

# ***Handbook of Europe and Philosophy, 2017***

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## **Cosmopolitanism: from Kant to the vindication of legitimacy and democracy<sup>i</sup>**

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*Thus the essence of the democratic political system does not lie in mass participation in political decisions, but in the making of politically responsible decisions.*

Franz L. Neumann: 'The Concept of Political Freedom' in *The Rule of Law under Siege*, p. 222.

### **Introduction**

The notion of cosmopolitanism was first coined by the Cynics.<sup>1</sup> The Stoics (and particularly Zeno of Citium in his *Republic*) attributed to it the theoretical underpinning of law beyond the borders of the city-republic and considered replacing the political function of *polis* (the city) with *cosmos* (the universe). Most importantly, they also ascribed to cosmopolitanism the potential for universal pragmatics, meaning the prospect of citizens performing illocutionary acts by means of their participation in issues related to universal politics.

Thus, the notion of cosmopolitanism developed through the concept of citizenship. It is positive for a human being to be a citizen of the world (which is, in essence, what the word 'citizenship' pertains to). The idea of citizenship was essential for modernity, which is not a historical period but the concrete aspiration of people and societies to exert political and civil rights. When such rights acquire a universal perspective, cosmopolitanism is formed and realized. Indeed, the second modernity in the 20<sup>th</sup> and 21<sup>st</sup> centuries signifies a concern for

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<sup>1</sup> It was actually Diogenes of Sinope that answered that he is a citizen of the world, a 'κοσμοπολίτης', when asked where he comes from. In Diogenes Laertius, *The Origin of Eminent Philosophers*, Book VI, 63.

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rights that transcend nation-states and become recognized and consummated universally within cosmopolitan democracy.

Immanuel Kant utilized the concept of cosmopolitanism, articulating in his political writings a series of arguments that would give a strong normative sense to what is legitimate and democratic within modernity. In Kant's sense, cosmopolitanism is the norm that creates multiple political affiliations and, as in the Stoics too and their critique of the city-republic, it is not just within the nation-state that citizens interconnect and practice what is legitimate and democratic. It was a double achievement for Kant: he re-defined the notion of citizenship beyond the borders of nation-states by elaborating on the legitimacy and legality of political regimes and he also re-configured the political potentialities of modernity which had to consummate cosmopolitan democracy in order to avoid wars and conflicts among states. As in Stoic philosophy, Kant remained faithful to the prospect of universal pragmatics and enriched the notional construction of universal pragmatics with the idea of reason that has to be defended in public in order to bring about enlightenment among humans. His idea of reason and the formation of political rationality by means of public dialogue among all involved participants remains timely for today's cosmopolitanism for it guarantees that cosmopolitanism forms a concrete political agenda of what citizenship, participation, legitimacy and legality are towards the consummation of a cosmopolitan democracy.

If we wish to systematize the development of Kant's thought as far as cosmopolitanism is concerned, we would mark the three following points of reference:

- a. That the public use of reason presupposes dialectics, meaning ongoing and uncoerced dialogue,
- b. That the public use of reason is chosen and cultivated by the people under the cosmopolitan condition and,
- c. That cosmopolitan rationality preconditions a universal perspective of societies on politics.

In his political writing *Toward Perpetual Peace* Kant prioritizes the main privilege of democracy for its citizens as the potential for participation in dialogue and the making of

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consensual decisions. The awareness of reason, along with its consistent practice within the frame of democratic dialogue, emerge for a cosmopolitan democracy not solely as a possibility, but as a responsibility within social life.

From Kant onwards, the process of a cosmopolitan democracy conveys a universal rationality in the sense that democracy is a legitimate process but under cosmopolitan processes acquires a universal perspective while it is not necessarily and always legally consummated. In defining the main points of cosmopolitan democracy, we focus on three main areas of concern:

1. Cosmopolitan democracy bears legitimation through civil society but it does not necessarily entail the formation of a legal framework in its defense and support.
2. It conveys to societies the potential for the formation of a democratic rationality which has an expanded its validity beyond national states and which is given shape and political strength by the demos of the people.
3. Cosmopolitan democracy does not constitute a system, namely a closed and norm-free construction for the attainment of its own reproduction, but is an ongoing and normative process including individual as well as collective subjects of political action.

Following the main line of thought that develops from Kant to the second modernity on the notion of cosmopolitanism, the chapter aims to elaborate on two main points: first, that the legitimation of the political aims of transnationalism are crucial for a cosmopolitan project but also that legitimation breeds discrimination between state legitimacy that is often transformed into concrete forms of legality and transnational legitimacy, which is itself *in the process* of attaining legal status in the 21<sup>st</sup> century. Second, cosmopolitan democracy gives citizens the potential to recognize that what is legal (within national states) colonizes what can potentially be legitimate and politically applicable universally such as transnational forms of legitimacy.

In the 20<sup>th</sup> century the terror of war among national states was to be averted by means of a transnational political structure. The cosmopolitan condition acquired a concrete political

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realization when European national states formed an organization which was economic in the short term because it started during the 1950's as a pure economic unity namely, the European Community. Nevertheless, such a formation was political in perspective, because it expanded into institutionalizing political processes that were legitimated by elections. From the 1950's onwards, the European Union was to develop into the political constellation of Europe that would include, by the beginning of the 21<sup>st</sup> century, the majority of the European national states.

The Kantian analysis emphasized that national states' democracies do not fight each other and, therefore, by avoiding war, initiate the cosmopolitan condition which is essential for world peace. However, what appears to be taking place on a universal basis in the 21<sup>st</sup> century is that, first, legitimacy is not the monopoly of state politics. There appeared evidence of relationships beyond the national state that formed in the last decades on a transnational level. Second, what appears to be increasingly significant is that although the legitimation of state politics for democracies is undoubted and, therefore, transplanted into legal forms of application, there is also the formation of transnational legitimacy that, as very often is the case, is found in direct opposition to the legitimacy of state politics. A clash of legitimacies is not a very rare phenomenon in the 21<sup>st</sup> century and remains to be analyzed and further encountered.

Who is afraid of a cosmopolitan EU and therefore refuses to acknowledge the legitimacy provided by European civil society? I do not intend to give any easy and, at the same time, straightforward answer to the above question. The present paper aims to examine the conflictual process evolving during the second modernity among the multiple spheres of official or bureaucratic politics of the national state as well as of transnational formations such as the EU and the unrepresented but legitimate interests of European civil society that have already formed and are vindicating the consummation of a cosmopolitan democracy. The following subchapters will elaborate on the latter two points.

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