentiment of solidarity and a critical disposition towards the state that Marxism maintained. As he explains it:

The name of new International is given here to what calls to the friendship of an alliance without institution among those who, even if they no longer believe or never believed in the socialist-Marxist International, in the dictatorship of the proletariat, in the messianoeschatological role of the universal union of the proletarians of all lands, continue to be inspired by at least one of the spirits of Marx or of Marxism…and in order to ally themselves, in a new, concrete, and real way, even if this alliance no longer takes the form of a part or of a workers’ international, but rather of a kind of counter-conjuration, in the (theoretical and practical) critique of the state of international law, the concepts of State and nation, and so forth: in order to renew this critique, and especially to radicalize it.\(^{54}\)

The first notable difference between Derrida’s response and the “cosmopolitan democracy” approach is a rejection of the state as the basis of the new International. These two quotes illustrate that, between *Spectres of Marx* and *On Cosmopolitanism*, the new International that Derrida was seeking had not yet arrived. We do not and cannot know what this new International is except that it is one that cannot be organized around the institution of the state, which has already proven its capacity to abuse its sovereignty by abusing human rights and which had been, anyhow, legitimated by an act of violence.\(^{55}\) The state is perplexed by an “autoimmunitary logic,” which, like the *pharmakon*, is both a remedy (self-protecting) and a poison (self-destroying). The challenge that its aporetic structure presents for the cosmopolitical turn Derrida argues is:

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inter-ethnic wars; the “phantom-States” of transnational mafia and drug cartels; domination of international legal and political institutions by particular nation-States. See ibid., pp.100-104.

\(^{54}\) Ibid., p. 107.

How to decide between, on the one hand, the positive and salutary role played by the “state” form (the sovereignty of the nation-state) and, thus, by democratic citizenship in providing protection against certain kinds of international violence (the market, the concentration of world capital, as well as “terrorist” violence and the proliferation of weapons) and, on the other hand, the negative or limiting effects of a state whose sovereignty remains a theological legacy, a state that closes its borders to noncitizens, monopolizes violence, controls its borders, excludes or represses noncitizens and so forth?56

Furthermore, recalling the argument in The Animal Which Therefore I am, the implication is that a new International cannot be organised around the “human” either because of its anthropocentric bias that treats non-humans as inferior beings.57 However, for the purposes of this chapter, let us instead examine Derrida’s more explicit challenge to the appeal to “democracy” in the picturing of a new world order.

Following Derrida’s intervention, revisioning “democracy” in terms of “cosmopolitanism” is not a radical enough critique of the international order, for democracy is fundamentally aporetic as I indicated earlier. Derrida locates democracy’s aporia in its Greek origins evidenced by the following remarks of Plato:

Then as now, and indeed always, from that time to this, speaking generally, our government was an aristocracy (aristokratía) – a form of government which receives various names, according to the fancies of men, and is sometimes called democracy (dēmokratía), but is really an aristocracy or government of the best which has the approval of the many…58

57 The “question of the animal” also makes an appearance in the earlier Spectres of Marx as Derrida notes it as a site of suffering in the order of states which the “new International” would have to redress, but it is a question that he cannot take up further on that occasion: “And provisionally, but with regret, we must leave aside here the nevertheless indissociable question of what is becoming of so-called “animal” life, the life and existence of “animals” in this history. This question has always been a serious one, but it will become massively unavoidable,” p. 106.
Derrida asks us to note the “suspended usage of the word ‘democracy’”\(^5\) which raises two key points. The first is the fundamental paradox that “democracy” is what it seeks to differentiate itself from – i.e. *aristocracy* – hence its conditions of possibility would be an impossibility and in this sense “democracy” is yet to come. The second defining feature of democracy is that it is the “government of the best,” which translates in his later essay *Rogues* as the “reason of the strongest” defined as “the right [droit] granted to force or the force granted to law [droit].”\(^6\) This equivalence, Derrida observes, is demonstrated by the political label of “rogue states” used by the states that champion democracy\(^6\) to name those states that threaten the peace and instability of the international order. Writing in the post-9/11 climate of the “War on Terror,” rogue states, Derrida says, are those states that appear

…not to respect the mandates of international law, the prevailing rules and the force of law of international deontology, such as the so-called legitimate and law-abiding states interpret them in accordance with their own interests. These are the states that have at their disposal the greatest force and are prepared to call these Etats voyous (rogue states) to order and bring them back to reason, if they need be armed

In this context it is hard to tell the difference between the rogue state and the democratic state. It is, as Plato says, a form of government that receives its name “according to the fancies of men.” Here another version of the paradox emerges: “democracy” is what it seeks to differentiate itself from – i.e. a rogue.

To explain democracy’s aporias, Derrida uses the expression “democracy to come” (*la democratie à venir*) which appears throughout his writings since his 1989 essay *Du droit à la philosophie* but which is best summarised in *Rogues* under five points. First, “democracy to come” seeks to make explicit democracy’s aporetic quality by displacing its name and highlighting its emptiness. This is not to suggest that the term be abandoned as such, but it is to argue that in light of events that have taken place in the

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\(^5\) Ibid., p. 99.


\(^6\) Specifically in the rhetoric of US foreign policy under the administration of George W. Bush, “rogue states” included Afghanistan, Iraq, Iran and North Korea.
name of “democracy,” the meaning of democracy is called into question perhaps as being empty of meaning and susceptible to political manipulation by the strongest. This is to criticise those states and systems that call themselves democratic, but which ignore or inflict suffering and violation of human rights. “The “to-come”” Derrida explains, not only points to the promise, but suggests that democracy will never exist, in the sense of a present existence: not because it will be deferred but because it will always remain aporetic in its structure…”

It is a structure akin to autoimmunity: simultaneously validating in its self-promotion and invalidating in its self criticism. Democracy, Derrida notes, “is the only system, the only constitutional paradigm, in which, in principle, one has or assumes the right to criticize everything publicly, including the idea of democracy, its concept, its history, and its name.” In this sense democracy, in constant struggle with itself, always hesitates; its “meaning in waiting” designated by the supplement “to come.”

Second, the “to come” as a reference to a future, is not the future of historicity as something that is calculable, predictable, foreclosed or pre-determined (le futur). Expressed in terms of a temporality “beyond the future,” (à venir) it implies the unexpected, unknown, incalculable event (l’avenir). Time here is not linear, as it is in the teleological structure of “end of history” or “universal history” projects for world order; but it is “out of joint” — it has been ruptured, fragmented and displaced. Importantly, “democracy to come” should not be treated as the telos of history. Derrida is not saying that democracy “will come,” rather its time is the time of a promise to a future that remains open. Recalling the distinction between teleological (developmental) and eschatological (disruptive) approaches to the passage of time, “democracy to come” would appear to entail an element of the latter. Derrida had described this eschatological quality of the “to come” as a “messianicity without the messiah.” For Derrida, the “messianic” refers to “the coming of the other, the absolute and unpredictable singularity of the arrivant as justice.”

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62 Ibid., p. 86.
63 Ibid., p. 87.
64 Ibid., p. 8. In “Force of Law” Derrida made a similar point as follows: “There is not yet any democracy worthy of its name. Democracy remains to come: to engender or to regenerate” p. 281.
65 Derrida, Rogues, p. 7.
68 Derrida, Spectres of Marx, p.33. For an explanation of how “democracy to come” can be understood in terms of “messianic time” and an analysis of the influence of Walter Benjamin and Emmanuel Levinas on
temporality rather than historicity, the end is not foreclosed, since to do so would be to limit ethical response. Rather, it implies as the work of ethics, the creation of ruptures and new openings in thinking. Although Derrida rejects the messianic qualities of Kantian and some neo-Kantian political thought, he has been criticized for the theological foundations of his own conceptualization of the political.69

Third, the problem with extending democracy transnationally, Derrida argues, is that it will always re-invent sovereignty and reproduce its aporetic structures. This is one of the limits he identifies in the human rights regime of international law:

It is by democratic reference to the Universal Declaration of Human Rights that one tries, most often to no avail, to impose limits on the sovereignty of nation-states...The Declaration of Human Rights is not, however, opposed to, and so does not limit, the sovereignty of the nation-state in the way a principle of nonsovereignty would oppose a principle of sovereignty. No, it is one sovereignty set against another. Human rights pose and presuppose the human being (who is equal, free, self-determined) as sovereign. The Declaration of Human Rights declares another sovereignty; it thus reveals the autoimmunity of sovereignty in general.70

The limit of the human rights regime concerns its predication upon law, which, for Derrida is to be distinguished from justice. According to his argument in “Force of Law,” which I outlined in Chapter 3, the distinction is that justice is incalculable and unpredictable; but law is a calculable and predictable apparatus. Hence justice as law cannot be justice at all, but demands openness to the future that is conveyed by the way in which Derrida is using the expression “…to come…”

Derrida’s notion of the messianic, see Simon Critchley, “The Hypothesis, the Context, the Messianic, the Political, the Economic, the Technological: On Derrida’s Spectres of Marx,” in Ethics -Politics-Subjectivity: Essays on Derrida, Levinas and Contemporary French Thought, ed. Simon Critchley (London: Verso, 1996), 143-82.


70 Derrida, Rogues. p. 88.
Fourth, and related to the third point, Derrida proposes that “democracy to come,” as an expression of deconstruction, is aligned with justice. Its openness to the future is what is demanded by justice. Here it must be emphasized that Derrida’s “democracy to come” is not of the order of the Kantian regulative Idea as in the case of the “cosmopolitan democracy” projects described above, neither is it a Utopia or even a claim that democracy will be realized. But this does not mean that it is apolitical, which brings us to the last point.

Fifth, Derrida is not suggesting that, like the characters of Waiting for Godot, we simply pass the time in the hope that Godot/democracy will turn up. There is a greater political urgency and call to action in “democracy to come” because:

> Time must always be lacking for democracy because democracy does not wait and yet makes one wait for it. It waits for nothing and loses everything for waiting.

“Democracy to come” as a “messianicity without the messiah” does not announce anything nor even promise anything but “waivers between imperative injunction (call or performative) and the patient perhaps of messianicity (nonperformative exposure to what comes, to what can always not come or has already come.” It is a way of retaining its faith in democracy without committing to a God.

The logic of “democracy to come” parallels the logic of différance as an ethico-political impulse of urgency: attentive to its internal contradictions it is charged with an

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71 For a more detailed version of this argument see Derrida, Spectres of Marx, p. 82.
72 Derrida, Rogues, p. 108.
73 Ibid., p. 91.
74 This aspect of Derrida’s philosophy has been heavily criticized by Richard Rorty in his piece “Philosophy as a Kind of Writing: An Essay on Derrida,” New Literary History, 10,1(1978): 141-160.

Here Rorty likens Derrida’s approach to philosophy to a kind of secularist approach that does not want to make a judgment about God or to engage in debate about the existence of God, but instead wishes that we just did not have to have a view on God. He summarizes his thesis thus:

“Derrida is trying to do for our highbrow culture what secularist intellectuals in the nineteenth century tried to do for theirs. He is suggesting how things might look if we did not have Kantian philosophy built into the fabric of our intellectual life, as his predecessors suggested how things might look if we did not have religion built into the fabric of our moral life” (p. 149).
undecidable irreducibility that stays open to alterity, or to the horizon of the future, whilst at the same time calling for the urgency of the interruptive decision endeavoring in the least not to recommit the violence of the origin nor to perform the violence of the “worst.” It emphasizes the duty of responsibility in ethico-political decision-making and the consideration of singularity rather than presumption of universality in what guides ethico-political decision-making. Its threshold would be the “necessity to avoid the worst violence.” As I argued in Chapter 3, Derrida’s notion of ethico-political responsibility is a demand for an ethico-political vigilance where ethics is not an imposition of an external agenda, as in claims to ethics-as-morality that would limit politics, but ethics-as-politics and politics-as-ethics is an awareness and negotiation of its internal contradictions.

When put to the test on the question of whether “the kind of terrorism linked to the al-Qaeda organization and to bin Laden harbors international political ambitions?” Derrida responds:

What appears to me unacceptable in the “strategy” (in terms of weapons, practices, ideology, rhetoric, discourse, and so on) of the “bin Laden effect” is not only the cruelty, the disregard for human life, the disrespect for law, for women, the use of what is worst in technocapitalist modernity for the purposes of religious fanaticism. No, it is, above all, the fact that such actions and discourses open onto no future and, in my view, have no future... That is why, in this unleashing of violence without a name, if I had to take one of the two sides and choose in a binary situation, well, I would. Despite my very strong reservations about the American, indeed European, political posture, about the “international antiterrorist” coalition, despite all the de facto betrayals, all the failures to live up to democracy, international law, and the very international institutions that the states of this “coalition” themselves founded and supported up to a certain point, I would take the side of the camp that, in principle, by right of law, leaves a perspective open to perfectibility in the name of the

77 Giovanna Borradori (ed.) in Philosophy in a Time of Terror, p. 113.
“political,” democracy, international law, international institutions, and so on. Even if this “in the name of” is still merely an assertion and a purely verbal commitment. Even in its most cynical mode, such an assertion still lets resonate within it an invincible promise. I don’t hear and such promise coming from “bin Laden,” at least not one for this world.”

Of course, now, since he was killed at a compound in Pakistan by special US forces ion May 2nd 2011, Osama Bin Laden no longer has the opportunity to speak – the same democracy that made possible his freedoms in this world also took them away.

Ultimately, when forced into an either/or binary, Derrida would find as the least worst the conduct of US-led states over the conduct of Bin Laden’s al-Qaeda. Despite his critique of the aporetic character of law, what this position reveals is nevertheless his preference for the rule of law and a violence that is known, over the possibility of a violence that is unknown. Committing to a choice between one or the other would respond to accusations of the apolitical or politically evasive nature of his philosophical system, even if it means performing the limits that deconstruction seeks to illuminate of any boundary. This is to highlight that, although any position is fraught with violence, this need not mean that we sit back and do nothing: we must still take responsibility and negotiate between the gap that exists between unconditional hospitality and the urgency of the demand to act so as not to commit the worse violence. The way to think of the question for cosmopolitan ethico-political initiatives Derrida’s approach suggests, is not in terms of how can we improve democratic culture to make it more cosmopolitan, rather, as he puts it to the International Parliament of Writers:

It is a question of knowing how to transform and improve the law, and of knowing if this improvement is possible within an historical space which takes place between the Law of an unconditional hospitality, offered \textit{a priori} to every other, to all newcomers, \textit{whoever they may be}, and the conditional laws of a right to hospitality, without which \textit{The} unconditional Law of hospitality would be in danger of remaining a pious and irresponsible desire, without form and without potency, and of even being perverted at any moment.\footnote{Derrida, \textit{On Cosmopolitanism and Forgiveness}, pp. 22-23.}

\footnote{Derrida, ibid., p. 113-114.}
Following this challenge, we might describe the ethico-political demand before us in terms of the injunction “cosmopolitanism to come” rather than in terms of “cosmopolitan democracy” since, Derrida proposes, the injunction “democracy to come” would go beyond the limits of cosmopolitanism defined in terms of world citizenship. He argues that the concept of “citizenship” implies a lawful subjectivity in a membership tied to the nation-state or even to a world state-that will inevitably be exclusive and hierarchical in its mode of inclusion. At this point of his argument, what Derrida shares with the Kantian cosmopolitan ideal and the vision of cosmopolitan democracy projects, is a faith in the authority of international institutions and international law that would limit the power of states. But where he differs is in making a reservation that the association required to face global challenges, is one that must be limited to or end with the state (hence his invocation of a “new International”), even if, in some cases, the state seems to be the best means of protection we have at the moment and he is not able to move beyond statism. The problem with statism, is that, as we saw in the case of Kantian cosmopolitanism, in reproducing the Anthropocentric Waiting Room, it entrenches the human-inhuman hierarchy.

**Conclusion**

Although the initiatives of cosmopolitan democracy projects do not offer a radical enough critique of the international order insofar as they reproduce democracy’s aporias, the question remains whether Derrida’s notion of “democracy to come” offers a radical enough critical alternative for addressing the struggles that “cosmopolitanism” has recently been recuperated for? Jacques Rancière argues that it cannot, because what is absent in Derrida’s notion of “democracy to come,” and hence in his understanding of the political, is “the idea of the political subject, of the political capacity.” Derrida’s alternative therefore suffers two major deficiencies that place it much closer to Kant’s approach to politics than Derrida would acknowledge. First, it relies upon a theological concept of the political, which takes sovereignty to be the core of politics. Second,

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81 For example, Derrida’s critique of the UN resonates with cosmopolitan democracy projects: “This would mean that an institution such as the UN (once modified in its structure and charter - and I’m thinking here particularly of the Security Council) would have at its disposal an effective intervening force and thus no longer have to depend in order to carry out its decisions on rich and powerful, actually or virtually hegemonic, nation-states, which bend the law in accordance with their force and according to their interests.” Ibid., pp. 114-115.
despite his notion of ethico-political responsibility as the negotiation between limits and their internal contradictions, the operation of Derrida’s injunction “democracy to come” is according to a logic that frames politics in terms of an ethics that would exceed it. As such, it makes a separation between ethics and politics as Kant had, where ethics is that which transcends politics. Rancière’s central criticism of Derrida, as it was of Agamben, is that his approach results in the depoliticization of political.

“The political” as Rancière understands it, consists of two “antagonistic logics.” The first is the “rule of the police” which is the part played by those who rule over others. The second concerns the supplement to the power of the first. And it is here that the fundamental difference occurs between Rancière and Derrida. Rancière does not understand the democratic supplement as “something more” as in the “to come” that supplements Derrida’s democracy. For Rancière, the democratic supplement is “the principle of politics itself” — without it there cannot be politics. Rancière refers to this absence of the political in Derrida’s approach as the demos. However, it is not the same as the demos that Archibugi wants to cosmopolitization. As Rancière defines it:

The demos does not mean the population. Nor does it mean the majority or the lower classes. It means those who have no peculiar qualification, no reason for ruling rather than being ruled, for being ruled rather than ruling.

For Rancière, the demos is the democratic supplement that makes politics possible. If we situate it in relation to Plato’s definition of democracy above, it refers to those that are not counted in the many that would approve the rule of the democratic/aristocratic government. To relate this back to a theme that runs throughout this thesis, to be of the demos is “to have no speech to be heard” — it is to be in the realm of the inhuman, in the Anthropocentric Waiting Room, which I have been arguing needs to be made visible in cosmopolitan studies as the domain of ethico-politics.

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83 Ibid., p. 284.
84 Ibid., p. 277.
85 Ibid., p. 278.
86 In Archibugi’s essay “Demos and Cosmopolis,” demos to refers to the “majority.”
The Iraq war context can illustrate this point further. What is striking about the narrative presented so far in this chapter is the silence, or absence, or what we might call the “missing voices”: Iraq/Iraqis have had no speech to be heard. Existing neither in the polis, nor in the cosmopolis, they have been assumed and spoken for as if they are a homogenous group all waiting for the gift of democracy; waiting for the recognition of cosmopolitanism and waiting for achievement of humanity. Were they to speak, we might hear things like the following expression captured by one Um Muhammed in response to Saddam Hussein’s execution:

My father, my brother, my leader has died…We have become like a sheep without a shepherd.  

When this silence is addressed we find in it another story that reveals the conceit of the initial reporting of the story and the conceit of cosmopolitan democracy. A week after he was executed, the mainstream global news reported that Saddam Hussein emerged as a “hero” and the image of his hanging became a symbol of martyrdom and admiration in parts of the Arab world. Perhaps they did not care if this promised democracy did not yet arrive; perhaps they did not want it. Neither did they identify with the humanity of the “crimes against humanity” or the statism of its cosmopolitanism. As one Lebanese Christian woman was reported to have said:

Suddenly we forgot that he was a dictator and that he killed thousands of people…All our hatred for him suddenly turned into sympathy, sympathy with someone who was treated unjustly by an occupation force and its collaborators.

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In response to Walker’s critique that discourses of cosmopolitanism in international relations remain fixated on a statist view of the world, which is inevitably caught between *polis* and *cosmopolis*, as what should be the organizing principle for the world picture, I want to suggest that my concept of the *Anthropocentric Waiting Room* conceived in relation Rancière’s *demos* offers an alternative conceptual framework which I will refer to as an *(in)human sensibility*. The concluding section of the thesis will sum up what this alternative looks like.
Epilogue

(In)Human Sensibility

The rupturing of a Stoic-Kantian orthodoxy of cosmopolitan ethics by postcolonial and deconstructionist perspectives have called forth a problematization of two cornerstones of cosmopolitanism: first its correlation with humanity; second its Kantian foundations. This thesis has undertaken both by re-covering the intellectual archive of cosmopolitanism and re-visiting its Kantian moment in response to the urgency of human rights violations. The result is not to advocate a new world order in terms of a cosmopolitan democracy regulated by the post-Second World War human rights regime. Neither is it to embrace unequivocally the injunction “democracy to come” as an alternative to “cosmopolitanism.” The first remains fixated on a statist view of the world that the cosmopolitan turn has been challenging in the first place. The second opens up spaces for critical reflection by untangling aporias, but it does not do the work of imagining new political possibilities. We are still left waiting, but the dynamics of the wait are explained in theological terms of “messianicity” which, despite calling for political action, lacks in its theory a concept that allows for political capacity. In response to the ethico-political impulse of the cosmopolitan turn in contemporary humanities and social sciences scholarship, this thesis has inquired into its underlying theory of humanity and has offered that cosmopolitan ethics is the ethics of the anomaly, that is, the ethical demand of the (in)human. I will refer to this demand as an “(in)human sensibility.”

In order to cultivate this (in)human sensibility, this thesis has resisted the separation of human/inhuman and, in seeking to offer an alternative to the humanism/anti-humanism controversy in cosmopolitan ethics, it has instead envisaged, diagrammatically, the human-inhuman relationship to explore the conceptual possibility of humanity, its privileging and its denial. Diagrammatic thinking, as I argued in Chapter 4, is concerned
with unmasking and analyzing relationships of power and enables opportunities for critique, resistance, reaction, transformation and change in any plane of thought. In Deleuze’s terminology it allows us to draw “lines of flight” which, in the case of this thesis, occurs amidst the reorientation of Kant’s cosmopolitan legacy and the refraction of (in)human rights pursuant to the reconceptualization of cosmopolitan ethico-politics as an engagement with the question “what is it to live without trapping ourselves into the fiction of the Human?” The remainder of this Epilogue will trace a path along which an (in)human sensibility might inform future research into these aspects of cosmopolitan ethico-political thought.

Reorienting Kant’s Legacy

In her recently published study of Kant’s cosmopolitanism, Pauline Kleingeld locates Kantian cosmopolitanism within key debates of his time including the compatibility of cosmopolitanism and patriotism; the establishment of a world state; and the division of humanity into a hierarchy of races. Charting the development of Kant’s cosmopolitan thought from the 1770s to the 1790s, Kleingeld seeks to demonstrate that Kant’s philosophical cosmopolitanism underwent a number of radical transformations. She argues that although Kant defends a moral cosmopolitanism, as the orthodoxy of Stoic-Kantian cosmopolitanism maintains, Kant also developed a cosmopolitan ideal in terms of political, economic and cultural aspects of world citizenship so that by the end, Kant’s philosophy of cosmopolitanism is more nuanced than a simply moralist interpretation allows. Kleingeld’s study indicates that there is still much left to debate in our interpretations of Kantian cosmopolitanism and what it may contribute to current ethico-political concerns.

Like Kleingeld, this thesis has also argued for a more nuanced reading of Kantian cosmopolitanism. In response to the orthodoxy of an (invented) Stoic-Kantian tradition within cosmopolitan ethics and wary of the privileging of a transcendental-ethical reading of Kant’s cosmopolitan thought, this thesis has argued for reorienting Kant’s legacy in the field of cosmopolitan studies by performing a politico-anthropological reading of Kantian cosmopolitanism. This is to restore Kant’s hierarchical raciology,

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developed over the first two decades of his career, to his cosmopolitan theory of human history. It is also to reinstate in his corpus the significance of Kant’s *Pragmatic Anthropology* to the fundamental question under which all other philosophical questions resided – i.e. “What is man?” This important element of Kant’s cosmopolitan philosophy seems to have been neglected by Kleingeld.

Consequently, I have argued for redefining Kantian cosmopolitanism as an ethico-political project, the aim of which was to cultivate, as *citizen of the world*, the subject “Man,” where “Man” is a project to be cultivated through “spiritual grooming” as well as governance through the force of law. The implications of this reading of Kant treats his project for *Perpetual Peace* as a political project for the cultivation of “Man” as *citizen of the world*, where “Man” is a subject to be groomed for progress towards the condition of “humanity” as a condition existing within a Eurocentric system of republican states. Furthermore, it implies a justification for imperialism as a means by which humanity’s progress might be achieved. On this matter I disagree with first Kleingeld’s conclusion that Kant changed his mind about the racial hierarchization of humanity that he was so committed to in the 1770s and 1780s and, second, her reading of the political writings of the 1790s, particularly the idea of “cosmopolitan right,” as an egalitarian gesture “granting full juridical status to humans of all races.”

Kant’s principle of cosmopolitan right, I have argued, is slightly more complex and does not abandon the racial hierarchy that he spent so much time defending. It may be the case that this egalitarian gesture, which Kleingeld highlights, becomes the end goal of Kantian cosmopolitanism and that Kant envisages the equal treatment of all races. But this need not preclude from his late cosmopolitan philosophy, the racial hierarchy, or as I prefer to express it, the developmental hierarchy structuring Kant’s theory of humanity. It is possible to advocate “full juridical status to humans of all races,” but this does not necessarily mean that all races are fully human to begin with. What is missing from Kleingeld’s study is an examination of Kant’s theory of humanity, which would draw out deeper nuances of his cosmopolitan thought. Such a theory, I have argued is crucial to a reading of the development of Kant’s cosmopolitan thought. It is to acknowledge that Kant was a leading Enlightenment stadial theorist for whom “History,” unfolding in developmental stages, was the process through which man

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2 Ibid. p. 182.
emerged as rational and attained civility. In order to reach this end, Kant argued that individuals have to first organise themselves politically into republican states hosting civil societies, a process, which he acknowledges, can only be fraught with conflict and which rested in the hands of the white races, as the most civilized of all the races, to raise the others to the standard of “humanity.”

This thesis has attempted to illuminate the theory of humanity underlying Kant’s cosmopolitan thought by examining how his anthropological views diagrammed (in)humanity. In particular, I have demonstrated how the early writings on race conveyed a conceptualisation of humanity as being made up of pure and impure, or superior and inferior, forms of human beings, which constituted the diagram of (in)humanity that would inform the development of Kant’s later cosmopolitical writings. By engaging an (in)human sensibility in its interpretation of Kant’s cosmopolitan thought, this thesis has commenced reorienting Kant’s legacy in cosmopolitan thought. The implication is a different assessment of Kant’s place in the philosophical history of human rights, that is, as a focal moment in the history of its denial, rather than as a foundation for global justice upon which human rights are to be conceived. This locates Kant’s contribution in the genealogy of the anomaly of a universal right to humanity.

Refracting (In)Human Rights

Let us return now, in this final section, to the initial dilemma of this thesis to reflect upon what cultivating an (in)human sensibility means and what are its implications for the field of cosmopolitan studies. “How do we account for the anomaly of a universal right to humanity?” If human rights are universal, how is it possible that they allow for anomalies, where the anomaly refers to the moment of non-recognition as the subject of human rights and designates a point at which the existence of human rights can also be its non-existence? The condition of the asylum seeker denied the right to seek asylum offers such an instance; the subjects of humanitarian intervention via a war promising democratic order, offers another; the inability of a Court to be guided by human rights law to grant traditional owners Native Title, presents a third. As I have taken it up in this thesis, the question of the anomaly goes deeper than questioning the subject of
human rights: it is to interrogate “who is the subject of humanity that becomes the subject of right” as well as to examine “when” is this subject and “why,” “where” and “how” does it come to be. This is to pose to cosmopolitan ethics an ontological question concerning how the cosmopolitan promise of human rights articulates the threshold that identifies, isolates and separates what is inside (included within) from what is outside (excluded from) humanity?

The problem of the anomaly of a universal right to humanity highlights a fundamental tension within the liberal-democratic discourse of human rights that has dominated the field of human rights thinking. Liberalism defends a regime of equal individual rights for liberalism’s humans who are exclusive, self-contained, bounded units endowed with the capacity for reason. But, as Carl Schmitt had pointed out, equality of rights in liberalism is only possible in a circle of already equals and it is to be distinguished from the equality of democracy, which follows “the principle that not only are equals equal but unequals will not be treated equally.”³ This may be read in one of two ways: first, as an insight into the way in which democracy constitutes itself which can be used to form a radical conceptualization of democracy; or second, as a politics of eliminating undesirable difference and otherness. In her development of a theory of “agonistic pluralism” Chantal Mouffe adopts the first reading in an attempt to “engage Schmitt as an adversary from whom we can learn.”⁴ She takes up Schmitt’s distinction between liberalism and democracy and the notion of equality inscribed within each to point to the limits of human rights as “the expression of the prevailing hegemony and thereby contestable.”⁵ For Mouffe, the problem with expanding the liberal human rights regime in pursuit of a cosmopolitan democracy is not only that it exports a superficial conception of political equality, but it also carries with it a depoliticizing impulse that prevents dissent over what constitutes the substance of human rights. She warns: “In all probability, such a cosmopolitan democracy, if it were ever to be realized, would be no more than an empty name disguising the actual disappearance of democratic forms of government and indicating the triumph of the liberal form of governmental rationality.”⁶

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⁵ Ibid. p. 10.
⁶ Ibid. p. 42.
Refracting an (in)human sensibility onto the plane of rights seeks to offer an alternative to the hegemony of the liberal-democratic discourse of human rights that has dominated the field of human rights thinking in cosmopolitan studies.

This thesis has argued that the anomaly of universal human rights can be explained by the diagram of (in)humanity that has, like an abstract machine, circulated alongside the history of cosmopolitanism, constituting humanity as a human-inhuman complex that makes possible its denial by situating humanity as a condition to wait for. In conceiving of the ethico-political challenge facing cosmopolitan thought, my approach has not been to extend outwards, the boundary that divides inside from outside (human from inhuman) so as to make humanity a more encompassing and inclusive category for its legal-political mobilization under the rubric of “rights.” Instead, this thesis has made sense of the boundary as a liminal space-time where human and inhuman come into conflict as the (in)human condition underlying the human rights conundrum. As I have used the term, (in)humanity conveys the spatio-temporal character of the human-inhuman complex of humanity. Written this way, with the “in” enclosed by parentheses outside the word “humanity,” my purpose has been to draw attention to a certain kind of subjectivity and relationality that captures the intricate entanglement of the human-inhuman relationship constituting humanity: the inhuman is outside humanity yet also (silently) embedded within it.

I have named this diagram of (in)humanity the Anthropocentric Waiting Room. Here “anthropocentricism” calls to attention the bias in our systems of thought that have made possible not only the hierarchization of human over inhuman/non-human forms of life, but also the denigration and hatred of the latter. The concept of the “waiting room” names that void between the points of the human and the inhuman in this diagram. In dividing bodies between spaces and instituting the obligation to wait, the waiting room separates the outside (inhuman) from the inside (human). However, in simultaneously constituting the space in-between, where inside and outside may pass through, and thus confront and contaminate, one another, the concept of the waiting room has also a transformative potential if viewed agonistically rather than passively. Although the inhuman may be outside the human but also silently embedded with it, its silence occurs not because it has no voice to be heard, but because it has not been met with the sensibility required to engage it.
An (in)human sensibility, refracted through the prism of human rights discourse acknowledges the cultural and historical limits of the human rights framework. But in an economic and political climate where some discursive assurance is needed against the violence of structures more powerful than mere life, it does not advocate abandonment of human rights. Instead, it serves to cultivate a critical awareness and transformation of hegemonic ideas and practices by embracing the borderline experience of (in)humanity.
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