

Cosmopolitanism and Democracy: Affinities and Tensions¹

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Cosmopolitanism has become a much-evoked term in contemporary debates across a variety of fields, ranging from law to cultural studies, from philosophy to international politics. For me, cosmopolitanism involves the recognition that human beings are moral persons entitled to legal protection in virtue of the rights that accrue to them not as nationals, or members of an ethnic group, but as human beings as such. Cosmopolitanism acknowledges human interdependence and maintains that borders in the twenty-first century have become increasingly porous and that justice inside borders and justice across borders are interconnected even if they can be, and often are, in tension as well.

Understood thus, however, cosmopolitanism seems hardly reconcilable with democracy. Democracy is about defining the boundaries of a political entity; democracy means constituting oneself as a political unit with clear rules governing the relations between the inside and the outside. In a democracy, the constitution derives its legitimacy from the united and collective will of this people. A democratic people recognizes the rule of

¹ This article is based on a lecture to the German Bundestag (Parliament), which Seyla Benhabib was invited to deliver on March 13, 2009, by the German Green Party upon the occasion of the 60th anniversary celebrations of the German Constitution (*Grundgesetz*).

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law over itself because it views itself both as subject, that is, as the originator of the law, and as its object, that is, as the one to whom the law applies. The citizen of a democracy is not a citizen of the world but a citizen of this well-demarcated unit—whether this be a unitary or a federal state, whether this be a “European Union” or a nation-state. How is this compatible with the cosmopolitan vision of justice *across* borders? Or with the vision of *porous borders* over which the people’s representatives have little control? Isn’t “the right to have rights,” in Hannah Arendt’s words, always the right of the human being to be a member in an organized political community? Shouldn’t the title of this essay then be not “Cosmopolitanism *and* Democracy” but rather “Cosmopolitanism *or* Democracy”?

In this essay I would like to explore the relationship between cosmopolitan norms and aspirations, understood in the broadest sense as relations of right and justice across borders, and democratic constitutionalism. Modern constitutions incorporate universalistic cosmopolitan ideals in the form of a list of basic rights. But there can often be a tension between the moral and legal principles articulated in these basic rights and other articles of the same constitution, or between the interpretation of these basic rights by judicial instances and their concretization by legislatures in the form of specific laws. A great deal of constitutional debate, though not all, concerns this legal hermeneutic task. The interpretation of the meaning of basic rights is also a political project, in the sense that such interpretations concern how a people wishes to live abiding by certain principles both in the light of its own changing self-understanding and in the light of its wishes for the future.

In addition to the tension between basic rights and other aspects of democratic constitutions both in theory and practice, today most states operate in an increasingly transformed international legal environment with many intergovernmental organizations, nongovernmental organizations, and new postnational reconfigurations of sovereignty, such as the European Union, emerging and proliferating. Cosmopolitan norms also structure this international environment through many international treaties, such as the Universal Declaration of Human Rights. In this respect as well, the democratic will of the people has to bind itself in accordance with these international covenants. How can we understand the conflicts that may arise through these various norms incorporated in various treaties?

I wish to begin with a brief historical overview of cosmopolitanism in the history of political thought and then move to a systematic analysis of democratic constitutionalism in the age of legal cosmopolitanism. In conclusion I return to the problem of constituting the *demos* as one domain in which the tension between cosmopolitanism and democracy is most palpable and which still requires to be addressed—politically as well as legally.

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Cosmopolitanism—A Brief Historical Perspective

The word “*Kosmopolitismus*” is composed of *kosmos* (the universe) and *polites* (citizen). And the tension between these perspectives is significant.² “Socrates was asked,” writes Montaigne,

where he came from. He replied not “Athens,” but “the world.” He, whose imagination was fuller and more extensive, embraced the universe as his city, and distributed his knowledge, his company, and his affections to all mankind, unlike us who look only at what is underfoot.³

Whether or not Socrates said anything of this kind is in dispute, but the story of Socrates is repeated by Cicero in *Tusculum Disputationes*, by Epictetus in his *Discourses*, and by Plutarch in *De Exilio*, who praises Socrates for saying that “he was no Athenian or Greek, but a Cosmian.”⁴

What does it mean to be a Cosmian and how can a Cosmian be a democrat, when democracy could only be realized in the city? To live outside the boundaries of the city, said Aristotle, one needed to be either a beast or a God, but since men were neither and since the *Kosmos* was not the *polis*, the *kosmopolites* was not really a citizen at all but some other kind of being. Cynics like Diogenes Laertius agreed with this conclusion and claimed that rather than being at home in every city, they were *indifferent* to them *all*. The *kosmopolites* was a nomad without a home, at peace with nature and the universe but not with the human city, from whose follies she distanced herself. Some of the negative connotations of the term with which we are familiar from subsequent history, such as “rootless cosmopolitanism,” are already present in this early period.

As opposed to this negative version of cosmopolitanism as nomadism without the city, there is also the more elevated Stoic doctrine that holds that what humans share is not just the *nomoi*—the laws of their individual cities—but *logos*, that in virtue of which they are capable of reason. In his *Meditations* Marcus Aurelius writes,

If we have intelligence in common, so we have reason (*logos*).... If so, then the law is also common to us and, if so, we are citizens. If so we share a common government. And if so, the universe is, as it were, a city.⁵

The idea of an order, transcending the differences among the human laws of different cities and rooted instead in the rationally comprehensible order of nature, as formulated by the Stoics, converges with the Christian doctrine of universal equality in the centuries that follow. The Stoic doctrine of natural law inspires the Christian ideal of *the city of God versus the city of men*, and eventually finds its way into the natural law

² Darrin M. McMahon, “Fear and Trembling: Strangers and Strange Lands,” *Daedalus* 137.3 (Summer 2008): 5–17; A. A. Long, “The Concept of the Cosmopolitan in Greek and Roman Thought,” *Daedalus* 137.3 (Summer 2008): 50–8.

³ Michel de Montaigne, “Education of Children,” *The Complete Essays of Montaigne*, trans. Donald M. Frame (Stanford: Stanford University Press, 1965) 116.

⁴ Montaigne 7.

⁵ As quoted in McMahon 9.

theories of modern political thought with Thomas Hobbes, John Locke, Jean-Jacques Rousseau, and Immanuel Kant.

These negative and positive valences that attach to the word *kosmopolites* and that we first encounter in Greek and Roman thought remain throughout the centuries: a *kosmopolites* is one who distances him- or herself either in thought or in practice from the habits or laws of his city and who judges them from the standpoint of a higher order that is considered to be identical with reason. The thinker who resuscitates the Stoic meaning of cosmopolitanism and who gives the term a new turn such as to make it compatible with the demands of a modern state based on the rule of law is Immanuel Kant. With Kant, we also begin to see that cosmopolitanism and democracy, as embedded in a republican constitution, are not incompatible but may in fact require each other.

From Cosmopolitanism to World Citizenship—Immanuel Kant

Written in 1795, upon the signing of the Treaty of Basel by Prussia and revolutionary France, Kant's essay on "Perpetual Peace" has enjoyed considerable revival of attention in recent years. What makes this essay particularly interesting under the current conditions of political globalization is the visionary depth of Kant's project for perpetual peace among nations. Kant formulates three "definitive articles for perpetual peace among states." These read: "The Civil Constitution of Every State should be Republican," "The Law of Nations shall be founded on a Federation of Free States," and "The Law of World Citizenship Shall be Limited to Conditions of Universal Hospitality."⁶

Regarding the Third Article of perpetual peace, Kant himself notes the oddity of the locution of "hospitality" in this context, and therefore remarks that "it is not a question of philanthropy but of right." In other words, hospitality is not to be understood as a virtue of sociability, as the kindness and generosity one may show to strangers who come to one's land or who become dependent upon one's act of kindness through circumstances of nature or history; hospitality is a "right" that belongs to all human beings insofar as we view them as potential participants in a world republic. But the "right" of hospitality is odd in that it does not regulate relationships among individuals who are members of a particular civil entity and under whose jurisdiction they stand; this "right" regulates the interactions of individuals who belong to different civic entities yet who encounter one another at the margins of bounded communities. Kant writes:

With Kant, we also begin to see that cosmopolitanism and democracy, as embedded in a republican constitution, are not incompatible but may in fact require each other.

⁶ Immanuel Kant, "Zum Ewigen Frieden. Ein philosophischer Entwurf," (1795) *Immanuel Kants Werke*, ed. A. Buchenau, E. Cassirer, and B. Kellermann (Berlin: Verlag Bruno Cassirer, 1923) 434–6, my translation.

Hospitality [*Wirtbarkeit*] means the right of a stranger not to be treated as an enemy when he arrives in the land of another. One may refuse to receive him when this can be done without causing his destruction; but, so long as he peacefully occupies his place, one may not treat him with hostility. It is not the right to be a permanent visitor [*Gastrecht*] that one may demand. A special beneficent agreement would be needed in order to give an outsider a right to become a fellow inhabitant [*Hausgenossen*] for a certain length of time. It is only a right of temporary sojourn, a right to associate, which all men have. They have it by virtue of their common possession of the surface of the earth, where, as a globe, they cannot infinitely disperse and hence must finally tolerate the presence of each other.⁷

Kant distinguishes the “right to be a permanent visitor,” which he calls *Gastrecht*, from the “temporary right of sojourn” (*Besuchsrecht*). The right to be a permanent visitor is awarded through a freely chosen special agreement that goes beyond what is owed to the other morally and what he is entitled to legally; therefore, Kant names this a “contract of beneficence.”

Kant’s claim that first entry cannot be denied to those who seek it if this would result in their “destruction” has become incorporated into the Geneva Convention on the Status of Refugees of 1951 as the principle of “non-refoulement.” This principle obliges signatory states not to forcibly return refugees and asylum seekers to their countries of origin if doing so would pose a clear danger to their lives and freedom. Of course, just as sovereign states manipulate this article to define life and freedom more or less narrowly when it fits their purposes, it is also possible to circumvent the “non-refoulement” clause by depositing refugees and asylees in so-called “safe third countries.” Kant’s formulations clearly foresaw as well as justified such balancing acts between the moral obligations of states to those who seek refuge in their midst and to their own welfare and interests. The lexical ordering of the two claims—the moral needs of others versus legitimate self-interest—is vague, except in the most obvious cases when the life and limb of refugees would be endangered by denying them the right of entry; apart from such cases, however, the obligation to respect the liberty and welfare of the guest can permit a narrow interpretation on the part of the sovereign to whom it is addressed and need not be considered an unconditional duty.

Kant’s legacy is ambiguous: On the one hand, he wanted to justify the expansion of commercial and maritime capitalism in his time insofar as these developments brought the human race into closer contact; on the other hand, he did not support or encourage European imperialism. The cosmopolitan right of hospitality gives one the right of peaceful temporary sojourn, but it does not entitle one to plunder and exploit, conquer and overwhelm by superior force, those peoples and nations among whom one is seek-

⁷ Kant 443, my translation.

ing sojourn, as Kant's comments on European attempts to penetrate into Japan and China make clear.

While the distinction between the permanent visitor and the temporary sojourner in the context of eighteenth-century developments of European maritime imperialism was a progressive one, it no longer is. The claim of the foreigner to citizenship rights must be guaranteed by the Constitution itself, and it can no longer be considered a beneficent contract. The entitlement to citizenship itself will of course depend upon the fulfillment of certain conditions, as defined by each democratic sovereign more or less narrowly. But the right to naturalization is a human right that is guaranteed by Article 15 of the Universal Declaration of Human Rights.

We owe Kant the distinction between relations of law and justice between persons within a state and such relations between states, and the distinction between those and "the Right for all nations," or "cosmopolitan Right," which deals with relations of law and justice between persons viewed not as citizens of determinate human communities but as members of a world civil society. In claiming that relevant actors in the international domain were not only states and heads of states but also civilians and their various associations that themselves could be subject to a new sphere of law, Kant gave the term "cosmopolitan" the new meaning of world citizen. World citizenship involves a utopian anticipation of world peace to be attained as a consequence of increased communication between human beings, including "le doux commerce." Through increased human contact, "the injustices done in one part of the world would be felt by all." Cosmopolitan citizenship means first and foremost a new world legal order in which the human being would be entitled to rights in virtue of her humanity alone.

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From World Citizenship to Cosmopolitan Law

It is now widely accepted that since the U.N. Declaration of Human Rights in 1948, we have entered a phase in the evolution of global civil society that is characterized by a transition from *international* to *cosmopolitan* norms of justice. While norms of international law emerge through treaty obligations to which states and their representatives are signatories, cosmopolitan norms accrue to individuals considered as moral and legal persons in a world-wide civil society. Even if cosmopolitan norms also originate through treaty-like obligations, such as the U.N. Charter, and the various human rights covenants can be considered to be for their member states, their peculiarity is that they bind states and their representatives, sometimes against the will of the signatories themselves. This is the uniqueness of the many human rights agreements concluded since WWII.

The 1948 Universal Declaration of Human Rights and the succeeding era of international rights declarations reflect the moral learning experiences not only of western

humanity but of humanity at large. The World Wars were fought not only in the European continent but also in the colonies, in the Middle East, Africa, and Asia. The national liberation and anti-colonization struggles of the post-World War II period deeply inspired principles of self-determination enshrined in these rights documents. These public law documents have introduced a crucial transformation in international law. While it may be too utopian to name them steps toward a “world constitution,” they are certainly more than mere treaties among states. They are constituent elements of a global civil society. In this global civil society, individuals are rights-bearing not only in virtue of their citizenship within states but in the first place in virtue of their humanity. Although states remain the most powerful actors, the range of their legitimate and lawful activity is increasingly limited. We need to rethink the law of peoples against the background of this newly emergent and fragile global civil society, which is always being threatened by war, violence, and military intervention. These transformations in law have consequences for how we conceptualize the relationship of cosmopolitanism and democracy in the contemporary period.

Furthermore, how is legal cosmopolitanism to be reconciled with the diversity of the world’s governments and regimes that consider the individual first and foremost as a being embedded in specific moral, religious, ethical, and linguistic contexts?

Our question no longer is: cosmopolitanism *and* democracy, nor simply cosmopolitanism *or* democracy, but rather *democracy in the age of legal cosmopolitanism*. The spread of a cosmopolitan legal order brings with it its own problems.

The most important objections to legal cosmopolitanism are twofold: What sense does it really make to defend such a position when to be a rights-bearing person means first and foremost to be a member of a sovereign polity in which one’s “right to have rights” (Hannah Arendt) is protected? Furthermore, how is legal cosmopolitanism to be reconciled with the diversity of the world’s

governments and regimes that consider the individual first and foremost as a being embedded in specific moral, religious, ethical, and linguistic contexts? Doesn’t legal cosmopolitanism amount to a justification of moral interventionism and moral imperialism? Certainly, some of the recent critiques in contemporary discourse about the universalist justification of human rights can be traced back to their instrumentalization for political ends by some and to fear on the part of others that the robust language of human rights can usher in moral imperialism.

A very good example of this slippery slope from the *responsibility* to protect all human beings in accordance with cosmopolitan law to the duty to intervene, by military force if necessary, occurred during the great typhoon that hit Myanmar-Burma in Spring 2008. Bernard Kouchner, the former President of Medecins Sans Frontières, now foreign minister of France, argued that the nations of the world had a duty to intervene even against the will of the secretive Myanmar military junta. Robert Kaplan, the conservative American thinker, concurred and suggested that the U.S. Navy could move up the river delta to Myanmar and that once it did so, the mission of humanitarian aid to the victims of the cyclone could easily morph into one

of “nation-building.” Only this time, one would be self-conscious about this task and apply the Crate and Barrel principle outright: “if you break it, you own it”!⁸

I do not wish to deny, therefore, the many ambivalences, contradictions, and treacherous double meanings of world citizenship and the current world situation, which often transforms cosmopolitan intents into hegemonic nightmares. However, I do wish to claim that some of these general assertions and criticisms derive from a faulty understanding of legal cosmopolitanism, in that they view the new international legal order as if it were a smooth “command structure” emanating from a hegemonic source—whether this be global capitalism, the modern nation-state as complicit in the spread of global capitalism, or the Security Council itself. In all these diagnoses, little attention is paid to the interplay between legal cosmopolitanism and constitutionalism and the *social dissemination* of human rights norms throughout member states and to the legal, social, cultural, and political institutions through which this takes place. But the distinguishing feature of the period we are in cannot be captured through the *bon mots* of “globalization” and “empire”; rather, we are facing the rise of an international human rights regime and the spread of cosmopolitan norms, while the relationship between state sovereignty and such norms is becoming more contentious and conflictual.

Such conflicts of norms are indicative of the completely altered relationship between cosmopolitanism and democracy today: cosmopolitanism means upholding the dignity of human beings as rights-bearing persons in a global civil society, but only within the limits of democracy’s constitutions can these rights assume concrete justiciable form. Human rights instruments can empower democracies by creating new vocabularies for claim-making for citizens in signatory states as well as opening new channels of mobilization for civil society actors who then become part of transnational networks of rights activism and hegemonic resistance.

Democratic Iterations

To conceptualize the relationship between cosmopolitan norms, the individual constitutions of democratic polities, and democratic will-formation, I want to introduce a concept I have discussed in previous writings as well: *democratic iterations*. By *democratic iterations* I mean complex processes of public argument, deliberation, and exchange through which universalist rights claims are contested and contextualized, invoked and revoked, posited and positioned throughout legal and political institutions as well as in the associations of civil society.⁹

⁸ Seth Mydans, “Myanmar Faces Pressure to Allow Major Aid Effort,” *The New York Times* (8 May 2008); and Robert Kaplan, “Aid at the Point of a Gun,” *The New York Times* (14 May 2008) op-ed.

⁹ See Seyla Benhabib, with commentaries by Jeremy Waldron, Bonnie Honing, and Will Kymlicka, *Another Cosmopolitanism*, The Berkeley Tanner Lectures, ed. Robert Post (Oxford: Oxford University Press, 2006) 45ff.

Every iteration transforms meaning, adds to it, enriches it in ever so-subtle ways. The iteration and interpretation of norms and of every aspect of the universe of value, however, is never merely an act of repetition. Every iteration involves making sense of an *authoritative original in a new and different context*. The antecedent thereby is repositied and resignified via subsequent usages and references. Meaning is enhanced and transformed; conversely, when the creative appropriation of that authoritative original ceases to have meaning for us, then the original loses its authority upon us as well. Through such iterative acts, a democratic people that considers itself bound by certain guiding norms and principles reappropriates and reinterprets these, thus showing itself to be not only the *subject* but also the *author of the laws*.

Natural right doctrines assume that the principles that underline democratic politics are impervious to transformative acts of will. Legal positivism identifies democratic legitimacy with the correctly posited norms of a sovereign legislature; by contrast, democratic iterations signal a space of interpretation and intervention between context-transcendent norms and the will of democratic majorities. The rights claims that frame democratic politics, on the one hand, *must be viewed to transcend the specific enactments of democratic majorities in specific polities*; on the other hand, such democratic majorities *re-iterate* these principles and incorporate them into the democratic will-formation process of the people through argument, contestation, revision, and rejection.

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Democratic iterations take place in overlapping communities of conversation between all those who are formal citizens and residents of a jurisdictional system, and other more fluid and unstructured communities of conversation that can involve international and transnational human rights organizations such as Amnesty International, various U.N. representative and monitoring bodies, global activist groups such as Medecins Sans Frontières, and the like. Democratic iterations are not concerned with the question, “which norms are valid for human beings at all times and in all places?,” but rather with questions such as, “in view

of our moral, political, and constitutional commitments as a people, our international obligations to human rights treaties and documents, what collective decisions can we reach that would be deemed both just and legitimate?” Democratic iterations aim at democratic justice.¹⁰ They mediate between a collectivity’s constitutional and institutional responsibilities, and the context-transcending universal claims of human rights to which such a collectivity is equally committed. Democratic iterations help us think of the interaction between legal cosmopolitanism and constitutionalism as a process of mutual adjustment and convergent as well as divergent interpretations.

¹⁰ See Ian Shapiro, *Democratic Justice* (New Haven: Yale University Press, 1999).

Conclusion

In conclusion I would like to briefly address two issues. First there is a great deal of reductionism in thinking about the complexities of legal cosmopolitanism. Defenders of economic globalization, such as Thomas Friedman (at least in his earlier work, *The World Is Flat*), reduce cosmopolitan norms to a thin version of the human rights to life, liberty, equality, and property that are supposed to accompany the spread of free markets and trading practices. In this respect, neoliberal theorists of globalization join hands with neo-Marxist theorists of “empire,” most notably, Tony Negri and Michael Hardt. As is well-known, Hardt and Negri distinguish between *imperialism* and *empire* in order to capture the novel logic of the international order. While imperialism refers to a predatory, extractive, and exploitative order through which a sovereign power imposes its will upon others, “empire” refers to an anonymous network of rules, regulations, and structures that entrap one in the system of global capitalism. Global capitalism requires the protection of the rights of the individual to freely exchange goods and services in the market place; above all global capitalism demands that contracts be upheld (*pacta sunt servanda*), that they be predictable and capable of execution. Empire is the ever-expanding power of global capital to bring farther and farther reaches of the world into its grip.¹¹

We need to rethink the rules and regulations of global markets from the bottom up, and we need to extend legal cosmopolitan norms into the sphere of the economy as well.

In the period of the greatest economic turmoil in the world since the Great Depression of the 1920s, the neo-Marxist critique of global capitalism will find new audiences. Ironically, however, this is a period when even the purported empire, that is, the U.S., has lost its way, and the market has overwhelmed the empire. We need to rethink the rules and regulations of global markets from the bottom up, and we need to extend legal cosmopolitan norms into the sphere of the economy as well. Today cosmopolitanism must involve new, multiple, overlapping projects of global governance for a world economy run amok, caused in large part by the free market ideologies of the Bush years; the egotism and greediness of the financial sector; and the breakdown of social trust and public care which were already manifest through the disastrous reaction to Hurricane Katrina.

This era of selfishness within capitalist countries has been reduplicated at the world level. The contribution of major industrial nations to development in poorer countries has declined and the withdrawal of the state from protecting its citizens in large parts of Africa, Afghanistan, Central America, and Burma is proceeding apace. “Failed states”

¹¹ Although first translated into English in 2001, the Italian version of Michael Hardt and Antonio Negri’s *Empire* (Cambridge: Harvard University Press, 2001) was written in the period between the Persian Gulf War of 1991 and the Yugoslav Civil War of 1994. Its view of U.S. power is more benevolent than the subsequent work by Hardt and Negri, *Multitude: War and Democracy in the Age of Empire* (New York: Penguin, 2004).

are yielding their place either to warring ethno-religious tribes or to *maquilladoras* or to free-economic zones in which the human as well as civil and socio-economic rights of workers and peasants are suspended. In the desperate straits that the current world economic crises will generate in many developing countries, it is likely that these rights will be further suspended in a Faustian bargain to keep foreign direct investment coming and the economies growing.

It is not only increased regulation of financial markets, stricter controls over free-growth and trade-zones to comply with international labor laws, human rights, and ecological standards that are needed but a fundamental rethinking of the meaning of global distributive justice will be required. And for this task, we need a reconfiguration of the world-map in our minds such that economic and ecological interdependence are understood to be not episodic aspects of the life of nations but crucial building blocks of the formation of modernity as global human history. In other words, we need to remind ourselves of what Kant, with his limited knowledge in the eighteenth century, could already see as the double-edged sword of western imperial expansion, namely the increase of unequal exchange between the West and the “rest” on the one hand, and the intensification of human contact and interdependence on the other.

Second, the legacy of cosmopolitanism requires us to rethink the famous boundary problem in democratic theory, sometimes also referred to as “the problem of constituting the *demos*.”¹² If in the eighteenth century, it was the West that colonized the rest, today the rest of the world has come to the metropolis in patterns of predictable migratory flows between center and periphery. This means that the boundaries of the *demos* can no longer be taken as if they were given by ancient history; world migratory patterns, as they ebb and flow, make it very clear that people are constituted and reconstituted historically.

I would like to quote here my eminent Yale colleague, Robert Dahl, who writes:

Strange as it may seem...how to decide who legitimately makes up “the people”...and hence are entitled to govern themselves...is a problem almost totally neglected by all the great political philosophers who write about democracy. I think this is because they take for granted that a people has already constituted itself.... The polis is what it is; the nation-state is what history has made it. Athenians are Athenians. Corinthians are Corinthians, and Greeks are Greeks.¹³

We can no longer believe this; however, there is no democratic procedure for deciding democratically *who* should or should not be part of the *demos*, since every such decision already involves a distinction between those who are entitled to decide and those who are not. We face an inevitable circularity. Yet although this logical problem

¹² See Frederick G. Whelan, “Democratic Theory and the Boundary Problem,” *Nomos XXV: Liberal Democracy*, ed. J. R. Pennock and J. W. Chapman (New York: New York University Press, 1983) 13–47; Robert Goodin, “Enfranchising All Affected Interests, and Its Alternatives,” *Philosophy and Public Affairs* 35.1 (2007): 40–68.

¹³ Robert Dahl, *After the Revolution?: Authority in a Good Society* (New Haven: Yale University Press, 1970) 60–1.

of circularity cannot be avoided, there are more or less just, and more or less intelligent solutions to the problem of constituting the *demos*. In our age, the legacy of cosmopolitanism involves treating the guest not as a guest but as a potential citizen and political consociate.

Cosmopolitan norms then pose challenges to contemporary democracies to reevaluate and reshape their own practices in accordance with the universalistic ideals that are already embodied in their own constitutions. While we can never eliminate the distinction between human rights and citizens' rights, and I for one would not wish to do so, as citizens who are also aspiring to be citizens of the world, we should take our obligations of "solidarity with the other," whether they be within or outside our borders, with utmost seriousness.