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Cosmopolitanism: Taming Globalization

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[...]
How should cosmopolitanism be understood [in a global age]? In the first instance, cosmopolitanism can be taken as those basic values that set down standards or boundaries that no agent, whether a representative of a government, state, or civil association, should be able to cross. Focused on the claims of each person as an individual or as a member of humanity as a whole, these values espouse the idea that human beings are in a fundamental sense equal and that they deserve equal political treatment; that is, treatment based upon the equal care and consideration of their agency irrespective of the community in which they were born or brought up. After over two hundred years of nationalism and sustained nation-state formation, such values could be thought of as out of place. But such values are already enshrined in, and central to, the laws of war, human rights law, and the statute of the ICC, among many other international rules and legal arrangements [see chapter 14 in this volume].

There is a second, important sense in which cosmopolitanism defines a set of norms and legal frameworks in the here and now and not in some remote utopia. This is the sense in which cosmopolitanism defines forms of political regulation and law-making that create powers, rights, and constraints that transcend the claims of nation-states and have far-reaching consequences in principle. This is the domain between national and global law and regulation – the space between domestic law, which regulates the relations between a state and its citizens, and traditional international law, which applies primarily to states and interstate relations (Eleftheriadis 2000). This space is already filled by a host of legal regulations, from the plethora of legal instruments of the EU and the international human rights regime as a global framework for promoting rights, to the diverse agreements of the arms control system and environmental regimes. Cosmopolitanism is not, thus, made up of political ideals for another age but embedded in rule systems and institutions that have already transformed state sovereignty in many ways.

Yet the precise sense in which these developments constitute a form of “cosmopolitanism” remains to be clarified, especially given that the ideas of cosmopolitanism have a complex history from the Stoics to contemporary political philosophy. For my purposes here, cosmopolitanism can be taken as the moral and political outlook that offers the best prospects of overcoming the problems and limits of classic and liberal sovereignty [see chapters 42 and 43 in this volume]. It builds upon some of the strengths of the liberal international order, particularly its commitment to universal standards, human rights, and democratic values that apply, in principle, to each

and all. It specifies, in addition, a set of general principles upon which all could act (O'Neill 1991, 1996); for these are principles that can be universally shared and can form the basis for the protection and nurturing of each person's equal interest in the determination of the institutions that govern his or her life.

Cosmopolitan Principles

What are these principles? Seven are paramount. They are the principles of:

- 1 equal worth and dignity;
- 2 active agency;
- 3 personal responsibility and accountability;
- 4 consent;
- 5 reflexive deliberation and collective decision-making through voting procedures;
- 6 inclusiveness and subsidiarity;
- 7 avoidance of serious harm and the amelioration of urgent need.

The meaning of these principles needs unpacking in order that their implications can be clarified for the nature and form of political community today. An account of each will be built up, explaining its core concerns and setting out elements of its justification. Inevitably, given the length of an article, this will not amount to a definitive exposition. It will, however, offer an elucidation of what cosmopolitanism should mean in contemporary circumstances.

The first principle recognizes simply that everyone has an equal moral status in the world. It might seem a weak principle as it is currently formulated, in that it does not generate much specific content. But it is a basic constitutive principle specifying that all people are of equal moral significance and should enjoy, in principle, equal consideration of their interests. Without the acknowledgement of this principle, there would be no basis for a cosmopolitan outlook.

It should be acknowledged from the outset that this formulation of “moral personality” is intertwined with liberalism and the Enlightenment, although its roots stretch back much further (see Nussbaum 1997). Its origins are clearly tied to particular traditions and places. But this fact alone does not invalidate the egalitarian conception of the moral worth of persons. To conceive of people as having equal moral value is to make a general claim about the basic units of the world comprising persons as free and equal beings (see Kuper 2000). This broad position runs counter to the common view that the world comprises fundamentally contested conceptions of the moral worth of the individual and the nature of autonomy. It does so because, to paraphrase (and adapt) Bruce Ackerman, there is no Islamic nation without a woman who insists on equal liberties, no Confucian society without a man who denies the need for deference, and no developing country without a person who yearns for a predictable pattern of meals to help sustain his or her life projects (see Ackerman 1994, 382–3). Principle 1 is the basis for articulating the equal worth and liberty of all humans, wherever they were born or brought up. It is the basis of underwriting the liberty of others, not of obliterating it. Its concern is with the irreducible moral status of each and every person – the acknowledgment of which links directly to the possibility of self-determination and the capacity to make independent choices. Or, as Nussbaum put it, “one should always

behave so as to treat with equal respect the dignity of reason and moral choice in each and every human being" (1997, 31).

The second principle recognizes that, if principle 1 is to be universally recognized and accepted, then human agency cannot be understood merely as the product of coercive forces or as the passive embodiment of fate; rather, human agency must be conceived as the ability to act otherwise – the ability not just to accept but to shape the human community in the context of the choices of others. Active agency connotes the capacity of human beings to reason self-consciously, to be self-reflective, and to be self-determining. It involves the ability to deliberate, judge, choose, and act upon different possible courses of action in private as well as public life. It places at its center the capability of persons to choose freely, to enter into self-chosen obligations, and to enjoy the underlying conditions for the reflexive constitution of their activities.¹

The active agency of each must recognize and coexist with the active agency of all others. Principle 2 affirms that all human beings must be able to enjoy the pursuit of activity without the risk of arbitrary or unjust interference while recognizing that this liberty applies to everyone. The principle of active agency bestows both opportunities and duties – opportunities to act (or not as the case may be) and duties to ensure that independent action does not curtail and infringe upon the action possibilities of others (unless, of course, sanctioned by negotiation or consent; see below). Active agency is a capacity both to make and pursue claims and to have such claims made and pursued in relation to oneself. Each person has an equal interest in active agency or self-determination.

The connotations of principles 1 and 2 cannot be grasped fully unless supplemented by principle 3: the principle of personal responsibility and accountability. At its most basic, this principle can be understood to mean that it is inevitable that people will choose different cultural, social, and economic projects and that such differences need to be both recognized and accepted. People develop their skills and talents differently and enjoy different forms of ability and specialized competency. That they fairly and justly should be welcomed and accepted (see Barry 1998, 147–9). These *prima facie* legitimate differences of choice and outcome have to be distinguished from unacceptable structures of difference that reflect conditions that prevent or partially prevent the pursuit of self-chosen activities for some (Held 1995, 201–6). In particular, actors have to be aware of and accountable for the consequences of actions, direct or indirect, intended or unintended, that may restrict or delimit the choices of others – choices that may become highly constrained for certain groups who have had no role in or responsibility for this outcome. In other words, it is important to recognize that actors (and social processes) may shape and determine the autonomy of others without their participation, agreement, or consent.

Under such circumstances, there is an obligation to ensure that those who are "choice-determining" for some people (who, in turn, risk becoming "choice-takers") are fully accountable for their activities. If people's equal interest in principles 1 and 2 is to be safeguarded, it means giving close attention to those groups of people who become vulnerable or disabled by social institutions from fully participating in the determination of their own lives. Individuals, thus, have both personal responsibility rights as well as personal responsibility obligations. The freedom of action of each person must be one of accommodation to the liberties (and potential liberties) of others. The obligations taken on in this context cannot all be fulfilled with the same types of

initiative (personal, social, or political) or at the same level (local, national, or global), but whatever their mode of realization, all such efforts can be related to one common denominator: the concern to discharge obligations we all take on by virtue of the claims we make for the recognition of personal responsibility rights (cf. Raz 1986, chs. 14, 15, esp. 407–8, 415–17).

Principle 4 recognizes that a commitment to equal worth and personal responsibility requires a noncoercive process in and through which people can pursue and negotiate their interconnections, interdependence, and difference. Interlocking lives, projects, and communities require forms of deliberative procedures and decision-making that take account of each person's equal interest in such processes. The principle of consent constitutes the basis of collective agreement and governance. When coercion and force take the place of deliberative and consensual mechanisms, discussion is halted and conflict settlements are typically made in favor of sectional interests. Against this, the idea of self-determining agency must acknowledge that, if it is to be equally effective for all, people should be able to participate on a free and equal basis in a process in which their consent (or lack of it) can be registered in the government of their collective affairs.

Participation in a process of consent requires that all people enjoy an equality of status with respect to the basic decision-making institutions of relevant political communities. Agreed judgment about rules, laws, and policies should ideally follow from public debate and the "force of the better argument" – not from the intrusive outcome of nondiscursive elements and forces (Habermas 1973; Held 1995, ch. 7). It might seem that, ideally, collective decisions should follow from the "will of all." However, principles 4 and 5 must be interpreted together. For principle 5 acknowledges that while a legitimate public decision is one that results from "the deliberation of all," this needs to be linked with voting at the decisive stage of collective decision-making and with the procedures and mechanisms of majority rule (see Mann 1987). The will of all is too strong a requirement of collective decision-making and the basis on which minorities (of even one) can block or forestall public responses to key issues. The deliberation of all recognizes the importance of inclusiveness in the process of consent, as required by principle 4, while interpreting this to mean that an inclusive process of participation can coexist with a decision-making procedure that allows outcomes that accrue the greatest support (Dahl 1989).² If people are marginalized or fall outside this framework, they are disadvantaged not primarily because they have less than others in this instance, but because they can participate less in the processes and institutions that govern their lives. It is their "impaired agency" that becomes the focus of concern and the proper target for compensatory measures (Doyal and Gough 1991, 95–6; see Raz 1986, 227–40).

Principles 4 and 5 depend for their efficacy on their entrenchment in a political community or communities. During the period in which nation-states were being forged – and the territorially bound conception of democracy was consolidated – the idea of a close mesh between geography, political power, and democracy could be assumed. It seemed compelling that political power, sovereignty, democracy, and citizenship were simply and appropriately bounded by a delimited territorial space. These links were by and large taken for granted and generally unexplicated (Held 1995). Principle 6 raises issues concerning the proper scope of democracy, or democratic jurisdiction, given that the relation between decision-makers and decision-takers is not necessarily symmetrical or congruent with respect to territory [...].

The principle of inclusiveness and subsidiarity seeks to clarify the fundamental criterion for drawing proper boundaries around those who should be involved in particular domains, those who should be accountable to a particular group of people, and why. At its simplest, it states that those significantly (i.e., nontrivially) affected by public decisions, issues, or processes should, *ceteris paribus*, have an equal opportunity directly or indirectly through elected delegates or representatives, to influence and shape them. Those affected by public decisions ought to have a say in their making (see Whelan 1983; Saward 2000). Accordingly, democracy is best located when it is closest to and involves those whose life chances and opportunities are determined by significant social processes and forces.

Principle 6 points to the necessity of both the decentralization and centralization of political power. If decision-making is decentralized as much as possible, it maximizes the opportunity of each person to influence the social conditions that shape his or her life. But if the decisions at issue are translocal, transnational, or transregional, then political institutions need not only to be locally based but also to have a wider scope and framework of operation. In this context, the creation of diverse sites and levels of democratic fora may be unavoidable; it may be unavoidable, paradoxically, for the very same reasons as decentralization is desirable: it creates the possibility of including people who are significantly affected by a political issue in the public (in this case, transcommunity public) sphere. If diverse peoples beyond borders are, for example, effectively stakeholders in the operation of select regional and global forces, their *de facto* status as members of diverse communities would need to be matched by a *de jure* political status, if the mechanisms and institutions that govern these political spaces are to be brought under the rubric of principle 6. Stakeholders in *de facto* communities and networks of local, national, regional, and global processes will be politically empowered only if they achieve the necessary complementary *de jure* status.

Properly understood, principle 6 should be taken to entail that decision-making should be decentralized as much as possible, maximizing each person's opportunity to influence the social conditions that shape his or her life. Concomitantly, centralization is favored if, and only if, it is the necessary basis for avoiding the exclusion of persons who are significantly affected by a political decision or outcome (Pogge 1994a, 106–9). These considerations yield, as Pogge has written, "the result that the authority to make decisions of some particular kind should rest with the democratic political process of a unit that (1) is as small as possible but still (2) includes as equals all persons significantly . . . affected by decisions of this kind" (1994a, 109).

Elsewhere, I have proposed three tests to help filter policy issues to the different levels of democratic governance: the tests of extensity, intensity, and comparative efficiency (Held 1995, ch. 10). The test of extensity assesses the range of people within and across borders who are significantly affected by a collective problem and policy question. The test of intensity examines the degree to which the latter impinges on a group of people(s) and, therefore, the degree to which regional or global initiatives are warranted. The third test – the test of comparative efficiency – is concerned to provide a means of examining whether any proposed regional or global initiative is necessary insofar as the objectives it seeks to meet cannot be realized satisfactorily by those working at "lower" levels of local or national decision-making.³ Accordingly, the principle of inclusiveness and subsidiarity may require diverse and multiple democratic public fora for its suitable enactment. It yields the possibility of multilevel

democratic governance. The ideal number of appropriate democratic jurisdictions cannot be assumed to be embraced by just one level – as it is in the theory of the liberal democratic nation-state (Held 1996, pt. 2).

Finally, principle 7 needs to be explicated: the avoidance of harm and the amelioration of urgent need. This is a principle for allocating priority to the most vital cases of need and, where possible, trumping other, less urgent public priorities until such a time as all human beings, *de facto* and *de jure*, are covered by the first six principles; that is to say, until they enjoy the moral status of universal recognition and have the means to participate in their respective political communities and in the overlapping communities of fate that shape their needs and welfare. Put more abstractly, this "participative" definition of the active agent can be defined as the necessary level of intermediate need-satisfaction required to produce the optimum use of human capacities, where the optimum is conceived in terms of the actual ability of individuals and groups to best utilize their capacities within the context of the communities that determine their life chances. "Intermediate needs" are those things that have "universal satisfier characteristics"; that is, properties, whether of goods, services, or activities, that enhance autonomy in all cultures (Doyal and Gough 1991, 162, 157). Examples of the latter are drinking water, nutritional food, appropriate housing, health care, adequate education, and economic security. If people's intermediate needs are unmet and they cannot fully participate in the sociopolitical processes that structure their opportunities, their potential for involvement in public and private life will remain unfulfilled. Their ability to make (or not make) choices and to form the course of their life projects will have been impaired, irrespective of the choices they would have made about the extent of their actual engagement.

A social provision which falls short of the potential for active agency can be referred to as a situation of manifest "harm" in that the participatory potential of individuals and groups will not have been achieved; that is to say, people would not have adequate access to effectively resourced capacities which they might make use of in particular circumstances (Sen 1999). This "participative" conception of agency denotes an "attainable" target – because the measure of optimum participation and the related conception of harm can be conceived directly in terms of the "best resource mix" or "highest standard" presently achieved in a political community (see Doyal and Gough 1991, 169). But attainable participative levels are not the same thing as the most pressing levels of vulnerability, defined by the most urgent need. It is abundantly clear that within many, if not all, communities and countries, certain needs, particularly concerning health, education, and welfare, are not universally met. The "harm" that follows from a failure to meet such needs can be denoted as "serious harm," marked as it often is by immediate, life-and-death consequences. This harm constitutes a domain of need and suffering that is both systematic and wholly unnecessary. As it is understood here, serious harm is directly avoidable harm. To maintain such a position is to take the view that capabilities and resources exist, even within the current frameworks of power and wealth, to mitigate and solve such problems. In the most basic sense, the challenges posed by avoidable suffering are "political and ethical, and possibly psychological, but do not arise from any absolute scarcity or from an absence of resources and technical capabilities" (Falk 1995, 56–7). Accordingly, the requirements of principle 7 are to be met, law and public policies ought to be focused, in the first instance, on the prevention of serious harm; that is, the eradication of harm inflicted on people "against their will" and "without their consent" (Barry 1998, 231,

207). Such a stance would constrain the rightful range of public policy, directing the latter to those who are victims of harm, whether this be the intended or unintended outcome of social forces and relations.

The seven principles can best be thought of as falling into three clusters. The first cluster, comprising what can be called "constituting principles" (principles 1–3), sets down the fundamental organizational features of the cosmopolitan moral universe. Its crux is that each person is a subject of equal moral concern; that each person is capable of acting autonomously with respect to the range of choices before him or her; and that, in deciding how to act or which institutions to create, the claims of each person affected should be taken equally into account. Personal responsibility means in this context that actors and agents have to be aware of, and accountable for, the consequences of their actions, direct or indirect, intended or unintended, that may restrict and delimit the choices of others. The second cluster, "legitimizing principles" (principles 4–6), forms the basis of translating individually initiated activity, or privately determined activities more broadly, into collectively agreed or collectively sanctioned frameworks of action or regulatory regimes. Legitimizing principles are self-binding principles that make voluntariness and self-determination possible for each and all (cf. Holmes 1988). Public power can be conceived as legitimate to the degree to which principles 4, 5, and 6 are upheld. The final principle (7) lays down a framework for prioritizing need, in distinguishing vital from nonvital needs; it creates an unambiguous starting point and guiding orientation for public decisions. While this "prioritizing commitment" does not, of course, create a decision procedure to resolve all clashes of priority in politics, it clearly creates a moral framework for focusing public policy on those who are most vulnerable (see Held, *Cosmopolitanism: A Debate*, forthcoming 2004, for an elaboration of these themes).

I take cosmopolitanism ultimately to denote the ethical and political space occupied by the seven principles. It lays down the universal or organizing principles that delimit and govern the range of diversity and difference that ought to be found in public life. It discloses the proper basis or framework for the pursuit of argument, discussion, and negotiation about particular spheres of value, spheres in which local, national, and regional affiliations will inevitably be weighed.⁴ However, it should not be concluded from this that the meaning of the seven principles can simply be specified once and for all. For while cosmopolitanism affirms principles that are universal in their scope, it recognizes, in addition, that the precise meaning of these is always fleshed out in situated discussions; in other words, that there is an inescapable hermeneutic complexity in moral and political affairs that will affect how the seven principles are actually interpreted, and the weight granted to special ties and other principles are practically interpreted. I call this mix of regulative principles and interpretative activity "framed pluralism" or a "layered" cosmopolitan position (cf. Tully 1995). This cosmopolitan point of view builds on principles that all could reasonably assent to, while recognizing the irreducible plurality of forms of life (Habermas 1996). Thus, on the one hand, the position upholds certain basic egalitarian ideas – those that emphasize equal worth, equal respect, equal consideration, and so on – and, on the other, it acknowledges that the elucidation of their meaning cannot be pursued independently of an ongoing dialogue in public life. Hence there can be no adequate institutionalization of equal rights and duties without a corresponding institutionalization of national and transnational forms of public debate, democratic participation, and accountability

(McCarthy 1999, and see below). The institutionalization of cosmopolitan principles requires the entrenchment of democratic public realms.

Cosmopolitan Law and Authority

Against this background, the nature and form of cosmopolitan law can begin to be addressed. In the first instance, cosmopolitan law can be understood as a form of law that entrenches the seven principles. If these principles were to be systematically entrenched as the foundation of law, the conditions for the possibility of the cosmopolitan regulation of public life could initially be set down. For the principles specify the organizational basis of legitimate public power. Political power becomes legitimate power in the cosmopolitan doctrine when, and only when, it is entrenched and constituted by these cosmopolitan elements.

Within the framework of cosmopolitan law, the idea of rightful authority, which has been so often connected to the state and particular geographical domains, has to be reconceived and recast. Sovereignty can be stripped away from the idea of fixed borders and territories and thought of as, in principle, an attribute of basic cosmopolitan democratic law which can be drawn upon and enacted in diverse realms, from local associations and cities to states and wider global networks. Cosmopolitan law demands the subordination of regional, national, and local "sovereignities" to an overarching legal framework, but within this framework associations may be self-governing at diverse levels (Held 1995, 234).

Clear contrasts with the classic and liberal regimes of sovereignty follow [see chapter 14 in this volume]. Within the terms of classic sovereignty, the idea of the modern polity is associated directly with the idea of the state – the supreme power operating in a delimited geographic realm. The state has preeminent jurisdiction over a unified territorial area – a jurisdiction supervised and implemented by territorially anchored institutions. While the notion of the state within the frame of classic sovereignty is associated with an unchecked and overarching supreme power, in the liberal conception a legitimate political power is one marked by an impersonal, legally circumscribed structure of power, delimited nationally and (increasingly) internationally. The geopolitics and geo-economics of the liberal international sovereign order are fierce, but they are locked, at least in principle, into the universal human rights regime and the growing standards of democratic governance. Within the cosmopolitan framework, by contrast, the political authority of states is but one moment in a complex, overlapping regime of political authority. Legitimate political power in this framework embeds states in a complex network of authority relations, where networks are regularized or patterned interactions between independent but interconnected political agents, nodes of activity, or sites of political power (Modelski 1972; Mann 1986; Castells 1996). Cosmopolitan sovereignty comprises networked realms of public authority shaped and delimited by cosmopolitan law. Cosmopolitan sovereignty is sovereignty stripped away from the idea of fixed borders and territories governed by states alone, and is instead thought of as frameworks of political regulatory relations and activities, shaped and formed by an overarching cosmopolitan legal framework.

In this conception, the nation-state "withers away." But this is *not* to suggest that states and national democratic polities become redundant. Rather, states would no

longer be regarded as the sole centers of legitimate power within their borders, as is already the case in diverse settings (see Held et al. 1999, "Conclusion"). States need to be articulated with and relocated within an overarching cosmopolitan framework. Within this framework, the laws and rules of the nation-state would become but one focus for legal development, political reflection, and mobilization.

Under these conditions, people would in principle come to enjoy multiple citizenships – political membership, that is, in the diverse political communities that significantly affect them. In a world of overlapping communities and of the wider regional and global citizens of their immediate political communities and of the wider regional and global networks that impact upon their lives. This overlapping cosmopolitan polity would be one that in form and substance reflects and embraces the diverse forms of power and authority that operate within and across borders.

Institutional Requirements

The institutional requirements of a cosmopolitan polity are many and various. In thinking about the pertinence and efficacy of cosmopolitanism to international legal and political arrangements, it is helpful to break down these requirements into a number of different dimensions. All relate to the idea of cosmopolitanism but function analytically and substantively at different levels, ranging from the legal and the political to the economic and the sociocultural. Four institutional dimensions of cosmopolitanism will be set out below and related to the key recurring problems embedded in the liberal international order (see [chapter 14 in this volume]). Each of the different dimensions can contribute to an expansion of the resources necessary to move beyond these problems and, eventually, to produce a satisfactory elucidation of cosmopolitan sovereignty.

Legal cosmopolitanism

Legal cosmopolitanism explores the tension between legal claims made on behalf of the states systems and those made on behalf of an alternative organizing principle of world order in which all persons have equivalent rights and duties (Pogge 1994a, 90ff.). It posits an ideal of a global legal order in which people can enjoy an equality of status with respect to the fundamental institutions of the legal system. At the center of legal cosmopolitanism is *legalis homo*, someone free to act by law, free to ask for and expect the law's protection, free to sue and be sued in certain courts, but who does not directly make or determine the law (Pocock 1995, 36ff.). The focus of *legalis homo* is equal legal standing and personal rights.

Legal cosmopolitanism is universalizing and potentially inclusive. It is not, as one commentator usefully put it, "tied to a particular collective identity, or membership of a demos" (Cohen 1999, 249). It can be deployed to create the basis for the equal treatment of all, the entrenchment of a universal set of rights and obligations, and the impartial delimitation of individual and collective action within the organizations and associations of state, economy, and civil society (Held 1995, ch. 12). As such, it is a resource to help resolve the challenges posed by asymmetries of power, national policy spillovers, and overlapping communities of fate.

The institutional requirements of legal cosmopolitanism include:

The entrenchment of cosmopolitan democratic law: a new "thick" charter of rights and obligations embracing political, social, and economic power.

An interconnected global legal system, embracing elements of criminal, commercial, and civil law.

Submission to ICJ and ICC jurisdiction; creation of a new international human rights court, and further development of regional human rights institutions.

Political cosmopolitanism

Without complementary forms of law-making and enforcement, however, there is no reason to think that the agenda of *legalis homo* will automatically mesh with that of the protection of equal membership in the public realm and the requirements of active citizenship. For this, legal cosmopolitanism needs to be related to political cosmopolitanism. Political cosmopolitanism involves advocacy of regional and global governance and the creation of political organizations and mechanisms that would provide a framework of regulation and law enforcement across the globe. Although cosmopolitan positions often differ on the precise nature and form of such a framework, they are generally committed to the view that political cosmopolitanism entails that states should have a somewhat, and in some areas a markedly, diminished role in comparison with institutions and organizations of regional and global governance.

From this perspective, the rights and duties of individuals can be nurtured adequately only if, in addition to their proper articulation in national constitutions, they are underwritten by regional and global regimes, laws, and institutions. The promotion of the political good and of principles of egalitarian political participation and justice are rightly pursued at regional and global levels. Their conditions of possibility are inextricably linked to the establishment and development of transnational organizations and institutions of regional and global governance. The latter are a necessary basis of cooperative relations and just conduct.

Political cosmopolitanism, accordingly, takes as its starting point a world of "overlapping communities of fate." In the classic and liberal regimes of sovereignty, nation-states largely dealt with issues that spilled over boundaries by pursuing "reasons of state," backed ultimately by coercive means. But this power logic is singularly inappropriate to resolve the many complex issues, from economic regulation to resource depletion and environmental degradation, that engender an intermeshing of national fortunes. Recognizing the complex structures of an interconnected world, political cosmopolitanism views certain issues as appropriate for delimited (spatially demarcated) political spheres (the city, state, or region), while it sees others – such as the environment, world health, and economic regulation – as needing new, more extensive institutions to address them. Deliberative and decision-making centers beyond national territories are appropriately situated (see principle 6, p. 530) when the cosmopolitan principles of equal worth, impartial treatment, and so on can be properly redeemed only in a transnational context; when those significantly affected by a public matter constitute a cross-border or transnational grouping; and when "lower" levels of decision-making cannot manage and discharge satisfactorily transnational or international policy questions. Only a cosmopolitan political outlook can ultimately

accommodate itself to the political challenges of a more global era, marked by policy spillovers, overlapping communities of fate, and growing global inequalities. The institutional requirements of political cosmopolitanism include:

- Multilayered governance, diffused authority.
- A network of democratic fora from the local to the global.
- Enhanced political regionalization.
- Establishment of an effective, accountable, international military force for last-resort use of coercive power in defense of cosmopolitan law.

Economic cosmopolitanism

Economic cosmopolitanism enters an important proviso about the prospects of political cosmopolitanism, for unless the disjuncture between economic and political power is addressed, resources will remain too skewed to ensure that formally proclaimed liberties and rights can be enjoyed in practice by many; in short, "nautonomy" will prevail – the asymmetrical production and distribution of life-chances, eroding the possibilities of equal participative opportunities and placing artificial limits on the possibilities of a common structure of political action (Held 1995, ch. 8). At issue is what creation of a common structure of political action (Held 1995, ch. 8). At issue is what was earlier referred to as the tangential impact of the liberal international order on the regulation of economic power and market mechanisms and on the flourishing socioeconomic inequalities that exist side by side with the spread of liberal democracy. A bridge has to be built between human rights law and international economic law, between a formal commitment to the impartial treatment of all and a geopolitics driven too often by sectional economic interests, and between cosmopolitan principles and cosmopolitan practices.

This understanding provides a rationale for a politics of intervention in economic life – not to control and regulate markets *per se*, but to provide the basis for self-determination and active agency. Economic cosmopolitanism connotes the enhancement of people's economic capacities to pursue their own projects – individual and collective – within the constraints of community and overlapping communities of fate, that is, within the constraints created by taking each human being's interest in declared liberties equally seriously. It thus specifies good reasons for being committed to reforming and regulating all those forms of economic power that compromise the possibility of equal worth and active agency. It aims to establish fair conditions for economic competition and cooperation as the background context of the particular choices of human agents (see Pogge 1994b).

It follows from this that political intervention in the economy is warranted when it is driven by the objective of ensuring that the basic requirements of individual autonomy are met within and outside economic organizations. Moreover, it is warranted when it is driven by the need to overcome those consequences of economic intervention, whether intended or unintended, that generate damaging externalities such as environmental pollution threatening to health. The roots of such intervention lie in the indeterminacy of the market system itself (see Sen 1985, 19). Market economies can function in a manner commensurate with self-determination and equal freedom only if this indeterminacy is addressed systematically and if the conditions of the possibility of self-governance are met.

In addition, a transfer system has to be established within and across communities to allow resources to be generated to alleviate the most pressing cases of avoidable economic suffering and harm. If such measures involved the creation of new forms of regional and global taxation – for instance, a consumption tax on energy use, or a tax on carbon emissions, or a global tax on the extraction of resources within national territories, or a tax on the GNP of countries above a certain level of development, or a transaction tax on the volume of financial turnover in foreign exchange markets – independent (nonnational) funds could be established to meet the most extreme cases of need. Sustained social framework investments in the conditions of autonomy (sanitation, health, housing, education, and so on) could then follow. Moreover, the raising of such funds could also be the basis for a critical step in the realization of political cosmopolitanism: the creation of an independent flow of economic resources to fund regional and global governance, a vital move in removing the latter's dependency on leading democratic princes and the most powerful countries.

The institutional requirements of economic cosmopolitanism embrace:

- Reframing market mechanisms and leading sites of economic power.
- Global taxation mechanisms.
- Transfer of resources to the most economically vulnerable in order to protect and enhance their agency.

Cultural cosmopolitanism

Cultural cosmopolitanism is the capacity to mediate between national traditions, communities of fate, and alternative styles of life. It encompasses the possibility of dialogue with the traditions and discourses of others with the aim of expanding the horizons of one's own framework of meaning and prejudice. Political agents who can "reason from the point of view of others" are likely to be better equipped to resolve, and resolve fairly, the new and challenging transboundary issues and processes that create overlapping communities of fate. The development of this kind of cultural cosmopolitanism depends on the recognition by growing numbers of peoples of the increasing interconnectedness of political communities in diverse domains, including the economic, cultural, and environmental; and on the development of an understanding of overlapping "collective fortunes" that require collective solutions – locally, nationally, regionally, and globally.

The formation of cultural cosmopolitanism has been given an enormous impetus by the sheer scale, intensity, speed, and volume of global cultural communication, which today has reached unsurpassed levels (see Held et al. 1999, ch. 7). Global communication systems are transforming relations between physical locales and social circumstances, altering the "situational geography" of political and social life (Meyrowitz 1985). In these circumstances, the traditional link between "physical setting" and "social situation" is broken. Geographical boundaries can be overcome as individuals and groups experience events and developments far afield. Moreover, new understandings, commonalities, and frames of meaning can be elaborated without direct contact between people. As such, they can serve to detach, or disembed, identities from particular times, places, and traditions, and can have a "pluralizing impact" on identity formation, producing a variety of options that are "less fixed or unified" (Hall 1992).

While everyone has a local life, the ways people make sense of the world are now increasingly interpenetrated by developments and processes from diverse settings. Hybrid cultures and transnational media organizations have made significant inroads into national cultures and national identities. The cultural context of national traditions is transformed as a result.

Cultural cosmopolitanism emphasizes "the fluidity of individual identity, people's remarkable capacity to forge new identities using materials from diverse cultural sources, and to flourish while so doing" (Scheffler 1999, 257). It celebrates, as Rushdie put it, "hybridity, impurity, intermingling, the transformation that comes of new and unexpected combinations of human beings, cultures, ideas, politics, movies, songs" (quoted in Waldron 1992, 751). But it is the ability to stand outside a singular cultural location (the location of birth, land, upbringing, conversion) and to mediate traditions that lies at its core. However, there are no guarantees about the extent to which such an outlook will prevail. For it has to survive and jostle for recognition alongside often deeply held national, ethnic, and religious traditions (see Held and McGrew 2000, 13-18 and pt. 3). It is a cultural and cognitive orientation, not an inevitability of history. The institutional requirements of cultural cosmopolitanism include:

Recognition of increasing interconnectedness of political communities in diverse domains, including the social, economic, and environmental.
Development of an understanding of overlapping "collective fortunes" that require collective solutions – locally, nationally, regionally, and globally.
The celebration of difference, diversity, and hybridity while learning how to "reason from the point of view of others" and mediate traditions.

Concluding Reflections

The core of the cosmopolitan project involves reconceiving legitimate political authority in a manner that disconnects it from its traditional anchor in fixed territories and instead articulates it as an attribute of basic cosmopolitan democratic arrangements or basic cosmopolitan law which can, in principle, be entrenched and drawn upon in diverse associations. Significantly, this process of disconnection has already begun, as political authority and forms of governance are diffused "below," "above," and "alongside" the nation-state.

Recent history embraces many different forms of globalization. There is the rise of neoliberal deregulation so much emphasized from the mid-1970s. But there is also the growth of major global and regional institutions, from the UN to the EU. The latter are remarkable political innovations in the context of state history. The UN remains a creature of the interstate system; however, it has, despite all its limitations, developed an innovative system of global governance which delivers significant international public goods – from air-traffic control and the management of telecommunications to the control of contagious diseases, humanitarian relief for refugees, and some protection of the environmental commons. The EU, in remarkably little time, has taken Europe from the disarray of the post-Second World War era to a world in which sovereignty is pooled across a growing number of areas of common concern. Again, despite its many limitations, the EU represents a highly innovative form of governance that creates a framework of collaboration for addressing transborder issues.

In addition, it is important to reflect upon the growth in recent times of the scope and content of international law. Twentieth-century forms of international law have [...] taken the first steps toward a framework of universal law, law that circumscribes and delimits the political power of individual states. In principle, states are no longer able to treat their citizens as they think fit. Moreover, the twentieth century saw the beginnings of significant efforts to reframe markets – to use legislation to alter the background conditions and operations of firms in the marketplace. While efforts in this direction failed in respect of the North Atlantic Free Trade Agreement, the "Social Chapter" of the Maastricht Agreement, for instance, embodies principles and rules that are compatible with the idea of restructuring aspects of markets. While the provisions of this agreement fall far short of what is ultimately necessary if judged by the standards of a cosmopolitan conception of law and regulation, they set down new forms of regulation that can be built upon.

Furthermore, there are, of course, new regional and global transnational actors contesting the terms of globalization – not just corporations but new social movements. These are the "new" voices of an emergent "transnational civil society," heard, for instance, at the Rio Conference on the Environment, the Cairo Conference on Population Control, the Beijing Conference on Women, and at the "battles" of Seattle, Washington, Genoa, and elsewhere. In short, there are tendencies at work seeking to create new forms of public life and new ways of debating regional and global issues.

These changes are all in early stages of development, and there are no guarantees that the balance of political interests will allow them to develop. Nor are there any guarantees that those who push for change will accept the necessity of deliberation with all key stakeholders and will recognize the time it takes to develop or create institutions. But the changes under way point in the direction of establishing new modes of holding transnational power systems to account – that is, they help open up the possibility of a cosmopolitan order. Together, they form an anchor on which a more accountable form of globalization can be established.

Notes

- 1 The principle of active agency does not make any assumption about the extent of self-knowledge or reflexivity. Clearly, this varies and can be shaped by both unacknowledged conditions and unintended consequences of action (see Giddens 1984). It does, however, assume that the course of agency is a course that includes choice and that agency itself is, in essence, defined by the capacity to act otherwise.
- 2 Minorities clearly need to be protected in this process. The rights and obligations entailed by principles 4 and 5 have to be compatible with the protection of each person's equal interest in principles 1, 2, and 3 – an interest which follows from each person's recognition as being of equal worth, with an equal capacity to act and to account for his or her actions. Majorities ought not to be able to impose themselves arbitrarily upon others; there must always be institutional arrangements to safeguard the individuals' or minorities' position, that is, protective rules and procedures. The principles of consent and reflexive deliberation have, in this context, to be understood against the background specified by the first three principles; the latter frame the basis of their operation. Together, these principles can form the essential ingredients – the constitutive and self-binding rules and mechanisms – of public life, allowing it to function and reproduce over time.
- 3 The criteria that can be used to pursue an inquiry into comparative efficacy include the availability of alternative local and national legislative or administrative means, the cost of

- a proposed action, and the possible consequences of such action for the constituent parts of an area (see Neurath 1993).
- 4 Contemporary cosmopolitans, it should be acknowledged, are divided about the demands that cosmopolitanism lays upon the individual and, accordingly, upon the appropriate framing of the necessary background conditions for a "common" or "basic" structure of individual action and social activity. Among them there is agreement that in deciding how to act or which rules or regulations ought to be established, the claims of each person affected should be weighed equally – "no matter where they live, which society they belong to, or how they are connected to us" (Miller 1998, 165). The principle of egalitarian individualism is regarded as axiomatic. But the moral weight granted to this principle depends heavily upon the precise modes of interpretation of other principles (see Nussbaum 1996, Barry 1998, Miller 1998, Scheffler 1999).

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