

BOOK REVIEWS

Another Cosmopolitanism. By Seyla Benhabib. (New York: Oxford University Press, 2006). 206 pp. Hardcover, ISBN 0-19-518322-3.

Another Cosmopolitanism marks a watershed in discourse on cosmopolitanism. It consists of Benhabib's two essays, "The Philosophical Foundations of Cosmopolitan Norms" and "Democratic Iterations: The Local, the National, and the Global", which Benhabib presented in March 2004 at UC Berkeley as the Berkeley Tanner Lectures that year, and critical commentaries on her essays from Jeremy Waldron, Bonnie Honig, and Will Kymlicka, with introduction from Robert Post.

Drawing from Kant and Habermas, Benhabib develops a version of cosmopolitanism that is distinguished in three aspects. First, in one important sense, it is a version of cosmopolitanism that is grounded particularly in the concept of basic human rights, which demarcates it from other versions of cosmopolitan ethics or moral philosophy, e.g., Grecian cosmopolitanism or Stoic cosmopolitanism. This notion of cosmopolitanism is one which has become central to present discourse of cosmopolitanism. Equally crucial, Benhabib indicates a concept of basic human rights broader than "a thin version of the human rights to life, liberty, equality and property" (p.16). Second, contrasted to various interpretations of cosmopolitanism today, Benhabib advocates the concept of cosmopolitanism as "a normative philosophy for carrying the universalistic norms of discourse beyond the confines of nation-state." (p.18). For her, cosmopolitan ethics is a universalistic and discursive ethics. Third, in Benhabib's concept of cosmopolitanism, a cosmopolitan order is a normative order of cosmopolitan laws. Cosmopolitan norms of justice are not merely moral or merely legal. They constitute the morality of the law. They not only give rise to advices, but also impose obligations. Benhabib follows "the Kantian tradition in thinking of cosmopolitanism as the emergence of norms that ought to govern relations among individuals in a global civil society." (p.20).

The concept of a cosmopolitan order as a normative order based on basic human rights is a Kantian one, amid Kant's paradigm of cosmopolitan rights is the right of hospitality. It is Kant who first conceived a global order in which a violation of basic human rights in one part of the world would be felt everywhere. That being said, Kant had no such concepts as "crime against humanity" in mind. Thus, in Kant's cosmopolitan norms are more or less moral norms, which should be embodied in municipal laws. Benhabib climbs to a higher point on Kant's shoulder. Benhabib makes no bone of that. In "The Philosophical Foundations of Cosmopolitan Norms", the first of her own two essays, she recalls Kant and the Kantian legacy particularly. Benhabib brings in the historical progress since World War II in recognizing universal human rights to rekindle the Kantian ideal. In particular, "since the UN Declaration of Human rights in 1948, we have entered a phase in the evolution of global civil society, which is characterized by a transition

from international to cosmopolitan norms of justice."(pp.15-16). Thus, the norm of human rights in Benhabib is more substantial than the Kantian one whose paradigmatic example is the universal right of hospitality. By this token, Benhabib attempts to revitalize the Kantian project with the spirit of our time, following the footsteps of Habermas and others.

A crucial contribution that Benhabib makes to the discourse of cosmopolitanism is her concept of "democratic iteration" as the means to construct cosmopolitan norms and to build a cosmopolitan order that is not only moral, but also legal. "Democratic iterations" is also the title of Benhabib's second essay in her *Another Cosmopolitanism* and a central theme of her 2004 Berkeley Tanner Lectures. As it is well known, Kant was not a democrat and did not conceive democracy to be the path to build a cosmopolitan order. As a result, Kant cannot account for the origin of legitimate cosmopolitan laws today. Speaking of a cosmopolitan order as a legal one, we must recognize that, in words of Robert Post, "contemporary law cannot easily appeal to the authority of God, nature, divine rulers, or universal ethics, it must instead appeal to the authority of democratic self-determination." (p.2). Applying insights from Habermas's discourse ethics in her solution, Benhabib creatively proposes what he dubs as a process of "democratic iterations" as the path to develop cosmopolitan norms or to embody cosmopolitan norms in national cultures and institutions. Democratic iteration is "a dynamic process through which the principles of human rights are progressively incorporated into positive law of democratic states."(Post, p.4).

Notwithstanding, a few issues arise here. Benhabib does not advocate three levels of legitimating cosmopolitan laws, as Habermas talks about three levels of legitimating a constitution for a world society. Thus, without emphasizing on international and global movements, in what way the principles of human rights can be progressively incorporated into positive law of democratic states remains uncertain. Accordingly, the concept of democratic iteration purports to iteratize what are recognized as cosmopolitan norms, not purport to define what are, and can be, cosmopolitan norms. Admittedly, "democratic iterations are linguistic, legal, cultural, and political repetition-in-transformation, invocations that are also revocations."(p.48). In connection with this, differing from Habermas, Benhabib conceives cosmopolitan norms to frame "the morality of law", not legal norms themselves. This in turns indicates that unlike Habermas, Benhabib does not draw a distinction between human rights as legal rights and moral rights of persons *qua human being*, even though she explicitly evokes Kant's concept of cosmopolitan rights "in the juridical sense of the term" of "right" (p.21).

Benhabib highlights her view of cosmopolitanism with addressing three interrelated questions, as they arise in the Arendt-Jaspers exchange: (1)"What is the ontological status of cosmopolitan norms in a post-metaphysical universe?"; (2)"What is the authority of norms that are not backed by a sovereign with the power of enforcement?"; and (3)"How can we reconcile cosmopolitan norms with the fact of a divided mankind?" (p.70). Her answer to question (1) is: cosmopolitan norms

and principles "are morally constructive: they create a universe of meaning, values, and social relations that had not existed before by changing the normative constituents and evaluative principles of the world of 'objective spirit', to use Hegelian language."(p.72). To question (2), her answer is "the power of democratic forces within global civil society."(p.71). Her answer to question (3) is that "we must respect, encourage, and initiate multiple processes of democratic iteration." (p.70).

One cannot help feeling a bit unsettled about her answer (2): the authority of cosmopolitan norms that are not backed by the sovereign is the power of democratic forces within global civil society. First, even if one understands Benhabib to be saying that the authority of those cosmopolitan norms comes from the power of democratic forces, in what the power of such democratic forces are embodied and organized? Or are they non-embodied? Second, it is not clear what democratic forces and which democratic forces that Benhabib refers to. It is easy for us to see that the concept of democratic forces in the world today is not unproblematic. Third, in what way the power of democratic force gives cosmopolitan norms the legitimate authority if they are not backed by the sovereign? Through ethical-moral mediation or reinvention of culture and customs? Or through popular movements?

A related worry concerns about her answer (1). A question remains here: In what way cosmopolitan norms are not merely moral or merely legal? Taking what Benhabib asserts as it, one cannot help wondering: Are cosmopolitan norms both moral and legal--that is, norms with a *Janus* face? Or are they some intermediate between the moral and the legal? How cosmopolitan norms should be understood in a way that is consistent with the thesis that cosmopolitan norms constitute the morality of the law? I very much doubt that Benhabib's claim that cosmopolitan norms constitute the morality of the law has not already claimed cosmopolitan norms to be moral norms, amid they belong in a particular class of moral norms which should be embodied in positive laws. At least, in such a context, the claim that cosmopolitan norms are not merely moral or merely legal does not make the case clearer, but produces unhelpful ambivalence.

All the same, *Another Cosmopolitanism* is an insightful thought-provoking book, and offers a rare and invaluable contribution to present discourse of cosmopolitanism. It might not break many new intellectual grounds. It at least enkindles the Kantian legacy of cosmopolitanism with the spirit of our time.

BARBARA ENTL, St. George's University School of Medicine