



THE UNIVERSITY
OF AUCKLAND

LIBRARIES AND LEARNING SERVICES

ResearchSpace@Auckland

Journal Article Version

This is the publisher's version. This version is defined in the NISO recommended practice RP-8-2008 <http://www.niso.org/publications/rp/>

Suggested Reference

Brock, G. N. (2007). Review of the book *Another Cosmopolitanism*, by Seyla Benhabib. *Philosophy in Review*, 27(6), 391-393. Retrieved from <http://journals.uvic.ca/index.php/pir/issue/view/91>

Copyright

Items in ResearchSpace are protected by copyright, with all rights reserved, unless otherwise indicated. Previously published items are made available in accordance with the copyright policy of the publisher.

<https://researchspace.auckland.ac.nz/docs/uoa-docs/rights.htm>

Seyla Benhabib

Another Cosmopolitanism.

Ed. Robert Post. Toronto and New York:
Oxford University Press 2006.

Pp. 220.

Cdn.\$28.50/US\$19.95

(cloth ISBN-13: 978-0-19-518322-1).

In this book Benhabib presents a revised version of the Tanner Lectures, which were delivered at the University of California in Berkeley, March 2004. This volume also includes the comments of three critics, namely Jeremy Waldron, Bonnie Honig, and Will Kymlicka, as well as Benhabib's responses to these.

In these Tanner lectures, Benhabib's primary concern is with how we can govern ourselves, collectively, through our political and legal institutions, especially in ways that are democratic, that respect both cosmopolitan ideals and, simultaneously, the values of particular, situated, bounded communities. She believes that since the United Nations Declaration of Human Rights in 1948, we have moved from international to cosmopolitan norms of justice, that is, from norms of justice that arise through agreements among states that regulate relations between states, to ones which give individuals certain rights and arise through 'treaty-like obligations, such as the UN Charter' (16).

While the evolution of cosmopolitan norms of justice is to be welcomed, it gives rise to a number of difficulties, which she explores in these essays. Two questions deserve special attention here. The first involves the tension between cosmopolitan norms and republican self-governance: How can we reconcile the will of democratic majorities with norms of cosmopolitan justice? The second involves the issue of the authority of cosmopolitan norms: 'How can legal norms and standards, which originate outside the will of democratic legislatures, become binding on them?' (17). In answering these questions Benhabib claims to uncover a paradox of democratic legitimacy which involves an inescapable limitation in democratic forms of representation and accountability, namely, a formal and unavoidable distinction between members and nonmembers. She identifies this as 'the core tension, even if not contradiction, between democratic self-determination and the norms of cosmopolitan justice' (17). Her way of grappling with these difficulties is through a series of mediations. We need to mediate moral universalism with ethical particularism, legal and political norms with moral ones. So, for Benhabib, cosmopolitanism is a 'philosophical project of mediations, not of reductions or of totalizations' (20).

Her analysis draws on Kant's doctrine of cosmopolitan right, especially the duty of hospitality. Kant's duty of hospitality involves a duty to provide temporary residency to strangers who come to our land when failure to do so would involve the demise of the stranger. The right to universal hospitality should prohibit states from denying refuge to those who have non-aggressive intentions and if failure to admit them would involve their demise.

According to Benhabib, '[d]emocratic iterations are complex ways of mediating the will- and opinion-formation of democratic majorities and cosmopolitan norms' (45). Here Benhabib makes use of Jacques Derrida's concept of iteration in which every use of a concept does not simply replicate the concept but rather varies and enriches it. Democratic iterations are dialogues in which cosmopolitan principles and norms are re-appropriated, reiterated, reinterpreted, and contextualized by participants in a series of interlocking conversations and interactions. She illustrates how democratic iteration works in practice by considering, as one example, the contentious issues of Muslim women wanting to wear head coverings in schools in France (which has a strong tradition of commitment to secularism and did not favor the wearing of religious symbols in schools). Democratic iteration provides the key concept in how to reconcile cosmopolitanism with particular legal, historical and cultural traditions. Basically we are to 'respect, encourage, and initiate multiple processes of democratic iteration' (70). Such processes may not yield outcomes we favor, as happened with what she calls 'The French Scarf Affair', in which the result was the passing of legislation that banned the wearing of all religious symbols in schools.

As she also notes, the dismantling of sovereignty, the fraying of the social contract, and the disintegration of the nation-state do not mean that changes are going in a cosmopolitan direction; instead, they are going more in the direction of the privatization and corporatization of sovereignty, which endanger democracy by, as she puts it, 'converting public power into private commercial or administrative competence' (179). She hopes her concept of democratic iterations can signal ways in which people can reclaim empowerment and thereby better appropriate 'the universalist promise of cosmopolitan norms in order to bind forms of political and economic power that seek to escape democratic control, accountability and transparency. The interlocking of democratic iteration struggles within a global civil society and the creation of solidarities beyond borders, including a universal right of hospitality that recognizes the other as a potential co-citizen, anticipate another cosmopolitanism — a cosmopolitanism to come' (177).

Jeremy Waldron and Bonnie Honig both question Benhabib's special commitment to positive law, while Will Kymlicka questions her attachment to the nation-state. Here I will have space to discuss only one critic and I chose Waldron for this purpose, because of his intriguing alternative analysis.

Waldron argues that when we reflect on the emergence and status of cosmopolitan norms we should pay at least as much attention to quotidian norms — such as postal and telephone conventions, airline safety and navigation standards, and transnational banking arrangements — as the more high profile cases typically discussed by political theorists themselves. While Waldron thinks Benhabib's notion of democratic iteration is useful, he pursues different answers to the questions that concern Benhabib. Paying attention to the more mundane examples of ways in which people come into contact with others leads us to demystify several of the difficulties. The example of repeated patterns of commercial interaction serves as a useful prototype in

which we see how the growth of repeated contact between different people 'can lay the foundation for the emergence of cosmopolitan norms, in a way that does not necessarily presuppose a formal juridical apparatus' (94). This analysis also helps to make sense of the authority of the emerging norms.

It seems that there is a good deal of misunderstanding between Benhabib and her critics. This is especially evident in the exchange between Benhabib and Waldron. Benhabib's responses to Waldron seemed uncharitable and to miss the point of his useful alternative analysis (which struck me as just as plausible as her own account).

Benhabib's major contribution here is undoubtedly her account of democratic iteration which provides some useful insights into how to resolve the tensions which arise in harmonizing cosmopolitan norms with those that arise in particular, situated communities. The analysis of examples used to illustrate the concept provide further helpful insights into this important topic.

However, a major presupposition of Benhabib's analysis is that cosmopolitanism inevitably collides with the boundaries essential to democratic authority, and this assumption is one which can and has been challenged by, for instance, David Held (*Democracy and the Global Order*, Stanford University Press 1995). There is exciting work to be done on this issue, and a number of options for reconciling these are worth pursuing. In addition, as Weinstock ('The Real World of [Global] Democracy', *Journal of Social Philosophy* 37/1) and Kuper (*Democracy Beyond Borders*, Cambridge University Press 2004) have shown, re-examining the central tenets essential to democratic forms of government is also yielding interesting new forms of democracy that reduce and even eliminate the core tension identified in alternative ways.

Gillian Brock
University of Auckland