



Cosmopolitan Normativity: Between Global and Social Justice

ABALOS KAREN CONNIE MAYO

(Degree)

博士（学術）

(Date of Degree)

2018-03-25

(Date of Publication)

2019-03-01

(Resource Type)

doctoral thesis

(Report Number)

甲第7063号

(URL)

<https://hdl.handle.net/20.500.14094/D1007063>

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博 士 論 文

平成 29 年 12 月 9 日

Cosmopolitan Normativity: Between Global and Social Justice

コスモポリタンな規範性：グローバル正義と社会正義の間

神戸大学大学院人文学研究科博士課程

後期課程倫文化構造専攻

Abalos, Karen Connie Mayo

ACKNOWLEDGMENTS

I would like to express my utmost gratitude to my advisor and mentor, Prof. Kazashi Nobuo. His sage guidance and tireless patience did not just lead to the completion of this research; his words and ways greatly contributed to my maturity as a scholar and as an individual. Whenever I have doubts in my future philosophical endeavors, I know that it is his voice which I will hear.

My deepest appreciation to Prof. Kiyomitsu Yui and Prof. Naka Mao for always being generous with their time and their wise words. I am grateful to Prof. Matsuda Tsuyoshi, Prof. Naoto Chatani, and Prof. Kato Kenji for their kind comments. To my all my senpai and kouhai, I will never forget your friendship and help. Your warm hearts eased my life in Japan and also made it more memorable. This work would not be possible without the assistance of the Graduate School of Humanities of Kobe University as well as the Ministry of Education, Culture, Sports, Science and Technology (Monbukagakusho) of Japan. Marami pong salamat.

I share this accomplishment with my wonderful husband, Alekos. Your loving heart and intelligent mind helped me complete this journey; so excited for our next adventures together. This time, it is my turn to follow you.

Much love to my mother, Evelyn, for making sure I have chocolates before every exam. Those chocolates and your faith led me here. To my brothers, I continuously learn from each one of you. You all inspire me. To our babies, you give us so much joy. To my in-laws, thanks for taking care of my husband while I am here in Japan and for treating me as one of your own. My fabulous friends, thank you so much for the encouragement.

This work is dedicated to Papa and Karl. I am sorry that I was not home when you said your farewells but maybe goodbyes are not for the truly well-loved.

All this I offer for the glory and honor of our Lord and Creator, Jehovah.

There are several sections in this work which have been orally presented in conferences and two were published in journals. Though some changes were made for the final draft of this dissertation, the basic arguments were retained.

- *Marketing Nations: Rise of Nationalism in a Globalized World* was published as “Marketing Nations: Analyzing the Rise of Nationalism in a Globalized World” in Aichi, No. 29, 2018. (Final Draft Pending as of November 2017).
- *Education and the Capital-Nation-State: Aspiring for Better Democracies* was presented at the 8th International Conference: Applied Ethics and Applied Philosophy in East Asia, Kyung Hee University, Korea (May 2017)
- *Conflicting Citizenships in a Globalized World* presented as “Emerging Citizenships: On Migrants and Political Agency” at the Uehiro Graduate Philosophy Conference, University of Hawaii, Honolulu (March 2017)
- *Discourse and Cosmopolitanism: A Case for the Filipino Domestic Helper* presented as “On Discourse Theory Led by Seyla Benhabib and Nancy Fraser: A Critical Account from the Perspective of Migrant Claims” at the 3rd Annual Conference of the American Philosophy Forum, Kyoto University (July 2016)
- *Shared Meanings, Space, and Moral Structures* was published as “The Metaphor of Space: Discovering Virtues through an Understanding of Political Space”, in Aichi, No. 27, 2015, pp. 15-24.

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I. Introduction

Hence objectively, in theory, there is no quarrel between moral and politics. But subjectively, in the self-seeking tendencies of men (which we cannot actually call morality, as we would a course of action based on maxims of reason,) this disagreement in principle exists and may always survive; for it serves as a whetstone to virtue. (Kant 1795, 180-81)

A fundamental understanding of the dualities that are characteristic of the philosophical pursuit: body and soul, world of forms and world of objects, space and time, good and bad is necessary for any scholarly pursuit of philosophy. These dichotomies though escape clear delineations and this is when the discourse may somewhat become frustrating but also somehow fascinating. This is never more so applicable than in the dichotomy between the moral and the political. Plato and Aristotle would say that there is no such thing as a demarcation between the two, and in principle, there should not be. However, in current practical practice, such as in political dealings, policy-making, as well as our electoral choices, the ethical is sometimes far removed from the political.

By ethical we do not simply mean the moral virtues that should or do shape our daily lives although these are, of course, necessary. We refer instead to the ideals and principles that frame our pursuit of the good life. The assumption underlying this study is that the economic, political, and cosmopolitan norms that are currently manifested in our global and international practices are based on a democratic platform which all nations, regardless of their internal forms of governance and characteristic ideologies agree with and even aspire towards primarily because it is beneficial and practical for all parties concerned. We refer to how states like to think that they play on a global stage where there is, at least, an appearance of fairness. This seems like a safe assumption despite the imperfections of such interactions and discourses. This paper assumes that democracy as practiced on an international level (for example, by nation-states as political agents) shows how liberal democracy, in general, is still

the preferred alternative of even non-democratic sovereignties. This preference indicates that ideals of fairness and equality are still preferred goals.

A. Thesis Statement

Our main argument is that cosmopolitan norms are indicative of our growing global civic society and it challenges our national structures as well as some of our philosophical theoretical constructs, rightly forcing these structures and constructs to reassess the way it views or analyzes human rights claims. We normally conceive of our rights as enshrined within our communities, as protected within our national constitutions, for example. However, these territorial boundaries are slowly being challenged, not by other sovereignties, but by developments in our civilization. Examples of which are how it is easier now to travel and migrate, or how technological developments have led to environmental disasters that are of global concern. These developments affect the way we legally and practically apply our rights and claims. Because of these growing global concerns, we are forced to conceive of our rights from a wider perspective that goes beyond national limits and abstract universalities. We see them instead from a more concrete viewpoint that is more transnational or, more specifically, what we term as cosmopolitan norms. The caveat is that this research work is not espousing a global government institution. However, it will explore justifications and possibilities of the conception of these cosmopolitan norms. We pose that the cosmopolitan perspective of our human rights are more fundamental than our national laws because they are universalizable and are based on an intersubjective consensus amongst nations.

Cosmopolitan political theory is necessary in light of steadily increasing problems and issues that transcend national borders. Since the scope of socio-political theories have long been limited to nation-states, there has been a growing need for a more universal approach in understanding contemporary political issues. It does not directly espouse democracy but it is so by its very nature, because of its recognition of individuals and its inclusion of

sovereignties as players in this political milieu¹. We contend that this democratic approach is an implicit characteristic of cosmopolitan normative theory. In this work, we present specific examples of how cosmopolitan norms and approaches can be applied to current political problems. We posit that these cosmopolitan ways of thought present fresh perspectives in political practices and is able to provide practical as well as applicable notions that may help in actual policy making. Though its foundation rests on classic philosophical notions of universality, contemporary cosmopolitanism is different from previous iterations of the quest for universal morality because of three main points:

- (1) Political philosophy has a rich history of theories that present varied systems of thought but these have been specifically designed for a limited scope, namely the modern sovereign nation-state. Cosmopolitan theories may have varied approaches and stances toward the significance of the roles of national boundaries but at least these questions are now part of the discussions and are not just taken for granted.
- (2) Our understanding of cosmopolitan moral theory rests on the basic idea that “cosmopolitan norms of justice, whatever the conditions of their legal origination, accrue to individuals as moral and legal persons in a worldwide civil society”² which means that these claims are even more basic than positive laws that arise from national laws. Hence, national law is not the final arbiter of an individual’s rights. Even

¹ We loosely borrow the general idea of cosmopolitanism, a political theory as democratic in form from a memoir of English Literature professor and writer, Azar Nafisi. In this case, she talks about works of fiction but I pose that our political theories as normative not merely descriptive are also inventions arising from our imaginations; works of fiction, so to speak. In this particular instance, she describes how the book *The Great Gatsby* was put on trial in one of her classes during the tumultuous period of the Iranian Revolution. I quote, “A good novel is one that shows the complexity of individuals, and creates enough space for all these characters to have a voice; in this way a novel is democratic—not that it advocates democracy but holds that by nature it is so. Empathy lies at the heart of *Gatsby*, like so other great novels—the biggest sin is to be blind to others’ problems and pains. Not seeing them means denying their existence.” (Nafisi 2003) We mention the importance of fiction and works of art as well, in the chapter, Education and the Capital-Nation-State: Aspiring for Better Democracies.

² We borrow this idea from Seyla Benhabib. (2006)

as we recognize that it is essential for us to investigate how these national structures can be utilized to uphold and enact these cosmopolitan norms.

- (3) There is a growing need to address issues of global concern such as migration, environmental problems, terrorism, and such. In this work, we focus on specific examples of political situations that are global in reach but we seem to obstinately continue analyzing using the same, antiquated nation-centered approaches. Old systems of thought and practices that focus on the westphalian approach only manage to further insulate sovereign states as political actors from each other. This may lead to bigger problems such as nationalism, populism, and totalitarianism.

This is not to say that cosmopolitan morality will ultimately solve these difficulties that have global reach. There are also critical points that we shall consider here. These criticisms show that cosmopolitan moral theories have only begun to address the theoretical differences between universal moral theories as well as social justice theories. These fundamental tensions cannot be simply explained away by justifications that pertain to necessity. Despite its shortcomings however, the cosmopolitan approach highlighted the balance between moral and political, and more importantly, seeing the political question from such a perspective is a good place to begin our understanding of the contemporary political scenario.

B. Objectives

First and foremost, the objective of this research is to recognize that there are problems that we all share as human beings, regardless of our country of origin. What we perceive as local, national difficulties are actually mere symptoms of more global concerns. Given this, we will show several examples of seemingly local issues that actually have worldwide impact (i.e. the problem of migration, the rise of nationalism, education and democracy, prevalence of non-state actors).

The second objective is to show that in political philosophy, there is a need to reexamine how we analyze contemporary political situations. This reexamination is necessary because we live in a more interconnected world and our circumstances demand a more holistic approach to these global problems. The philosophical academic tradition have focused on state-centered theories that inadequately and awkwardly attempt to investigate these phenomena; not realizing that these theories, though helpful in examining specific aspects of the subject-matter, fail to grasp the underlying disease or overall implications.

Our third objective is to prove that through our transnational activities (i.e. trade and other economic negotiations, political interactions, social media communications, etc.) and the prevalence of universal issues such as immigration and environmental problems, it has become necessary to expand our concept of what is political on a cosmopolitan, global level. We will show that this is still a moral imperative in our political milieu, despite the rise of nationalism worldwide.

To examine cosmopolitanism is to study ideals. Thus we continue this research at the risk of idealizations and, maybe, even sometimes generalizations, but it is our hope that real problems such as the issue of immigration in the plight of migrant workers and refugees, for example, will ground these tendencies and will instead demonstrate its substance.

C. Rationale

There are three factors that inspired us to focus on this research topic: first, how politics is practiced; second, how government administrations seem to test the boundaries of ethical practices and hence, their own power and moral authority over their constituents; and third, how global politics affect local practices. We hypothesize that in each tier or political sphere (i.e. citizen, nation-state, and transnational politics), there are fundamental moral structures and practices that are in place. We will show that these moral frameworks may

possibly be universal in nature. Despite these moral frameworks, however, there is a strong discrepancy between actual practice and ideals.

We believe that there are tensions within and among these structures. For example, nation-state as arbiter of positive laws or norms do not always conform to universal moral standards of right and wrong, especially when it comes to reasons of state (to be specific, when governments' actions are done for the state, their actions on immigration laws, etc.). We recognize the need to return to the fundamentals of connecting moral to political, especially in terms of how we *do* politics—may it be through our political choices, affiliations, how we process and react to actual problems. Therefore, the question is on how we can strive towards this moral ideal without leaving behind minorities and others who are in the fringes of our societies. How do we ensure that the political ideal we are striving for is indeed moral (i.e. not just ideological propaganda, for example) and beneficial for all? Is there a limit to the practice of cosmopolitan morality in contemporary politics?

D. Methodology

The study is divided into three sections which correspond to spaces wherein we observe that cosmopolitan morality may be applied. The three divisions simply pertain to the scope wherein we can apply cosmopolitanism.

We consider that Cosmopolitan moral theories delve into questions referring to individuals (i.e. citizens and moral agents), communities (mainly focusing on sovereignties and/or nation-states), and finally, global issues. We reiterate that these levels are not to be construed as hierarchical or structural, hence the dissection is not a matter of degree but a simple manner of consideration. The citizen is just as ethically significant as a nation-state.

We begin with the definition of cosmopolitanism as understood within current philosophical discourse. We contend that present modes of political discourse have been vastly influenced by and somehow related to concepts of welfarism, distribution, culture

claims, and such. These conceptualizations have been attributed to various forms of cosmopolitanisms. Thus, what is of particular interest to us is not just the idea that cosmopolitanism has been revived from its ancient Grecian roots but the fact that it permeated recent political discourse. Why? Why at this juncture in human history, has it been revitalized? Can this phenomenon be attributed to the development of technology and global media? Is it a new tool for Western thought to be appropriated once again, this time for a more globally receptive audience, a novel kind of colonial, imperial tool? Are there pedagogical dangers to these cosmopolitical concepts which we have yet to uncover? In this section, we also explore critical views of various cosmopolitanisms.

In the third chapter, we discuss cosmopolitanism as it applies to individuals such as citizens and moral agents which give us a narrower perspective to see how a universal idea is applied to specific issues such as citizenship and immigration. We compared and contrasted various views on citizenship and how these conceptualizations relate to our moral agency. Then we present a specific case wherein discourse ethics from a cosmopolitical viewpoint can be applied in the case of migrant domestic helpers. We do this from the perspective of Nancy Fraser and Seyla Benhabib.

The fourth chapter explores, how, even as nationalism rises, so do cosmopolitan approaches to universal issues become even more relevant. We focus on morality that is assumed to be the foundation of our constitutions and norms, especially within the boundaries of the nation-state. Is cosmopolitanism at odds with the idea of nationalism? But first it is essential to explain the point of nationalism as expressed in actions done for “reasons of state”.

Next, we center on the importance of education in democracies. This is not an entirely new concept but we focus on how global political practices (i.e. politics practiced among nations) are basically democratic manifestations and, hence, we revisit the role of education,

which continues to be an essential component in building and developing capital-nation-state. We draw on Kojin Karatani and Martha Nussbaum with these topics.

The fifth chapter expounds on the limits of a cosmopolitan morality within a liberal democratic framework. There are practical applications to the study of cosmopolitan morality, especially in universal issues such as immigration. This is further divided into two sections: the first will concentrate on a more robust explanation of shared meanings and the moral structures we form within shared spaces and this includes the global political milieu. We draw on Hannah Arendt, David Held, and Maruyama Masao on this idea of shared meanings in spaces. The second section will emphasize the role that capitalism and non-state actors play in global politics and how these structures affect local politics. We expound on the rising influence of non-state actors on national and international politics. The implications of these non-state actors towards political practices is important as we assess the universal political issues we currently face. We use and analyze Benhabib's idea of democratic iterations.

Lastly, we conclude with the concepts, inconsistencies, and contradictions that can be found within cosmopolitan morality. What we glean from the basic framework of cosmopolitanism is that the notions that we use to analyze our current situation; terms such as capital, nation, state, are ever-changing structures. It behooves us to examine these from a perspective that is as far as possible from our usual tendency towards essentialism which we are prone to commit. The cosmopolitan perspective with its multicultural, universal, transnational approach cannot hold up against criticism without acknowledging that the political and moral are constantly adjusting as well. The idea of cosmopolitanism itself has changed since its inception during the Greek period. Whether the ideals it has strived for has changed is something that this work essentially tries to explore.

II. Cosmopolitanism

A. Brief History

What do writer Vladimir Nabokov, composer Igor Stravinsky, and ballerina Anna Pavlova (Giaimo 2017) have in common? These artists were all saved from the Bolsheviks by what came to be known as the Nansen passport. The Nansen passport saved thousands of stateless refugees during the siege of Lenin.

In December of 1921, it hit: Vladimir Lenin, whose Bolshevik army had shocked the world by winning the Russian Civil War, revoked citizenship from Russian expatriates who had fled the country during the conflict. This left some 800,000 people stateless, dispersed throughout Eastern Europe. "The legal status of these people was vague and the majority of them were without means of subsistence," wrote Fosse and Fox. "It was considered unacceptable that in the 20th century there should be such a huge number of men, women and children living in Europe unprotected by any system recognized by international law. (Ibid.)

Norwegian scientist-explorer who turned politician Fridtjof Nansen used his influence and popularity to help, not only refugees, but also the First World War prisoners-of-war who were still being held in Russia. "Lenin deprived the thousands of Russians who had fled to the West after the civil war of their nationality. Statelessness prevented them from crossing borders. The Red Cross proposed using Nansen's name on a special passport for refugees. The League of Nations approved the idea in 1922, at the same time appointing Nansen as its first High Commissioner for Refugees." (Sveen 2001) It was hardly surprising then that he was awarded the Nobel Peace Prize in 1922. This is a historical fact that is fundamentally related to our project. Cosmopolitanism may be defined in a myriad of ways. However, and this is something that we will explore later on in this work, there are tangible, practical cosmopolitan acts that we can point to in history which are worthy of our attention

and further investigation. There are several of these actions that point to a growing idea of a casual, everyday concept of cosmopolitanism. A cosmopolitan is someone who belongs to the world and not defined by his citizenship, but there is so much more to it than that, as Nansen shows and embodies.

We may choose to view cosmopolitanism from its ancient roots. Its etymology comes from the Greeks, *kosmopolitês* which refers to the cosmos or universe, thus a cosmopolitan is a citizen of the world³. In addition, the Stoics were “fond of saying that the cosmos is, as it were, a polis, because the cosmos is put in perfect order by law, which is right reason.” (Kleingeld 2014) But the two major political philosophers from Greece are hardly known for their cosmopolitan stance. Plato and Aristotle both strictly viewed their political conceptions within the confines of city-state. For example, in *Not for Profit*, Martha Nussbaum explained how Aristotle criticized Plato’s concept of dissolving partiality to one’s family—a necessary requirement in Plato’s ideal polis—so that the citizen is able to equally care for his fellow citizens (Nussbaum 2013, 219). This means that people will treat their fellow citizens equally, with no biases towards blood relatives, even immediate family members. By citizens we know that Plato is referring to the elite men of the city-state. We know from history that it is much easier and more efficient indeed to run a smaller constituency, especially one that is built on an elitist hierarchy. Aristotle himself said that “there are two things above all that make people love and care for something, the thought that it is all theirs, and the thought that it is the only one they have. Neither of these will be present in that city.” (Aristotle, 1262b22-23) We can apply this limitation to cosmopolitan objectives. It is already difficult to conceive of caring for others who are in your community but are not really a member of your family, how much more to show concern for the entirety of the world? In the same book, Nussbaum specifically focused on how, given our human tendencies, we do show bias towards our own—family,

³ Cynic Diogenes “was asked where he came from, he replied, ‘I am a citizen of the world [kosmopolitês]’” (Diogenes Laertius VI 63)³.

friends—those sharing the same shade of skin. But she maintains that this tendency can be balanced by another human tendency, curiosity. (Nussbaum 2013) What we refer to as “cosmopolitan curiosity” should be reinforced by a type of education that is civic-oriented and humanities-centered, which will be discussed in another chapter.

During the modern period, Immanuel Kant represented the cosmopolitan thrust in his work, particularly on his essays in *Perpetual Peace*. It is interesting that his cosmopolitanism is conceived in terms of the rights of individuals. He describes that “the right to present themselves to society belongs to all mankind in virtue of our common right of possession on the surface of the earth on which, as it is a globe, we cannot be infinitely scattered, and must in the end reconcile ourselves to existence side by side: at the same time, originally no one individual had more right than another to live in any one particular spot.” (1795, 138)

Many have debated on whether Kant meant for these claims to only refer to hospitality rights and do not theoretically extend to citizenship; or more permanent forms of residence. The following lines below have thus been at the crux of current cosmopolitan political milieu: “This right to hospitality, however—that is to say, the privilege of strangers arriving on foreign soil —does not amount to more than what is implied in a permission to make an attempt at intercourse with the original inhabitants. In this way, distant territories may enter into peaceful relations with one another. These relations may, at last, come under the public control of law, and thus the human race may be brought nearer the realization of a cosmopolitan constitution.” (1795, 139)

These lines have been reiterated and interpreted by contemporary political philosophers such as Jeremy Waldron and Seyla Benhabib. We will delve into these concepts in deeper detail as we proceed with our work. What we glean from here is Kant’s attempt at establishing a common ground for how law and international relations might proceed with the idea of peace as its goal: On the one hand, he talks about rights of individuals and on the other, he uses terms privilege and hospitality. Notice that he used the term ‘privilege’ to refer

to what is currently a whole host of contentious subjects such as refugee seekers, migrant workers, and how these phenomena relate to (for example) the ubiquitous issue of race. He is, after all, also known for his personal discriminations and racism, which researchers tend to gloss over, preferring instead to focus on his prolific body of work⁴. It is difficult to struggle with these questions as we delve deeper into these issues. Kant was not alone in sharing this archaic attitude. David Hume⁵ was quoted sharing these same thoughts and, of course, Martin Heidegger's close ties with the Nazi Party has earned him a reputation as well. These things seem worthy to note because there may be nuances of thought which bear significance to our discussions regarding liberty and rationality. However, the focus of this research project is on cosmopolitan morality and, despite the possible (at best) ironies or (at worst) inconsistencies of Kant's thoughts, it cannot be denied that we have to mention his seminal contribution to this line of thought.

We focus instead on how Immanuel Kant, who taught anthropology and geography⁶ more times than he taught philosophy, not only has a thorough understanding of the vastness of the world and the variances of thought and culture that are housed within its sphere. However, he may have also realized that it seems insipid and uninspiring to limit the discussion of moral and political within territorial boundaries. Based on his moral reasoning, he must have seen the value of expanding the discussion of what is political to a global perspective. For example, he was able to foresee that cosmopolitan norms will emerge and manifest itself after a world war, which, is precisely what happened with the formation of the League of

⁴ "Immanuel Kant, considered by many to be the greatest philosopher of the modern period, would manage to let slip what is surely the greatest non-sequitur in the history of philosophy: describing a report of something seemingly intelligent that had once been said by an African, Kant dismisses it on the grounds that "this fellow was quite black from head to toe, a clear proof that what he said was stupid." (E.H. 2013)

⁵ "the Scottish philosopher David Hume would write: "I am apt to suspect the Negroes, and in general all other species of men to be naturally inferior to the whites. There never was any civilized nation of any other complexion than white, nor even any individual eminent in action or speculation." (Ibid.)

⁶ "He taught geography forty-nine times, compared to the fifty-four occasions when he taught logic and metaphysics, and the forty-six and twenty-eight times he taught ethics and anthropology, respectively. (Harvey 2009, 20)

Nations and the United Nations after the first and second World Wars subsequently. (Karatani 2014, 299) It is important to note at this point too that “Kant sees the development of commerce as a condition for peace: the development of dense relations of trade between States will render war impossible.” (302) However, Kant’s point here is strongly challenged with the rise of Capitalism, Liberalism, and subsequently, Neo-Liberalism. He may have forgotten how war can also be profitable, at least for a certain number of individuals, which is why it is essential to reserve a few pages of this work for non-state actors and their growing significance in global politics.

Hence, Immanuel Kant is an essential part of the cosmopolitan discourse as we shall see, especially when he is liberally referenced by thinkers such as Seyla Benhabib, Nancy Fraser, and Martha Nussbaum. On the other hand, we have John Rawls who underscores the practicality and moral expediency of limiting political liberalism within a sovereignty. Therefore, we see Rawls being drawn upon by cosmopolitan political thinkers, David Miller and Will Kymlicka, for example. There are fascinating nuances of thought and variances of approaches from both sides. For the longest time though, our political theories are just constrained within the nation-state and this provides challenges to our current problems which are more transnational.

B. Definitions

Hence the idea of a cosmopolitan right is no fantastical, high-flown notion of right, but a complement of the unwritten code of law—constitutional as well as international law—necessary for the public rights of mankind in general and thus for the realization of perpetual peace. (Kant 1795)

Basically, moral cosmopolitanism is concerned with the idea “that each human being has equal moral worth and that equal moral worth generates certain moral responsibilities that have universal scope.” (Gillian Brock 2005, 4) Does this mean then, that cosmopolitanism is merely a new terminology for universal ethics, the type of ethical theory that the

Enlightenment sought to capture and put into a schematic theory? Not necessarily, because while this definition captures the cosmopolitan élan, as Broch and Brighouse state. While it is easy to explain encompassingly what cosmopolitan morality is, it is more difficult to uncover what it requires. This research work is an attempt at pursuing these requirements by exploring differing versions of cosmopolitan theory. The issue stems from the fact that now, more than ever, this philosophical approach is keen on applicability. It also attempts to justify its scope and establish its theoretical pedigree.

There is such a thing as a general, practical meaning for the term cosmopolitanism. Ancient trade laws and business practices which have taken place even prior to sovereign rules—what Japanese scholar, Kojin Karatani would term as mode of exchange C, which is commodity exchange—are cosmopolitan in nature. Prior to the establishment of the League of Nations and, subsequently, the United Nations, and maybe even outside the economic obligations and sanctions between nation-states, there are already communities and organizations who have established rules and practices over themselves. We mention it at this juncture to underscore how people are well-aware of the advantages of playing by certain rules through practice and ancient word-binding, even in the absence of written and signed treaties. Seyla Benhabib brings our attention to a momentous event in history wherein an international body made up of sovereign nation-states sought to sign into laws the immutable rights of individuals, regardless of their citizenship and country of origin.

Cosmopolitan norms of justice, whatever the conditions of their legal orientation, accrue to individuals as moral and legal persons in a worldwide civil society. Even if cosmopolitan norms arise through treatylike obligations, such as the UN Charter can be considered to be for the signatory states, their peculiarity is that they *endow* individuals rather than states and their agents with certain rights and claims. This is the uniqueness of the many human rights agreements signed since World War II. They

signal an eventual transition from a model of international law based on treaties among states to cosmopolitan law understood as international public law that binds and bends the will of sovereign nations. (Benhabib and Jeremy Waldron 2006, 16)

We mention it here because, at that moment when there are treaties that have fully acknowledged human-centered norms that protect our rights simply as humans, we are painfully cognizant of the fact that these rules are not always followed and respected, even by their signatories⁷. However, this acknowledgement of the individual is integral because, at present, we have a legal, and most especially, transnational basis for humanism. In spite of the obvious limitations of said treaties, this is still monumental for the processes of normativity. The problem with the treaties, of course, is that it is difficult to *enforce* given the westphalian structure of hegemony present in world politics. Even the signatories of these well-meaning treaties tend to ignore that they are legally bound, for example, to accept asylum-seekers. Is it simply a matter of scarce resources and worry over not being able to stabilize economy when taking refugees? Is it a fear of the *other*, as evidenced by the primary reason why majority of the United Kingdom voted to opt out of the European Union or how most Americans voted for Trump? These are questions which cosmopolitan thinkers have sought to answer and some of which we have explored in earlier works⁸.

What we observe with the examples we have given at the beginning of this work (that is, with the Nansen passport as well as the Universal Declaration of Human Right or UDHR), how these instances show the myriad ways in which these ideals are realized. This turn

⁷ “Shocked to learn that they were legally obliged to help the people streaming across their borders, a growing number of European politicians and officials are pressing for revisions to the UN’s 1951 Refugee Convention and its 1967 protocol, which make up the main framework for international protection of people fleeing persecution and provide the basis for the work of the UNHCR. The convention is one of the most potent instruments of international law ever devised. The primary obligation that it places on signatories is the duty of non-refoulment, meaning they may not return people to countries where they are at risk.” (Nuttall 2016)

⁸ For her masteral thesis, this researcher worked on the theme *Possibilities of Cosmopolitan Morality: A Case for Migrant Workers’ Rights*.

towards a more universal approach to what are seemingly local issues but have global impact is—not only integral to further our ongoing philosophical need to find universal truth and values—it is also evidence that there is a way to attempt to answer these global questions. Benhabib is not alone in underscoring the significance of ascribing specifically to individuals these rights and claims. For example, we present Amartya Sen, Martha Nussbaum and their popular notion of the Capabilities Approach: “Capabilities belong first and foremost to individual persons, and only derivatively to groups. The approach espouses a principle of *each person as an end*. It stipulates that the goal is to produce capabilities for each and every person, and not to use some people as a means to the capabilities of others or of the whole.” (Nussbaum 2011, 35)

This idea of cosmopolitanism is an attempt at understanding the centrality of individuals as citizens bearing rights but regardless of their citizenship. Sovereign states and their structures of governance are nearing a crossroads. They are fighting to remain relevant in a globalized world. It seems they face two forces. One from outside, such as other nation-states and more powerful non-state actors. From inside, their decisions are undermined by a tide of empowered constituents who have a sense of the growing socio-civic community they are a part of. What we are seeing is that people from developing countries have never been more aware of what they do not have and, more significantly, what they can achieve. If they do not have access to free health care, for example. In the same token, when a super typhoon hits islands somewhere in the Pacific, the whole world sees the devastation. And, no matter how many times the US president says that climate change is not real, people look at the devastation and it cannot be denied. Sovereign states are being held more accountable by their people, what may well be a slowly growing and interconnected global civic community—the public space of global politics.

This attribution of cosmopolitan norms accomplishes two aspects of an ideal: it provides us with actual moral guidelines for how humans should treat one another; including how nation-states should view individuals. Second, it gives us political aspirations. Because while there are now universally recognizable norms, these are not always practiced and applied by their own signatories. So then we are left with the uncomfortable thought: Is this the best that we can really accomplish... a moral scaffolding but empty of meaning? Since it lacks the positive laws to enact it? We know that something should be done about, Syria for example, but we are caught in a deadlock over how to stop the atrocities. Jeremy Waldron agrees that when Kant refers to 'hospitality' in *Perpetual Peace*, he is not referring to sovereign states. He believes that Kant is actually referring to "relations between people and peoples, and it needs to be read in that determinedly *non*-state-centered way in order to capture the distinctive contribution it is supposed to make to Kant's practical philosophy." (Benhabib and Jeremy Waldron 2006, 89-90) Even though we agree with Waldron, we still feel the need to practically recognize that structures of states are already in place and it is through these that we can explore the possibilities of cosmopolitan norms, regardless of their apparent inadequacies. Of course, in our imagined situation wherein nation-states practice democracy on a global stage, these cosmopolitan norms are always in constant tension with the agenda and interests of sovereign states and republics. It would be naïve to assume that this will be an easy task. In the first place, when we say cosmopolitan politics we are not endorsing a federation of nations. We see the dangers of a world state and its possible super-hegemony. We take Kant's view wherein "...we have to take note of the fact that Kant sharply differentiated between 'cosmopolitan right' and what he called 'the right of nations,' and that he associated the principle of hospitality with the former not the latter." (2006, 89) Thus, Kant's cosmopolitanism, at least as Benhabib understands it, is that it still emphasizes the importance of a nation-state. But this does not mean that the nation-state cannot be held accountable for its actions or that it cannot be challenged as the sole arbiter of the conditions

of our cosmopolitan norms. “Kant argued for a voluntary federation of nations rather than a world state.” (Ibid) So what we are underscoring here is the idea that democracy is practiced on a world scale. This tendency towards a globally practiced democracy shows the value of a cosmopolitan view of the political. More importantly, we see the value of practicing this politics with a cosmopolitan morality as well.

Cosmopolitan moral ideals, at least in this work, refers to a non-abstract way of articulating justice. It is still universal in terms of ascriptions and global in terms of its approach towards issues it will study because we relate cosmopolitan norms to individuals, regardless of their citizenship. Despite its global justice ideals, cosmopolitan politics and morals are rooted in particular social contexts that, for this researcher, shows that there is a connection between the universal and the particular. This turn towards a cosmopolitan political philosophy is a turn towards justice.

C. Critical Points to Consider

This section shows the critical points to consider from within cosmopolitan morality. We shall see that there are already various ways in which cosmopolitan politics is understood. For example, there is a so-called distinction between weak cosmopolitanism and strong cosmopolitanism. Basically, weak cosmopolitanism requires that we show concern to all people of the world, even if they are not our compatriots. Strong cosmopolitanism has the same requirement but also believes that everyone should be equally treated and it has to be shown in a strong sense, that is, via policies as enacted by states and transnational treaties. Weak cosmopolitanism come in many forms, according to David Miller, but “what these formulations have in common is the idea that we owe all human beings moral consideration of some kind—their claims must count with us when we decide how to act or what institutions to establish—and also that *in some sense* that consideration must involve treating their claims equally” (2007, 27).

In this same source, David Miller discusses that this form of weak cosmopolitanism is sometimes only used as a precursor to stronger kinds of obligation. He says, “they may claim that we are bound to apply for example a principle of equal access to resources or a principle of equal opportunity. Whether such principles can be defended in their own terms, it is important to see that they cannot be derived from the weak cosmopolitan premise.” (28) This aspect of weak cosmopolitanism, according to him, does not necessarily lead to a stronger cosmopolitanism wherein nations or, in some forms, even world-states serve as the arbiters of duties and responsibilities. “Weak cosmopolitanism requires us to have *moral concern* for human beings everywhere, while strong cosmopolitanism goes beyond to demand that we should afford them equal *treatment*, in a substantive sense.” (43-44) Substantive sense refers to normative expressions of concern which is similar to a form of normative cosmopolitanism that Benhabib or what the Welfarists, such as Amartya Sen, propose. This means that the goals of stronger versions of cosmopolitanism are policies or laws that go beyond the boundaries of nation-state. Opening the possibility, for example, for a federation of countries that enact these laws or it may require governments to expand their culpability as arbiters of law without any bias to their own constituents. We are inclined to agree that it is a stretch to base strong cosmopolitan claims on the idea of weak cosmopolitanism. Either there must be other fundamental premises or justifications that can support strong cosmopolitanism or weak cosmopolitanism is where the conversation stops. This research work is precisely looking for the justifications of a strong cosmopolitanism, outside of the softer versions of weak cosmopolitan morality. Therein lies the connection between the moral and the political as was discussed earlier.

Meanwhile, Michael Walzer talks about “the art of separation” (2007, 57) under liberalism. He sees that “society is indeed all of a piece... its various parts bear a family resemblance to one another, the outward reflection of an internal genetic (sociological, not biological) determination.” This view is especially helpful when a focus on the practical aspects

of governance is underscored. Our cultures and languages attest to these “parts”. He further states, “the art of separation is not an illusory or fantastic enterprise; it is a morally and politically necessary adaptation to the complexities of modern life. Liberal theory reflects and reinforces a long-term process of social differentiation.” (Ibid.)

This social differentiation is something that the likes of Will Kymlicka’s multicultural citizenship⁹ is in keeping with. However, it may be in contrast to Kwame Anthony Appiah’s *Cosmopolitanism: Ethics in a World of Strangers*. Kymlicka draws on Rawls’ liberalism as well to explain the essence of a multicultural society which is parallel to Walzer’s point. There is a need to contextualize changes that liberal agenda has faced during the contemporary period and to comprehend why cosmopolitan norms are related to a liberalism that is necessary for the global democracy we keep mentioning.

In the nineteenth century, when Bentham and Mill were writing, there was a privileged minority and a disadvantaged majority, and progressives were concerned to empower the majority. In that context, utilitarianism provides a good defense of liberal-democratic reforms, because shifting power away from the elite to the majority maximizes utility. Utilitarianism provides a natural and effective justification for promoting liberal values in that context. But the post-World war II context is quite different. Once universal franchise was achieved and the majority had its civil and political rights respected, the struggles for liberal reform come primarily from a series of historically disadvantaged and marginalized groups that are disliked by the majority. And in this context, you need a different, nonutilitarian way of defending

⁹ “I view myself as being very much in the Rawlsian tradition of liberal political thought, which emerged in the early 1970s. Rawls’ great contribution, in my view, was to formulate a more “right-based” liberalism, in contrast to the utilitarian defenses of liberalism that had dominated the liberal tradition for almost a century.... The basic rights of African Americans should not be hostage to majority preferences... I fully share this Rawlsian view... We can put the core insight this way: if we want to protect the human rights and civil rights of disadvantaged and stigmatized minorities such as African Americans, we need a non-utilitarian account that does not rely on the preferences of the majority.” (Gomez-Muller 2011)

liberalization. The triumph of Rawlsian liberalism is due to the fact that so many different groups have been able to use it, not just ethnic groups but gays and lesbians, women's groups, or people with disabilities. (Gomez-Muller 2011, 147)

These tensions between globalization and separation have always been at the core of world politics and hence, cosmopolitan concerns. If we add another layer of topical concerns such as the relationship between migration and colonialism, for example, then the discourse takes on a whole new plethora of narration and subtexts that we are simply not equipped to deal with at the moment. Again, the point of this section is to show that cosmopolitan concern, while expansive, are limited to questions of justice which we are keeping in mind. To return to the discussion that we are limiting ourselves to, what is essential in Walzer's point of view is that this "art of separation" is still founded on liberty and equality. He gives several examples but here he explains how, "the free market is open to all comers, without regard to race or creed; alien and pariah groups commonly exploit its opportunities; and though it yields unequal results, these results never simply reproduce the hierarchy of blood or caste, or for that matter, of 'merit.'" (58) This means that for Walzer,

under the aegis of the art of separation, liberty and equality go together. Indeed, they invite a single definition" we can say that a (modern, complex, and differentiated) society enjoys both freedom and equality when success in one institutional setting isn't convertible into success in another, that is, when the separations hold, when political power doesn't shape the church or religious zeal, the state, and so on. There are, of course, constraints and inequalities within each institutional setting, but we will have little reason to worry about these if they reflect the internal logic of institutions and practices (or as I have already argued in *Spheres of Justice*, if social goods like grace, knowledge, wealth and office are distributed in accordance with shared understandings of what they are and what they are for). (Ibid.)

Whereas Walzer underscores the idea of separation, there are others who see that there are global issues that transcend sovereignty. We see how the cosmopolitan debate on social justice is discussed. We mention again another cosmopolitan approach to a theory of social justice is the Capabilities Approach by Amartya Sen and Martha Nussbaum. Both of whom have been lauded for a workable theory on social justice. The United Nations' Human Development Report Office has since applied the tenets of these two philosophers in their annual reports. Hence, Capabilities Approach is now also known as Human Development Approach. "These reports use the notion of capabilities as a comparative measure rather than as a basis for normative political theory." (Nussbaum 2011, 17) This shows that there are direct cosmopolitan theories that can affect policy, in this case, the United Nation's index on human development.

The approach is resolutely *pluralist about value*: it holds that the capability achievements that are central for people are different in quality, not just in quantity; that they cannot without distortion be reduced to a single numerical scale; and that fundamental part of understanding and producing them is understanding the specific nature of each. Finally, the approach is concerned with entrenched social injustice and inequality, especially capability failures that are the result of discrimination or marginalization. It ascribes an urgent *task to government and public policy*—namely, to improve the quality of life for all people, as defined by their capabilities. (18-19)

Some would argue that even this approach can be swallowed under neoliberalist paradigms of economic agenda. However, the problem then lies on the ubiquity of capitalist agenda rather than the shortcomings of this philosophical perspective. The issue is that capitalism, which is at the heart of the neoliberal thrust wherein political is intertwined with economics, is not given the thorough analysis it deserves when analyzing political theory. It is primarily because capitalism itself is a massive undertaking. Its inclusion in a discourse is symbolic of its ubiquity in our everyday lives—it forces us to view the bottom line,

underscoring the *oikos* and managing to dwarf all other concerns, even concerns as fundamental as justice and equality. According to Kojin Karatani, nation-state is supposed to push against capitalism, to balance its overwhelming strength. (This will be further discussed in detail in the chapter on *Education and the Nation-State*.) However, nation-states (as we shall see in the chapter on Nationality) are also undergoing continuous processes and it is not capable of balancing the tide of capitalism as well.

Another issue with the cosmopolitan approach is related specifically to the definition of cosmopolitanism that we adhere to in this research work. Benhabib states that, “the evolution of cosmopolitan norms, however, is rife with a central contradiction: although territorially bounded states are increasingly subject to international norms, states themselves are the principal signatories as well as enforcers of the multiple human rights treaties and conventions through which international norms spread. In this process, the state is both sublated and reinforced in its authority.” (2006, 31) This paradox that is at the heart of cosmopolitan normativity is a necessary condition *as well as* a challenge that faces the cosmopolitan project. This is precisely what we attempt to answer in the final chapter of this work. The normativity that we aspire towards is working under the assumption that these norms are philosophically rooted in the idea that people are not only the makers of the law but are also central to the law. If it is true that: “One of the cornerstones of Westphalian sovereignty, namely that states enjoy ultimate authority over all objects and subjects within their circumscribed territory, has been delegitimized through international law.” (Ibid.)

Then we have to ensure that these new political institutions also remain accountable. However, based on the cases we will show, this is not as simple as it looks. The democratization of our global politics is still a process and the legitimizations for these non-state actors are not as straightforward as it appears. It is true that nation-states are being sublated but their structures still remain intact because our political practices on the world-stage also follow the same design.

The critical and various stances show that there are myriad ways in which cosmopolitan morality as a political and philosophical study may be undertaken. Because, at the risk of generalizing what cosmopolitanism may entail, the point is that the subject matter itself is expansive but the fundamental values are similar, if not the same. The important thing to note here is its connection to forms of justice. Miller concludes that “global justice is an institutional question—a matter of reforming a wide range of institutions so that together they can deliver a set of outcomes that are fair for individuals everywhere.” (10) This citation goes to show that Miller believes that global justice is the ultimate goal of the cosmopolitan project and he is not alone in this assessment. Martha Nussbaum, Seyla Benhabib, and others who have argued for the various forms of cosmopolitanism have likewise agreed. Whether cosmopolitanism is merely a form of justice or it is a species of the larger genus is beyond the scope of this work, but we can see here that it is not a stretch to assume that justice is the fundamental value behind cosmopolitan discourse. The question remains, what kind of justice is attainable in this philosophical thrust?

III. The Citizen and the Moral Agent

Once again, the type of cosmopolitan morality that we are espousing is one that emphasizes the rights of individuals, wherever they may be, regardless of their country of origin, race, or gender. This entails that the kind of political philosophy we advocate is also connected to cosmopolitan norms of justice. As we have mentioned earlier, there are many types of cosmopolitanisms and the various iterations of cosmopolitanism pertain to the wealth of discourse in political philosophy. These varying voices contribute to a more robust understanding of our socio-political situation but, at the same time, it further underscores the need for a practical approach towards a philosophy that can mitigate policy, for the theory to become real. In this section, we talk about two ways in which we apply cosmopolitan ideals on actual issues relating to citizenship and immigration.

For the very idea of international law, as public right, implies the publication of a universal will determining the rights and property of each individual nation; and this *status juridicus* must spring out of a contract of some sort which may not, like the contract to which the state owes its origin be founded upon compulsory laws but may be, at the most, the agreement of a permanent free association such as the federation of the different states, to which we have alluded above.” (Kant 1795, 189)

A. Conflicting Citizenships in a Globalized World

The strength of democracy lies in its everchanging process. An eternal becoming which still seems preferable to the alternatives, such as various forms of autocratic rule. Prompting Winston Churchill to say that “it is the worst form of government except all the others”. In recent years, there have been indeed many challenges to democracy whether we refer to its liberal or social versions. We already mentioned that these pressures come from all fronts, that is, internally and externally. From the outside, we have other sovereign states, transnational private corporations, as well as international organizations such as the World

Bank and the International Monetary Fund. We may also take into consideration the overarching effects of globalization as one of these sources of pressure. From within, we have various players who have ideological clashes with national institutions or social and/or economic issues that overwhelm governments and their establishments. Economy is always at the core of these political tensions. Recently, it seems that it is the question of migration that drove the political discourse to its noisy zenith; resulting in, for example, Brexit, as well as immigration and the Syrian refugee crisis as hotly contested topics during the elections in the United States and the entirety of Europe. It truly is a global issue wherein nation-states have been challenged in their level of involvement as the world media studiously documents the growing horror caused by Assad. We are well aware that there are world politics at play with the involvement of Russia and the United States even as Europe struggles with the onslaught of those fleeing the war.

Given this, it seems apt to revisit our notions on citizenship. There are many works on this topic and the politics of belonging. This section will discuss the rich descriptions of citizenships posed by John Rawls, Immanuel Kant, and Michael Walzer. We will analyze how these descriptive notions of citizenship also have a normative basis because of these thinkers' agenda, which is to come up with a political discourse based on a strong foundation of justice. However, there are significant differences which attest to what kind of justice is being espoused by each philosopher.

First, we begin with the classics, the philosophical attributes of an individual and a citizen as given by John Rawls and Immanuel Kant. The citizen as autonomous selves by John Rawls is essential to any discussion of liberal democracies. The agent who is capable of rational thought as posited by Immanuel Kant is also important since reason and agency comprise the fundamentals of a citizen and individual as well. Second, we turn to Michael Walzer in representing the Communitarian stance for a more robust conception of a citizen, especially

a citizen of the contemporary times. Third, we address the concept of migrant as a citizen. Seyla Benhabib provides us with a framework for how migration has challenged our ideas of sovereignty thus altering our conception of citizenship and the subsequent political engagement which characterize this new profile of who a citizen is supposed to be and what she is to do. We conclude with an analysis of the implications of these notions on global politics and local democracies.

The Individual and Citizen via Rawls and Kant

According to John Rawls, free persons are “self-authenticating sources of valid claims.” (S5. 4/8).¹⁰ These are one of the arguments he presented in *The Theory of Justice* to represent freedom of citizens. He began with the idea of agency in order “to sketch an account of a political conception of the person drawn on in setting up the original position.” (S5. 1/8) This political conception of the person is integral to political philosophy. There have been, of course, various conceptions of citizen and individual in the history of political philosophy. However, there is a tendency to conceive of the person from a transcendental viewpoint which is sometimes detrimental to practical applications of policy. Political philosophers are fond of assuming that the citizen is fundamentally an individual who is reasonable and hence capable of making the right choices that affect the public good. John Rawls states that “the basic idea is that in virtue of their two moral powers (a capacity for a sense of justice and for a conception of the good) and the powers of reason (of judgment, thought, and inference connected with these powers), persons are free.” (S3. 5/10) The idea that a person is free is fundamental to the project that Rawls posed but not just because he is imagining an ideal democratic society. Autonomy is essential because in his thought project the “political conception of the person” is the focus as opposed to the “metaphysical doctrine of the

¹⁰ “In the *Dewey Lectures* he depicts citizens in the well-ordered society as ‘self-originating sources of valid claims’”. (Rawls 2003, 186)

person". He is countering Immanuel Kant's more transcendental notions of the self. This self is also problematic with respect to how Rawls envisions these individuals as very much like himself, that is, educated and privileged.

As "self-authenticating sources of valid claims", Rawls like many others, including Kant, J.S. Mill, and John Dewey, place woman/man in a position capable of skills that include valid reasoning, critical argumentations, and various activities that is deemed essential to democratic process. That we are sources of valid claims is easier to suppose but the self-authenticating aspect of the statement is subject to more scrutiny. When Rawls posed this statement, he added that, "they [i.e. citizens] regard themselves as a being entitled to make claims on their institutions so as to advance their conceptions of the good (provided these conceptions fall within the range permitted by the public conception of justice)." These entitlements translate into rights and are secured by the norms that are also entrusted to these same institutions. It is already a given that these 'conceptions of the good' may come in such varied forms and this is the reason why contemporary philosophers have sought to quantify such claims, in the same way that Amartya Sen and Martha Nussbaum have sought to do. Also, the public conception of justice is more complicated than the theory attempts to encapsulate; again, what Rawls is espousing is a social justice that operates within closed borders. For Rawls, his principles of justice are secured and enacted within sovereignties and applicable inside these political territories. This shows Rawls' modernity, given his emphasis on the modern notion of the nation-state. "The dominant framework for thinking about distributive principles was formulated by John Rawls in *A Theory of Justice* (1971). His model developed there ignored the problems of thinking about questions of international distribution, by assuming that the principles of justice are developed for a closed scheme of social cooperation, which is entered by birth and exited by death." (Gillian Brock 2005, 1-2)

John Rawls' theoretical formulations have since dominated political thought and rightly so, given that the liberal democratic milieu as well as the growing boom of capitalism demanded an ethical framework for the age-old question of justice. The problem is that while "there is nothing wrong with making such simplifying assumptions for the sake of developing a theory, but the assumptions framed the subsequent development of political philosophizing in such a way that issues of international and multicultural justice remained at the margins of the debate." (Ibid) It is pertinent to note as well that the swift advancement of technology as well as the incessant and uncontrollable progress of capitalist economy poses challenges to Rawlsian theories. It is not a matter of inadequacy but a rather bluntness of vision that is the problem. And this is not only understandable but also symptomatic of the general status of the humanities and the social sciences as well. Because while these technological and economic changes have exponentially progressed, our social and moral progress have fallen behind. It is also important to note that these principles are not, or rather should not be based on a specific dogma that may be prone to ideological pandering or principled demagoguery. "Rawls argue(s) that equal respect for citizen requires that a nation not build its political principles on any particular comprehensive doctrine of the meaning and basis of life, whether religious or secular. Political principles ought to be such as to be, potentially, objects of an "overlapping consensus" among all reasonable citizens—those, that is, who are respectful of their fellow citizens as equals and ready to abide by fair terms of cooperation." (Nussbaum 2013, 128)

Consensus is already difficult enough as it is to be reached within a community, what more a theoretical cosmopolitan community? Because even though we envision a democratic cosmopolitan approach to justice, we cannot help but picture a theoretical community of like-minded individuals all sharing at least a weak cosmopolitan stance. Another question, possibly a more important one, is that if we believe there are cosmopolitan norms that we may

attribute to free agents or individuals, what is the foundation of such norms? Are these norms akin to a “particular comprehensive doctrine” which we should be wary of?

The notion of self-authentication pertains to that ability which we qualify to “reason”. Where do we place reason, in this moral and political context? Here we turn to Immanuel Kant who attribute to reason the way, or the guide to “the moral law within”. “Reason is what guides us to this power” (Anderson 2002, 71). For Kant, “the basis of moral law is to be found in the *subject*, not the object of practical reason, a subject capable of an autonomous will.” (Sandel, 160) Through our use of reason, we *will* the moral law. With the use of reason, we can assess our moral judgments, practice it, enhance it. Hence, it is because of reason that we become better equipped to engage in ethical deliberations and these in turn prepare us as political individuals. Since Kant is an idealist, his liberalism is also ideal. It is not farfetched to claim that “Whatever becomes of goodness in the world is, quite practically, up to us, and that too, we now understand, must be the essence of our politics” (Anderson 2002, 58). Kant further states that, “.... since reason nevertheless has been imparted to us as a practical faculty, i.e., as one that ought to have influence on the *will*, its true vocation must therefore be not to produce volition *as a means* to some other aim, but rather to produce a *will good in itself*, for which reason was absolutely necessary, since everywhere else nature goes to work purposively in distributing its predispositions.” (2002, 12)

Just as Rawls’s point was a reaction against Kant’s transcendental self, Kant’s thought is also a reaction against the Utilitarian concept of the self who is driven by “different desires and ends.” (Sandel, 159) This poses a problem to the consistency and substantiality that we attribute to the self. We also point out that “the utilitarian approach undervalues freedom. Freedom can be valued as a means to satisfaction, and here there can be agreement between Utilitarian’s and capability theorists, since we, too, emphasize the instrumental importance of

freedom. Freedom to choose and to act, however, is an end as well as a means, and it is this aspect that the standard utilitarian cannot capture.” (Nussbaum, 55-56)

Kant's accordance to reason added to Rawls' picture of the autonomous individual presents us with the characteristics of a citizen that fits the ideal liberal standard. However, this is a vision, an idealization, rather than a description. It was imperative then for Kant to provide a practical guide that utilizes our reason. We refer of course to the Categorical Imperative; that is, “Could we will the maxim of our action to be a universal rule?” This is “the crucial test of moral action for Kant, whether you are willing to uphold the principle of your choice consistently, in all relevantly similar situations?” (Anderson 2002, 59) There are, of course, a lot of criticisms that has been brought against the Categorical Imperative but it has proven itself applicable in practical liberal issues wherein consistency is key. The consistent application and testing of norms is an essential factor in building structures that uphold our democratic institutions. As Benhabib says, “The law provides the framework within which the work of culture and politics go on. The laws, as the ancients knew, are the walls of the city, but the art and passions of politics unfold within those walls and very often politics leads to the breaking down of these barriers or at least assuring their permeability. ” (2006, 60)

If law not only guides our reason but also frames our politics then it becomes doubly interesting to see how the United Nations Declaration on Human Rights affects our conception of ourselves and others as stakeholders and owners of these claims. It also demoralizes the sovereign rule of our states on our ourselves as constituents, an archaic idea leftover from our feudal, political roots. This is an idea which will be threshed out in later chapters, wherein we discuss Kojin Karatani and his concept of the modes of exchange as essential factors in an education that is integral to the progress of our democratic states.

The Rooted Citizen: Global versus Social Justice

Communitarianism generally celebrates plurality in a way that is rooted in the community which takes into account its specific history, culture and traditions. But just like Rawls and Kant, this way of thought is driven by a conception of justice as its most fundamental political virtue. Here we see the difference between applications of global justice and social justice. “The idea of global justice is comparatively new: it was rarely used before the last decades of the twentieth century. The idea of social justice, by contrast has been with us for a century of more... Social justice was a central idea in twentieth century politics, in democratic societies especially. It was the banner under which the battle for equal rights, equality of opportunity, the welfare state and other such goals was fought within each separate state.” (Miller 2013)

As Will Kymlicka quantified earlier (see page 15), there was a major change that occurred after World War II, which is that nations of the world suddenly acquired a deeper awareness of their interconnections. The benefits of these connections are generally observed when it comes to trade and commerce; hence early international politics centered around the continued beneficiality of these economic transactions.¹¹ However, and this is something we will explore in deeper detail in the later chapters, a more transnational and international, maybe even, cosmopolitan interconnections have bloomed, forever changing both local and global political practice. This is essential in our discussions, the idea that global justice suddenly became something that can be, has to be tangibly worded. Primarily because of

¹¹ “Earlier, I mentioned commercial interaction as a paradigm of interaction under the auspices of Kantian hospitality. Commercial interaction—in this and other contexts—also provides a good example of the emergence of custom. We often forget how much the practices of trade precede the growth of commercial law. People trade first—between distinct societies—and they develop the customary norms of trading *in their commerce*. That customary law grows up along the trade routes. It is not imposed by anyone, and it is not enforced by any apparatus except merchants keeping track of one another... The example of commerce, in other words, is appealed to as a prototype of how the mundane growth of repeated contact between different humans and different human groups can lay the foundation for the emergence of cosmopolitan norms, in a way that does not necessarily presuppose a formal juridical apparatus.” (Benhabib and Jeremy Waldron 2006)

various (mostly new, never-before-seen) forms of injustice that were revealed at the aftermath of the war, there was a clamor for a specific form of justice—a justice that conceptually translates into individual rights and claims beyond national borders.

When it comes to social justice, that is, claims relating to inequality, Michael Walzer doubted whether it is possible for rational people under certain conditions “to choose one, and only one, distributive system”. (Walzer 1983, 5) This is because he acknowledges that regular folks can set aside their particular interests “for the sake, say, of the public interest. [However] The greater problem is with the particularism of history, culture, and membership.” This is more than a simple acknowledgment that people hail from different backgrounds and cultures and that these need to be taken into consideration in order to fully understand their moral and political choices. However, these issues are real and their dangers even more so, especially when viewed from the perspective of discrimination and other issues that stem from marginalizations.

Walzer states that “principles of justice themselves are pluralistic in form”. (1983, 6) This means that “different social goods ought to be distributed for different reasons, in accordance with different procedures, by different agents; and that all these differences derive from different understandings of the social goods themselves--the inevitable product of historical and cultural particularism.” The framework constructs an image of the self that is not as individualistic or as separate as the picture that Kant or Rawls paints for us. “They say that certain of our roles are partly constitutive of the persons that we are--as citizens of a country, or members of a movement, or partisans of a cause.” More than this complex constitution, “if we are partly defined by the communities we inhabit, then we must also be implicated in the purposes and end characteristic of those communities.” (Sandel, 153) The citizen in this case is more embedded in the culture and community compared to the political selves that either Kant or Rawls described. It adds another component to our conception of

the self. Not only is this person free and rational, but her/his decisions are entangled in history and the culture of environment, the sphere that s/he is a part of. Her moral decisions which translate to her political choices are possibly aimed toward the same objectives as her community. This makes the political also personal as famously voiced by second-wave feminists.

Migrants as Politically Engaged Citizens

Migration has always been part of our culture but it is only recently that we have deeply studied how the constant sojourns of our ancestors in the distant past as well as the migrant issues of our present times affect political environment and social development. In this section, we focus on how migrations have challenged our concepts of citizenship and how it affects our political discourses and engagements. This is because “[t]he essence of the nation-state is the institution of citizenship: the integration of all the inhabitants of a territory into the political community and their political equality as citizens. Of course, relatively few nations match this democratic ideal.” (2000, 2-3)

However, because few nations match this ideal, people are driven to find other places wherein they can find a good life. It is easy to assume therefore, that reasons for these movements are, more often than not, practical and necessary rather than ideological or philosophical. Regardless of the reasons, we may still surmise that this movement is a political act. It is a political act because it is a decision based on the cognitive balancing of positive and negative effects of remaining in the familiar as opposed to leaving for the unknown. Even if the decision is made under much pressure, as in the case of refugees or asylum seekers, it underscores the agency of these individuals. But the political implications do not stop at the simple uprooting of one’s physical body. According to Günter H. Lenz and Antje Dallmann, Benhabib “perceives as necessary an accompanying reconstitution of citizenship ‘which shows that political agency is possible beyond the member/non-member divide.’” This notion of

agency is slightly more specific than the political agency mentioned by John Rawls earlier. These ideas are both political in nature. But for Rawls, this freedom is viewed within the paradigm of nation-state and hence a necessary assumption within the notion of the original position. Meanwhile, for Benhabib, this freedom is exercised and should be recognized even outside the geopolitical notions of a citizen. For example, for this contemporary thinker, the formation and participation of the Refugee Olympic Team¹² in the Rio Olympics is only the beginning of all possible meanings of citizenship.

According to Benhabib, "[t]oday we are caught not only in the reconfiguration of sovereignty but also in the reconstitutions of citizenship. We are moving away from citizenship as national membership increasingly towards a *citizenship of residency* which strengthens the multiple ties to locality, to the region, and to transnational institutions." (2007, 66) The communitarian stance is thus still in keeping with the ideas brought forth by Benhabib but whereas the focus of communitarians is on a type of welfarism that takes into account particular needs of this citizen which is in line with the needs of community, Benhabib's concern is on the political, cosmopolitan aims of this emerging citizen. For example, immigrants as minority residents are forced to be more relevant in their new residences, aware that without a strong support group and participation in local politics, they are vulnerable as second class citizens. Other marginalized groups such as LGBTQ, women, racial groups have harnessed the age-old power of organizations and social movements to further their claims and rights. Benhabib believes that, "the universalistic extension of civil and social

¹² RIO DE JANEIRO, Brazil – To tumultuous applause and a standing ovation, ten members of the first-ever refugee team made history on Friday evening marching into the famed Maracanã Stadium at the Opening Ceremony of the Rio2016 Olympics.

Rose Nathike Lokonyen, a 23-year-old South Sudanese runner, led the first-ever Refugee Olympic Team into the stadium behind the banner of the International Olympic Committee (IOC) to cheers and chants of support from an ecstatic crowd.

The young athletes, originally from South Sudan, Syria, Democratic Republic of the Congo and Ethiopia, have won friends and admirers in Brazil with amazing tales of triumph over adversity. (Clayton 2016)

rights, and in some cases, of political participation rights as well, to immigrants and denizens within the context of the European Union in particular, is heralding a new institution of citizenship. This new modality decouples citizenship from national belonging and being rooted in a particular cultural community alone.” (Ibid)

But again, this is not a new phenomenon. For example, the relationship between colonialism and migration is well-founded, we only need to turn to the thousands of Filipino laborers who went to Hawaii from 1910 onwards. Currently, the Philippines is the fourth-largest source of immigrants to the United States. (Institute 2014) It may not be farfetched to claim that the continued colonial mentality of Filipinos maintains and reinforces the colonial relationship. Hence, for these two countries, migration is not as straightforward as one might assume. It may also be safe to assume that the same is the case for other former colonies and colonizers. Therefore, the voice that migrant communities have found, as our democracies become more mature is worth our attention and ripe with philosophical possibility. This political will is not just exercised by sovereignties and nation-states on a democratic, global stage as nation-states interact with each other. This is the most essential point to make at this juncture: it also applies to individuals as well as communities, regardless of the color of their passports. This agency is legitimized by the United Nations Declaration of Human Rights in 1948. What Hannah Arendt refers to as “the right to have rights” is the recognition that individuals have rights separate from their national identities and cultural allegiances. In her book, Benhabib simply states, “in this global civil society, individuals are rights-bearing not only in virtue of their citizenship within states but in virtue of their humanity *simpliciter*.” (2011, 75)

In an earlier work, Benhabib precisely makes this point when she described the scarf affair in France¹³. In 1989, there were three female students who were suspended when they wore their *hijabs* in school. The students made a stand against school authorities and continued to wear their scarves as an expression, not just of their religious freedom, but also of their political freedom (i.e. the fact that they can exercise their freedom to do so as a citizen of France). In essence, Benhabib states that had the girls, “been listened to and heard, it would have become clear that the meaning of wearing the scarf itself was changing from a religious act to one of cultural defiance and increasing politicization. Ironically, it was the very egalitarian norms of the French public educational system that brought these girls out of the patriarchal structures of the home and into the French public sphere and gave them the confidence and the ability to *resignify the wearing of the scarf*.” (2002, 117)

This incident manifests how migrants find, or are oftentimes forced to find, their political voices even as they assimilate in their new host countries. What we learn from Benhabib is not so much that culture claims clash, because even in seemingly homogenous cultures these things do happen, but that cultural entitlements lead to political claims and these incidents drive the democratic process forward. These affairs, these interactions challenge the existing structures of our democracy and holds a mirror with which it can view itself.

Local problems are not bound to a specific territory anymore. Globalization—whether it comes in the form of capitalism, technology, and international governing bodies—ensured that economic and political issues are not as isolated as it once was. One of the factors that propagated this phenomenon is the constant movement of peoples for various reasons,

¹³ In 2004, France introduced the law on “secularity and conspicuous religious symbols in schools” which banned wearing conspicuous religious symbols in French public primary and secondary schools. Its supporters argued that this was keeping with the long-established principle of *laïcité* – the separation of Church and State – but it was clear to all that Muslim girls were the principal target of the law. (Costa-Kostritsky 2012)

whether to escape political persecution or to alleviate economic ones. These movements shaped our history as a civilization and proved to be a constant in our evolution. Thus, it seems that as our political actions adjust to all these changes, so does our concept of citizenship.

The various definitions of citizenships we have presented above may be more idealized notions of citizenship but these are rooted in aspirations. Democracy as an aspiring mode of thought thus needs norms to ground its objectives and this is why we usually discuss education in relation to democratic processes. This means that along with history, economics, and the humanities, citizenship should be studied and how to be good citizens be part of the socio-civic pedagogy. Since we are trapped in an essentialism when it comes to our notion of citizenship, this may hinder our political maturity as well as our democratic progress. Concepts of citizenship shape policies and attitudes, as well as drive our political choices. Hence, it is important for us to study the shifting notions and realize that it is us, our choices that continue to challenge these essentialisms.

B. Discourse and Cosmopolitanism: A Case for the Filipina Domestic Helper

The appeal of discourse ethics as a study comes from many fronts but its applicability on practical issues both for politics and morality is probably its strongest feature. However, the question then becomes: up to what extent can communicative theory and intersubjective processes translate to action. In this work, we explore the limitations and possibilities of critical social theory by anchoring it to the question of migrant rights. When it comes to the claims of migrant domestic workers, can the principles of discourse theory be applied?

First of all, how are migrant domestic workers' rights different from other rights claims? Here we turn to Nancy Fraser's work on her critical stance in the case of Habermas and gender. We show that feminist issues also translate into migrant claims within the nuclear home in the case of domestic helpers. This mounts the question of migration within the gender framework. Second, we delve deeper into question of rights as moral claims and rights as legal entitlements. Is the gap between the two distinctions simply a matter of recognition? Seyla Benhabib helps us understand the problem. We conclude with a quick summary and a brief projection of what is possible in this particular issue using methods of discourse theory. In this project, the discourse we refer to is the ongoing milieu of migrant narratives and its subsequent claims. Both Nancy Fraser and Seyla Benhabib demand a more universal approach towards these problematics without sacrificing feminist ideals. What we see here are applications of cosmopolitan ideals on a very practical and contemporary universal issue: the case of female migrant workers.

Habermas and the Gender Problematic

In Nancy Fraser's article entitled "What's Critical about Critical Theory?" She makes an insightful inquiry into Jurgen Habermas' oversight, which is his minimal inclusion of gender issues. For Fraser, this is a "serious deficiency" (1985, 205) because of the very nature of the study to begin with. For her, "a critical social theory frames its research program and its

conceptual framework with an eye to the aims and activities of those oppositional social movements with which it has a partisan though not uncritical identification.” Based on this definition, Habermas’ failure to include the feminist question is indicative of the problems crippling his systematic work. Though he presented a theory of knowledge and language that attempts to bridge theory and practice through a meticulous method of historical materialism, he cannot truly defend his aim of “the theory of communicative action as the beginning of a social theory concerned to validate its own critical standards” (Habermas, Preface), without acknowledging the gender problematic. This becomes even more relevant if we attempt to utilize discourse theory from a realistic, applied ethical viewpoint.

Fraser begins her inquiry by citing an important distinction which Habermas makes in the second volume of the *Theory of Communicative Action*. It is the difference between symbolic and material reproduction. According to him, the distinction between the two can be summarized as “the dualism between cultural requirement and survival imperatives”. (231-232) In order for society to maintain its system (both biological and social); in other words, for us to survive, these are the two social activities that we have to sustain. Put simply, material reproduction is social labor. It maintains our biological survival—what Hannah Arendt would refer to as activities that pertain to labor as opposed to work and action. It relates to the “material substratum, every lifeworld is in an exchange with its surroundings... This substratum has to be maintained by social labor drawing upon scarce resources.” Its main purpose is that of *functional integration* with the environment. What is essential with regards to material reproduction is “the aspect of *purposive activity*” whereas in symbolic reproduction “the aspect of social action most relevant to (it) is that of *mutual understanding*.” “*Social integration*, the reproduction of memberships (or solidarities) is dependent upon cultural traditions and socialization processes” that belong to the category of symbolic reproductions.

Though it serves as a clear delineation of the interactions present in the lifeworld essential to Habermas' project, Fraser observes that there are inherent problems with this dualism that he presents. First, it creates essential boundaries that fail to consider activities that do not strictly fall under the two categories he set. Second, it inadvertently reestablishes ideological pedagogies which the Critical Social Theory is supposed to be able to theoretically deconstruct or, at the very least, challenge.

For example, seen from this perspective, "childbearing activities and practices which in our society are performed without pay by women in the domestic sphere—count as symbolic reproduction activities since, in Habermas' view, they serve socialization and the function of symbolic reproduction." (Fraser, 206-207) Fraser emphasizes that this work is "women's unpaid childrearing work". With regard to the first challenge abovementioned, she argues that childrearing is not strictly a symbolic reproduction activity. It can also "equally and at the same time" be classified under material reproduction because it is not merely the "construction of children's social identities but also their biological survival at stake". She explains that it is not only the case that mothers teach their children how to speak or how to behave (thereby passing on the language, values, symbolisms, etc. that are part and parcel of this multilayered activity), caregivers also maintain the physical well-being of the child. This physical responsibility translates to the child's interaction with the material domain—feeding, bathing, playing, and even protection from the harms that can be inflicted by the world. We need to add that it is also the case that the child is now a part of this physical world. This caring and rearing is and will be even more so integral in the formation of the material world as well as the social sphere thereby cementing the material reproductive element in this activity. We shall go back to this point later on but for now, let us go back to Fraser and her insistence that we call this "women's unpaid childrearing work" as a "dual-aspect activity" as opposed to a strictly symbolic reproduction activity.

The second criticism which pertains to the ideological potential of such a distinction, “could be used, for example, to legitimate the institutional separation of childrearing from paid work, a separation which many feminists, (Fraser) included, consider a mainstay of modern forms of women’s subordination” (208). It is at this juncture that we expand Fraser’s argument to include domestic workers’ claims.

Domestic helpers as extensions of the feminists’ claim of being confined within the household seems to propagate the issue of female subordination. The demand and the supply of domestic workers only serve to perpetuate the feminist issue without truly addressing it at its core. This leads to other concerns which are intricately linked to this aspect of the migrant question, the fact that human rights violations and other claims happen within the privacy of the household¹⁴. In addition, most domestic helpers who serve as nannies or maids are women¹⁵ so it seems prudent to frame the question of this particular migrant problem using Fraser’s gender-based analysis.

The case of domestic helpers is interesting in that their work is characterized within the enclosure of the private sphere, that is, the household, but the mechanism that brought them here is a transnational system which include both private entities (e.g. employment agencies) as well as public institutions (e.g. government agencies, consulates & embassies, trade agreements between the host and the home countries). The fact that they are being paid is an acknowledgement that this is indeed a type of activity that is necessary both in the

¹⁴ Women OFWs (Overseas Filipino Workers) face very specific vulnerabilities because they are women – sexual discrimination and other gender-specific abuses, exploitation and violence in the sorts of work they tend to predominate. This is especially the case when women OFWs migrate for work that is in line with their traditionally-defined reproductive roles in society (i.e. domestic workers, nurses, caregivers, etc.). (Migrante International 2015)

¹⁵ For example, “Filipino find employment as service or production workers. These two categories comprise 80 per cent of all OFWs. The largest concentration of OFWs is in domestic work. Overseas employment was mostly male in the 1970s and 1980s, but females are now the majority of the newly-hired land-based OFWs, mainly because of the number of household workers. After a momentary decline in 2007 and 2008, soon after the implementation of the Household Service Workers Reform Package, domestic workers have increased and more than doubled between 2009 and 2012. With the decline of the Japan market for foreign entertainers since 2005, nurses are the number one category among professionals which is also female-dominated.” (Cristabel Parcon 2015)

symbolic and material reproductive sense: Thereby proving once again that the line between the two concepts are not as distinct as previously thought. The most important fact that needs to be underscored is that most migrant rights violations happen within the household. Of course, there are other classifications of migrant workers' rights violations happening; factories that do not comply with safety measures for employees, salary deductions and passports being kept from their owners, and so on. But the ones that do happen in the other work environments aside from the privacy of the home, do get reported eventually and it does get better media mileage¹⁶. The cases that happen within the privacy of the home usually get reported only when the situation is at its zenith (usually when the domestic helper is hurt or murdered, or is the one being accused of doing a crime¹⁷). These issues are indicative of the same problem that Fraser is referring to, only made worse by the added complexities of immigration.

On the one hand, domestic workers are part of the household and the private sphere but on the other hand, they are part of a network that supports the capitalist-economic system. It is important to add here that this domestic labor force makes it possible for the other half (i.e. women—mothers) of the workforce to—not only contribute to the economy and thus help maintain the lifeworld—it also ensures more time for participation in the political milieu of the public sphere. Thus, this migrant system adds to the productivity—again in the two ways that Habermas uses them—on these various levels. It would be interesting to note too how these domestic laborers affect the so-called symbolic reproductions as well, given the fact that there are cross-cultural, transnational practices being carried over. This labor force is a prime example of what Fraser refers to as belonging in the dual-aspect activity. This approach, “which posits two distinct ‘systems’ of human activity and, correspondingly,

¹⁶ “The most publicized recently refer to Qatar wherein hundreds of migrant workers have supposedly perished or are suffering from inhumane working conditions in the rush to finish infrastructures for the 2022 World Cup.” (Ingraham 2015)

¹⁷ Flor Contemplacion, Mary Jane Veloso, Sarah Balabagan are only some of the names that refer to these incidents.

two distinct systems of 'oppression': capitalism and male dominance. However, this is misleading. These are not, in fact, two distinct systems but, rather, two thoroughly interfused dimensions of a single social formation. In order to understand that social formation, a critical theory requires a single set of categories and concepts which integrate internally both gender and political economy (perhaps also race)." (Ibid.)

What we can postulate from here is how domestic workers and perhaps, certain aspects of the migrant system of labor, introduces new ways of applying and expanding some of Habermas' important distinctions. A critical social theory should be able to challenge its own methodologies and reflectively allow for the addition of previously overlooked members and social movements that are on the fringes of the democratic social world and, in this increasingly globalized world, migrants are on the forefront of this dilemma facing democratic nation-states. How do these analyses help us formulate a more constructive view of migrant claims then?

Earning the Right to have Rights

What then could a discourse ethics accomplish given these valid critical claims? If we follow Seyla Benhabib's trajectory, we begin to see its political possibilities. We focus, not on the justifications for universalizability principles but explore instead the socio-political possibilities that can be realized with the procedures that Habermas laid out for a true discourse. But we add a few elements that will hopefully robustly enhance the framework of the problem by turning to Benhabib's work specifically her earlier work *Situating the Self* as well as her later work on *Dignity in Adversity: Human Rights in Troubled Times*. Other works might also be cited. As mentioned, we delve deeper into the question of rights as moral claims and rights as legal entitlements. Is the gap between the two distinctions simply a matter of recognition?

In her earlier works, Benhabib was “concerned with the problem of universalism” and “developed a critique of communicative rationality” (2011). Later, she rethinks “the project of universalism via the program of discourse or communicative ethics by moving it increasingly away from what (she), along with many others considered Habermas’s, at times, extreme rationalism in articulating his ethical project.” She attributes this to his “excessive emphasis on consensus.” Again, the recurring theme here is to question how Habermas’s discourse theory, which despite its many virtues still manages to exclude voices from various members who are on the fringes of society. Such a fundamental theoretical misstep has a severe impact on the applicability of the discourse theory on universal issues especially when seen from the perspective of social movements and misrepresented viewpoints. The projects that Fraser and Benhabib posited, while challenging the current understanding of Critical Theory, also appreciates the promises of what it can accomplish given a few adjustments.

We discuss Benhabib from two fronts, first is her critique of the principle of universalization and second is her Arendtian thrust in her discussion of rights. These are insightful conceptualizations that thematize the question of migrant rights. We begin once again with how Benhabib views communicative action just as we began with Fraser’s account. According to Benhabib, “the basic insight of communicative ethics are: the fairness of moral norms and the integrity of moral values can only be established via a process of practical argumentation, which allows its participants full equality in initiating and continuing the debate and suggesting new subject matters for conversation. Thus understood, communicative ethics is a theory of moral justification. Justification in ethics should be considered a form of moral argumentation.” (73)

Here she emphasizes the discursive, practical elements of communicative action, the elements which embody its political and active nature. By putting discourse at the center, critical theory comes quite close to establishing that lacuna between theory and practice and

herein lies the appeal of Habermas's version. One of its virtues is his emphasis on consensus. However, the conditions for such situations seem only possible for building theory and thus it begs the question of how it can be used for actual practice. The principle of universalizability does not help us in the actual application, that is, despite the United Nation's Declaration of Migrants' Rights in 1990, for example. Despite even local or national norms enacted by sovereign nations and in view of the points we made earlier about the opacity of the conditions that happen within the home, human rights violations still happen and, more often than not, are not even reported. Even if the issues are brought to light in the public sphere, the discussions do not progress beyond news sensationalism most of the time, without truly affecting policy. Hence, the horrific and sad narratives of domestic workers only serve as warnings and the possible consequences of, simply put, bad luck. If you are a domestic helper, you are a success if you happen to be assigned to a family who will invite you into their fold as a family member or simply as a fairly treated employee, and not as a personal slave or other worse iterations of the scenario. In this system wherein, the employees serve a role that are not just within the private realm but also belong to the material, public realm, it seems only right that the narratives of these individuals should also be heard. If these cases are somehow documented or, better yet, their status monitored, it could possibly offer a rich contribution to the discourse and even validate norms that will further systematize the process of protection and empowerment. In this light, we see how consensus building can be promising for actual political practice but the view should be seen from the perspective of discourse. "Benhabib is not suggesting that the concrete other should be the discursive subject only at the level of discourses of applicability, but that she should be the discursive subject in toto. To this end, Benhabib proposes that the principle of universalization (U) in Habermas' scheme be abandoned and that the discourse principle (D) be the sole principle for validation of norms." (Hudson 2003, 169)

Benhabib's focus on discourse implies two key points: First, the discursive subject is central to the discourse, thereby not leaving *anyone* behind because the process acknowledges the individual as a key player in the discussion and is not a mere statistic. More importantly, it emphasizes the importance of the discursive subject as a moral and as a *political* agent capable of articulating her concerns and also possibly able to contribute to the political process of the validation of norms. This recognition of her *otherness* is not just a phenomenological plea, it has actual impact when viewed from the perspective of an actor whose presence in this context is a product of transnational and international treaties and obligations. If the move towards the validation of such types of norms is slowly gaining ground as cosmopolitan laws, then her narratives should be viewed as studies in, for example, professionalizing the home setup. The objective is *transparency*, to make apparent the conditions that will ensure that the dual-aspect reproduction activity unfolds without any dignities and freedoms being sacrificed.

The second implication of Benhabib's view is that it leaves room for adjustments in the creation of norms that justify practices. The first point is the Arendtian thrust in Benhabib's work, the "right to have rights" explained in her own words. The second point is imperative if we attempt to put into practice the cosmopolitan theory of the idea of "the right to have rights". In centralizing discourse, it accords the activity as the "critical criterion by which to judge existing institutional arrangements, insofar as these current arrangements suppress a generalizable interest... But one can use this criterion as a critical yardstick by which to uncover the underrepresentation, the exclusion and silencing of *certain kinds* of interests... The assumption is that institutions can function as channels of illegitimate exclusion and silencing". (48) This exclusion is inexcusable when applied to the case of migrant workers in general. This is because the very nature of the business of immigrant workers is already rife with possible problems and that is the reason why there are private contracts, agreements and international obligations put in place. The fact that violations still happen despite the

system demands stricter application of norms and more transparent means of checks and balances. Critical Social theory and its emphasis on the importance of social movements that are able to balance these odds seems promising but again only if it allows for these others voices to be heard.

Migration is not a new phenomenon. People are driven to move. Whether the desire to move should be validated in a cosmopolitan norm that pertain to the virtue of hospitality or as an innate right to move is not the issue we wish to show here. The existing practices of migrant workers demand an examination of the systems and norms put into place because migrant workers are essential components of the capitalist workforce. The demand for the workforce is part of this system, hence the institutions that uphold the system—and that benefit from this setup—should be held accountable. Again, this includes, not just the host country but also the home country (i.e. where the migrants originally come from).

If Benhabib is right in claiming that “communicative ethics promotes a universalist and post conventionalist perspective on all ethical relations: it has implications for familial life no less than for the democratic legislatures” (1992, 39), then discourse ethics is a good place to start. But based on what has been discussed so far, the promises of discourse theory become more applicable if narratives are taken into consideration, if it can be utilized as parameters for personal moral judgment which will manifest through our actions as well as for the validation of norms. The points given by Benhabib all relate to how “the core intuition behind modern universalizability procedures is not that everybody could or would agree to the same set of principles, but that these principles have been adopted as a result of a procedure, whether of moral reasoning or of public debate, which we are ready to deem ‘reasonable and fair’. It is not the *result* of the process of moral judgment alone that counts but the *process* for the attainment of such judgment which plays a role in its validity, and I would say moral worth.” (37) The points presented by Fraser show how these narratives are not given due

attention and importance because we fail to recognize the validity of activities that pertain to a significant aspect of our social and political life. Because of the inherent paternalistic structure of the nuclear home, there are inherited issues when seen from the domestic laborers' situation. This context is essential in understanding the human rights claims of this marginalized sector.

Again, in this project, the discourse we refer to is the ongoing milieu of migrant narratives and consequent claims. While there are significant strides being made both on the transnational, cosmopolitan level which come in the form of international conventions for the protection of migrant workers—as well as the international level, which come in the form of bilateral agreements between host and home countries, there are stories and agents that remain invisible. Seen from the point of view of gender and using the enclosure of the home to underscore the challenges that face the claims of domestic helpers' rights, we are able to, at least, pose a question within the framework of Critical Social Theory. The questions we ask are not new ones, but the structure of critical social theory is being challenged to address these claims because of the rising incidents within this globalizing, migrant-facing world and as the world expands, there will be individuals who remain at the fringes. In order to remain relevant, Critical Social Theory will have to address those who will be left behind.

IV. The Moral Framework of the Nation-State

From this idea of how central, citizens and moral agents are to the conceptualization of cosmopolitanism, we then advance towards the concept of nation, as a space that embodies territoriality and governance, as well as community and culture. From its infancy, the modern nation-state has derived its definition from the bowels of conflict. Like the proverbial phoenix, it arose from the ashes of medieval forms of governance (that is, monarchies, empires—including religious regimes, and the like) and it has since stood the test of time as the penultimate representation of both sovereignty and freedom. However, has the nation-state become obsolete? How has globalization challenged its essence?

The essence of the state —and the main practical condition for its viability—lies in the fact that sovereign and autonomous political institutions are capable of deriving legitimacy from distinct citizenry located in a defined territory. (Cerny 1998, 123)

A. The Rise of Nationalism in the Era of a Global World

The rise of Nationalism urges us to ask the question of its character in this day and age. Is it an idea that is contradictory to cosmopolitanism? Is it a response against universality in general? Nationalism rises whenever boundaries are questioned, territories tightly drawn. It is conjured when sovereignty is threatened or the power dice on an international level is rolled. We have had two world wars and, one can argue, for example, that prior to the drawing of the swords and the banging of the guns, it is nationalism that provided the fuel for the battles that waged. Interestingly enough, after the wars, a call for transnational cooperation was heralded and answered. Hence, it seems that nationalism emerges out of conflict and strengthened in the midst of challenges to sovereignty. Then afterwards, when the gun powder has cleared, a call to universality, a call for cosmopolitan peace is reluctantly reached. This is not to say that nationalism is inherently a bad idea. But it proves that nationalism is a

politically contentious subject. Not to mention that what comes with nationalism are a host of other contentious phenomena such as populism and even, totalitarianism, as Hannah Arendt has argued in the past.

Nationalism resonates louder when it is conjured as a premise, specifically used for arguments that relate to sovereignty or movements against existing state governments. But upon closer inspection, what does it truly mean? The abstractions that we derive from the term seem to provide more questions than clear answers. Is it language, culture, history, and/or traditions that give it credence? At most, we may be able to claim, based on our discussions earlier, that a shared space gives rise to shared meanings, but it hardly builds the case for a clearly defined explanation for how and why nationalism occurs. However, to practically approach the problem is necessary so that we have a common ground wherein we can begin our discussion. First of all, what makes the idea of nationalism contentious is the fact that while it is difficult to define, it is, at the same time, being utilized as if it is a clearly distinct, tangible idea. This is problematic because invoking nationalism, not only appeals to visceral emotions such as loyalty and belonging, it also encompasses a large area—an entire nation to be exact—with possible effects that stretch beyond its territorial scope. If it causes irreparable damages, or, when invoked and if its methods are pushed to its moral limits then further analysis needs to be undertaken to justify it. Thus, the purpose of this section is to show the justifications of acts that are done in the name of nationalism, to clarify if there are moral or ethical foundations that give it credence. We will also discuss the ways in which nationalism is used as a tool for nation-building. The question, unfortunately, is not as easy as asking whether things done in the name of nationalism are good or bad. It is simplistic to approach it from this point of view because it assumes several things: first, that there is inherent value in the idea of nation, that to do things in its name is automatically good; second, that there are clearly defined norms, a clear sense of what is right and wrong when nationalism is invoked; third, membership to a nation automatically demands its recognition

and practice. The question itself needs clarification. The scope of this section is limited to the implied morality that is behind the idea of nationalism. However, it is necessary to discuss the various ways in which nationalism is defined and purveyed so that we have a better understanding of how it can be analyzed.

Defining Nationalism

There are indeed many ways in which Nationalism can be viewed. It can be seen as a “form of politics”. (Breuilly 1993, 1) If this is so, we can then concentrate on the structures, movements, and procedures that shape political activities within a nation as opposed to focusing on abstract notions of national identity with which nationalism is usually associated with. We can also choose to view it, as David Miller does, as a principle, which he believes “offer us rational guidance when, as individuals or citizens, we have to respond practically to some national question.” (1995) Still, others recognize it, as Max Weber did, as “a form of rationality, an effort to impose coherence on societies undergoing change.” (Haas 1997) This is an interesting notion, especially if taken with the accompanying thought that the nation is an entity that undergoes constant changes. If this is the case then the scope of what constitutes nationalism should not be as narrow, as others sometimes choose to assess it. Hannah Arendt argued that nationalism is a form of ideology¹⁸ and many others agree with her point. Right after the second World War, for example, she articulated how totalitarian regimes such as the German Nazi political party started gaining power with a strong nationalist propaganda. She also stated that nationalism will rise again and again, and it will continue to manifest itself in sinister ways.

According to the *Blackwell Encyclopedia of Political Thought*, “if an ideology is a general way of thinking about the world that has prescriptive implications for politics, then nationalism is an ideology—and by far the most potent ideology in the world. As a way of

¹⁸ See Kaldor (2004), Karatani (2014)

thinking about the world it emphasizes the importance of nations in explaining historical developments and analyzing contemporary politics, and also typically claims that 'national character' is a pervasive factor in differentiating human beings." (1991)

This quote summarizes the main issue, which we raise with the concept of nationalism, that is, 'national character' as the foremost motivation for any political act or decision by a nation-state. It implies that this concept of 'national character' is a homogenous idea made more concrete by history, language, and a clearly shared personality we generally refer to as culture. This also means that each individual should only have one nationality and that all these different elements ensure exclusivity of membership. Moreover, this exclusivity comes at a price. There are certain expectations and responsibilities that come with this privilege of membership. "Differentiating human beings" is another contentious notion. When and how do we "categorize" humanity? Or is this what Hannah Arendt is referring to as the paradox within sovereignties? We are referring to what Hannah Arendt says is the paradox inherent in the nation-state, which is that in the face of sovereignty it has proven that it is not capable of upholding the rights of man, only the rights of its citizens. "The Rights of Man, supposedly inalienable, proved to be unenforceable even in countries whose constitutions were based upon them-whenver people appeared who were no longer citizens of any sovereign state," (1979, 293), she states. This is an issue which we have to return to later on.

The definitions mentioned above help us to focus on the political aspects of nationalism and less on the generally accepted but ambiguous uses of the term. There are many ways to conceive of nationalism but no matter what variances is taken to approach the problem or which methodology is used to analyze it as an occurrence, a social construct, or even as a moral pursuit, etc. The general understanding, it seems, is that it refers to a consciousness shared by its citizens, as an establishing marker of identity. Hence the term, *national consciousness*. But the term, *consciousness*, is also problematic, bringing with it a

host of other questions and demanding further clarifications. Nationalism's very ambiguity serves as a highly malleable characteristic and therein lies its usability, its utility. John Bruielli posits, "Nationalism is not the expression of nationality, if by nationality is understood an independently developed ideology or group sentiment broadly diffused through the 'nation'.... In doing this I have stressed its rationality even while recognizing the ideological and frequently irrational form in which nationalist claims were couched. Too much of the literature on nationalism has tended to ignore its political rationality and sought to find its true meaning beyond politics." (1993, 398)

These statements though, is not claiming that there is no such thing as nationalism or that it is empty of meaning. It is quite possible that the very opposite is the case, that it captures a legitimate, essential concept that is beyond the scope of our individual subjectivities. So maybe it makes sense to begin with the idea of the nation, if the assumption here is that nationalism arose as soon as nation came into existence. As much as the history of the nation, its birth, and its continued existence, is essential to this study, there simply is not enough time or space to investigate the intricacies of how the nation came to be, and hence how nationalism was brought to the fore. However, we will contend that this is not the case, nationalism did not necessarily come to existence as soon as the nation did. We will prove this by drawing on several arguments that show, first of all, that the essence of nationalism which pertains to a specific national character is a problematic concept. The problem lies, not just in the ambiguity we have referred to in this section. It also lies in the very definition of our concept of nation.

Differentiating between the State and the Nation

According to historian Caspar Hirschi, nations in the nineteenth century "were described as collective bodies with particular biographies, qualities and characteristics, interacting with each other on the allegedly main stage of history, international politics... This

image of the nation was to a considerable degree shaped by Romantic ideals of an organic community, as opposed to the 'mechanical' structure of modern society. (2012, 4) This particularity is essential to our discussion and is usually the notion most connected with the idea of nationalism. Modern nation-state has transformed in the sense that it has acquired new roles and the changing international political scene has, at times, challenged its initial description but its original characteristic as, what Karatani terms, 'imagined community' has not changed. Hence, modern-state is a layered concept with multi-faceted roles and complex structures but in essence, it has not changed its *raison d'être*. Whether this fundamental reason for existence is held in high esteem or used as a mere catchphrase to manipulate its constituents, it still goes to show that it is a belief that is still widely held and is a power in itself. But of course, the state is different from the concept of the nation, and this is why in the sciences we make distinctions between nation, state, and nation-state. "The state's core claim to legitimacy lay in its role in assuring the security of the community within state frontiers." (Haslam 2002, 17)

Even our terminologies and language usage have expanded to accommodate the changes that we have observed and studied. Hannah Arendt explains the fundamental characteristic of the modern nation-state as: "The breakdown of the feudal order had given rise to the new revolutionary concept of equality, according to which a "nation within the nation" could no longer be tolerated... This growth of equality, however, depended largely upon the growth of an independent state machine which, either as an enlightened despotism or as a constitutional government above all classes and parties, could, in splendid isolation, function, rule, and represent the interests of the nation as a whole." (1979, 11) What Arendt describes here is a functional distinction between state and nation. The nation, as we have already defined earlier, corresponds to the imagined community. It is the space or place which addresses our need to belong. Maybe the term "need" is heavy handed. What we mean is that, not only is the concept of a nation pertaining to territoriality, it also pertains to

identifying oneself as belonging to a specific point in the world. It is a metaphorical anchor, which we may interpret in a positive or a negative way, that is, as a prison or as a home. In any case, the nation is a concept that conjures security and sustainability, since it is the primary source of our necessities. The state, at least according to Arendt is the “machine”, the structure that rules over and represents nation. It has specific functions which are all, in theory, designed to preserve and accentuate the interests of the nation. This is because “(t)he primary significance of the state as a social structure lies not merely in its role as a provider of goods (public and private) or manager of assets. It also has a more symbolic social function, embodying the sense which people have of belonging to a particular social unit.... The modern nation-state became the central structure of modern society not only because of the Second Industrial Revolution, but also because it embodied what Florian Znaniecki has called a ‘national culture society’.” (Cerny 1998, 130-131)

The questions we pose do not mean that we are undermining the meaning and significance of the nation-state’s symbolic social function. There are fundamental reasons why people need a sense of identity and belonging, just as there are, probably, fundamental reasons why a nation-state becomes a unit based on these imagined characteristics. The sense of us and others is a legitimate concern which raises a plethora of other questions once again. There are also logistical reasons why our governments pertain to territories for their jurisdictions. These geographical boundaries as we have mentioned in earlier chapters are instrumental in maintaining a legal and practical way to manage the constituency. “The territorial state became a national state, an entity whose population made the transition from impassive and inert subject to participant; nationalism implied accountability of some kind to the populace. Rulers mattered less and people mattered more. The legitimacy of the state was believed to rest on the approval of its inhabitants.” (Haas 1997, 18) This system however seems to rest on a very tenuous foundation wherein rulers are aware that people do matter more, they matter more than political self-interests as well as so-called national-interests.

Because with the ideological character of nationalism as well as its fluid definition, it seems that it can be easily used as a tool by the ruler, political party, or even well-funded private entities as an idea to further their own self-interests. Thus, in relation to the problem we ask of nationalism, there is the concept of “reason of state”. This is not the same as nationalism but it does have parallel motivations. “The following propositions arise from viewing the evolution of Reasons of State since Machiavelli:

- Reasons of state emerged to legitimize a new social formation, the state, against a universalist alternative: initially the Holy Roman Empire and universal church.
- On the practical plane, Reasons of State also represented an attempt to order policy to cope with a universal predisposition to conflict.
- Reasons of State thus played a dual role: one of legitimacy and one of ensuring efficiency in achieving goals set by the state.”

(Haslam 2002, 17)

The ideological basis of state-centrism and nationalism, therefore, seems to be the same, in that it pertains to ensuring legitimacies. With the ambiguities we mentioned earlier concerning “national character”, does the same apply to reasons of state? If nation is “imagined community” but state is a real structure, there should be an integral difference between the two and how we approach the problem. Regarding the state, there are several elements that need to be discussed. First, since state structures have specific functions which are more tangible than that of “nation”, these structures need to be stable. This stability helps us anchor the idea of the state to something that is more palpable and easily measured in terms of legitimacy. Second, reasons of state should be easier to analyze from an empirical and ethical perspective since these are measurable in terms of beneficiality and practicability. Our next section will precisely cover this subject.

Insecure States and Marketable Nations

The nation-state is in a fragile condition because of the internal and external factors that question its continued viability and question its legitimacy. When such a structure becomes insecure, it has a tendency to bend towards the form of politics that is what we have identified as nationalism. But what are these factors that are thought to weaken the nation-state? “Why is the nation-state thought to be obsolescent? Some of the reasons are internal, having to do with the difficulty of sustaining common national identities in societies that, through immigration and for other reasons, are becoming increasingly more multicultural in character. Other reasons concern the external environment in which states now have to operate: their diminished capacity to control global economic forces, and the widening range of problems—especially environmental problems—that can only be solved by cooperation between states or by international bodies.” (David Miller 2003, 120)

In the early days of modern nation-states, it seems that the main issues that threaten sovereignty is usually pressures that pertain to territoriality where neighbors fight over boundaries. This is still a problem in so many parts of the world, we only have to look at the cases of Philippines and China, as well as other examples. The point here is, with the rise of capitalism, liberalism, and neo-liberalism, the state has had to adjust to the global economic superstructure as well. From a more general economic perspective, states have specific roles to play. “State structures today are being transformed into more and more market-oriented and even market-based organizations themselves, fundamentally altering the way that public and private goods are provided. Indeed, states are transforming, marketing—*themselves* in the search for competitiveness in an increasingly economically interpenetrated world.” (Cerny 1998, 124)

If nation-states are one of modernity’s fruits, then the state as a marketable force is a more contemporary concept. Again, we turn to the issue of immigration to better illustrate

this point. In Japan, for example, the government is careful not to use the term migrants or immigrants. The country's policies on immigration has changed little since it has modernized, rejecting Western influences as much as possible with the exception of the sanctions and conditions which resulted after the Second World War. Now, with its ageing population and dwindling workforce, Japan is compelled to open its doors to workers from various parts of Asia and Latin America to address this major concern.¹⁹ The country's aversion to immigration is textbook nationalism, with its understandable cautiousness that globalization is imperceptibly affecting its seemingly homogenous culture. However, as mentioned earlier, nationalism seen as a tangible identity is problematic. It does not, for example, take into consideration, the myriad variances of thought and practice which are ubiquitous in a community. The "subcultures" that are as definitive of Japanese modern "culture" as is samurais and ninjas do not exactly fit the mold of traditional "culture" that this argument for nationhood rests on. Cultures are resignified and also in constant flux even as we are sternly aware of our rich traditions and histories. Never has this awareness been more keenly felt by the Japanese government as it reluctantly invites temporary workers. Even the word

¹⁹ "An economic uptick since Abe took office in December 2012, rebuilding after the 2011 tsunami and a construction boom ahead of the 2020 Tokyo Olympics have pushed labor demand to its highest in 24 years.

That has helped boost foreign worker numbers by 40 percent since 2013, with Chinese accounting for more than one-third followed by Vietnamese, Filipinos and Brazilians.

But visa conditions largely barring unskilled workers mean non-Japanese still make up only about 1.4 percent of the workforce, compared with the 5 percent or more found — according to IMF estimates — in most advanced economies.

So far, measures to attract more foreign workers have focused on easing entry for highly skilled professionals and expanding a "trainee" system that was designed to share technology with developing countries, but which critics say has become a back-door source of cheap labor.

This time, the LDP panel leaders' proposal went further, suggesting foreign workers be accepted in other sectors facing shortages, such as nursing and farming — initially for five years with the possibility of visa renewal.

They also proposed creating a framework whereby the number of foreign workers would be doubled from around 908,000 currently, and the term "unskilled labor" would be abandoned." (Sieg 2016)

“immigration” is contentious for this technologically advanced archipelago, reflecting the fear of public opinion. “In Japan, the word ‘immigrant’ is not used in policy making,” former economy minister Heizo Takenaka said in an interview Tuesday. “The prime minister often says it’s not immigration, it’s guest workers.” (Cislo 2016) This is not an altogether new idea but what is interesting in this case is how even Japan cannot ignore the benefits of a society with more open borders. Compared to other economically advanced countries, Japan has insulated itself from the influx of immigrants but the economic repercussions of the shortage of workers is too severe to ignore. There is thus a gap between necessity and perception in Japan’s case.

On the other hand, we have the case of the Philippines; a diverse and pluralistic nation-state which is a result, not just of numerous colonial occupations, including Spain, the United States as well as Japan, but is also composed of a set of multicultural regions, provinces, and communities as reflected in their various languages and traditions. The Philippines is not often described as a homogenous culture, at least not in the same way that Japan is viewed. It is important to note at this juncture that there seems to be a bias towards pure cultures, as opposed to hybrid ones. Where this discrimination comes from can be traced to, once again, our concept of the nation. The idea that there are cultures that are superior to others has helped propagate this north and south (based on geographical locations on the map) divide; where northern countries are inarguably more economically advanced and hold the hegemony in world politics. These factors in on the immigration debate as well, with former colonizing nations having to deal with members of their former colonies knocking at their door. To go back to the Philippines and its culture of immigration, we present another take on how nationalism is utilized by governments. Filipino workers were sent to the Middle East in 1970s as a band-aid solution to the economic problems, caused by political unrest and such. This was the brainchild of the dictator, then President Ferdinand Marcos. This move proved to be financially successful, with the Philippine economy buoyed by the remittances

of the Overseas Filipino Workers, what the Filipino government terms as the “new heroes” of the nation. “Remittances contributed as much as 8.5 percent to the Philippine gross domestic product (GDP) last year.” (News 2015) The Philippine government has, since the inception of this policy, efficiently institutionalized its migrant resource. With the development of government institutions and bodies as well as by using state resources to boost and encourage these migrants, the Philippines is now one of the top three exporters of human resources, third only to India and China. The country as a “cosmopolitan” melting pot of cultures is marketed as a source of cheap, English speaking laborers. What we see here is the structure of the state utilizing the concept of culture and history to explore other possible sources of economy. This example shows that as states become players in this increasingly economy-driven world, the image of nationhood thus becomes even more important but this nationhood is “used” in ways that do not just pertain to identity. That sense of identity becomes a unique handprint which can be utilized as a marketable character, differentiating the nation from other nations. Apart from endemic raw materials and native products; culture, language, and even customs are “sold” as the idea of a nation. This is what we can offer that others could not. It sounds like a tagline to lure tourists, and sometimes it comes in that form. But more than anything else, these character-defining factors (i.e. culture, language, art, etc.) seem to make-up the concept of nationhood and is thus utilized as appealing marketable characteristics. This shows a need to view nationalism differently: “So long as nationalism is defined in grand terms of a sense of shared identity or an intellectual invention one is almost bound to regard nationalist politics as no more than epiphenomena. By concentrating on nationalism as politics and on how nationalist ideals made imminent sense in certain political situations, it seemed possible to give nationalism a more specific character and to recognize its rational features even while denying the claims made by nationalists themselves.” (Breuilly 1993, 399)

As the title of this subsection suggests, nation-states are insecure, it seems on many levels, not only in terms of sovereignty. Nationhood as identities are also insecure, probably caused by a genealogical, historical existence, a problem which may belong to another branch of philosophy. However, what we question here is the essentialism we attribute to our so-called sovereign identities as nations. What we invoke when we call for nationalism, may be an identity that is not as solid as one may surmise. Leading us to ask, in the face of globalization, does this mean that the nation-state is being swept by forces greater than itself?

Using nationalism as a political tool has positive and negative aspects. Positive in that it was instrumental in creating modern nation-states as it built up its differentiation from other nation-states that have been carefully shedding its colonial, imperial, and/or feudal structures. However, it is imperative for us to underscore the dangers as well. The dangers of propaganda and the narrowness of understanding our own heritage as we face this interconnected world. The fact that it can be utilized as a political tool means it can also be wielded as a sword both for good and evil. This awareness will give us a more thorough view of our political reality. Cosmopolitanism and its emphasis towards a universal but multicultural perspective provides a mirror for us to view our identities as a citizen and as a nation.

B. Education and the Capital-Nation-State: Aspiring for Better Democracies

“Curiosity is insubordination in its purest form.”- Vladimir Nabokov, lifted from
(Reading Lolita in Tehran)

If education is the manifestation of our aspirations for democracy, then how come it always seems to be underpinned in our grand plans for economic progress and not the other way around? Almost everyone (Plato, Aristotle, Mill, Dewey, etc.) agrees that education is a good. It is a *summum bonum* or, at the very least, a *prima facie* good: to be achieved for its own sake but it is also a good that leads to other goods; in the sense that it is good for society, good for the economy—we are referring to goods that are necessary for the pursuit of a “good life”. Equivocations aside, there is already a wealth of work available on the integral connection between education and democracy. John Dewey himself made it his life’s mission to stress this point. However, it seems that in this day and age when sovereignties and democracies are being challenged, both from the inside and the out; education, especially a humanities-centered, social-sciences driven education is still not given the significance it warrants. To put simply, the objective of this section is to show that it is not the capital, the nation, or the state which can provide robust and meaningful answers to the essential questions of sustainability and security. We will explore the idea of education as the answer to these queries: a cosmopolitan, humanities-centered pedagogy as a scaffolding to the ideals of democracy. We recognize that it is only through the existing structures of the capital-nation-state that we will bring into fruition the answers to these tasks. So how should education be approached if it is to be construed as essential as the capital-nation-state?

First, the current state of education and the challenges that face its institutions within the liberal and neoliberal structures of our period will be discussed. Next, we will underscore the importance of education by showing that Kojin Karatani’s concept of the capital-nation-state is a weak tripartite structure without the balance and vision that education provides.

Lastly, we discuss what a humanities-centered education contributes to the capital-nation-state within this globalizing world.

The assumption underlying this study is that the economic, political, and cosmopolitan norms that are currently manifested in our global and international practices are based on a democratic platform which all nations, regardless of their internal forms of governance agree with and even aspire towards primarily because it is beneficial and practical for all parties concerned. This is a safe assumption despite the imperfections of such interactions and discourses. This research claims that democracy as practiced on an international level (for example, by nation-states as political agents) shows how liberal democracy, in general, is still the preferred alternative of even non-democratic sovereignties. This preference indicates that the ideals of democracy are viable goals. Finally, this work proposes that it is through a “humanistic and critical”²⁰ education that such goals may be attained.

The Problem with Liberal and Neoliberal Education

I believe that all education proceeds by the participation of the individual in the social consciousness of the race. This process begins unconsciously almost at birth, and is continually shaping the individual’s powers, saturating his consciousness, forming his habits, training his ideas, and arousing his feelings and emotions. (Dewey 1959)

Given this stirring definition of education by one of its foremost advocates, the import of education in the cultivation of a democratic society is hardly contested. However, the decisions of some nation-states belie this importance as evidenced in their inconsistent commitment in terms of government expenditure and policy prioritization. Though there is commendable progress²¹, there is still more to be done, especially if we view the discussion in

²⁰ We borrowed the terms from Martha Nussbaum in her work, *Not for Profit: Why Democracy Needs the Humanities*. “World history and economic understanding, then, must be humanistic and critical if they are to be at all useful in forming intelligent global citizens, and they must be taught alongside the study of religion and of philosophical theories of justice.” (2013, 94)

²¹ “Government spending on education is a huge investment in human potential that enhances the future of the country... most countries are embracing this concept, and have adjusted their budgets accordingly. In fact, relative education budgets of around 10% or more of GDP have been achieved in

terms of political maturity and the general democratic progression of our society. Analyzing the ideological and social influences that affect education policies seems like a logical place to begin and this is a complicated dialogue that is beyond the scope of this work. For this work, we focus on the socio-political framework of liberalism, neo-liberalism, and the general arch of globalization. We underscore these since we intend to concentrate on the political ramifications of an education that is not based on the humanities and the social sciences.

In 2015, the Ministry of Education in Japan announced that “they will reduce or altogether eliminate their academic programs in the humanities and social sciences, following a dictum from Tokyo to focus on disciplines that ‘better meet society’s needs.’” (Jenkins 2015)²² This statement succinctly captures the ideology behind liberal and neo-liberal approach to pedagogy. Pouring resources and concentrating on the natural sciences or on “more practical, vocational education” (Dean 2015) are trademarks of this liberal and neo-liberal ideology. The problem is that: “In spite of the worthiness of its lofty ideals regarding rights, freedom and democracy... liberalism has an impoverished conceptualization of the individual, of human nature, of power, of the state, as well as of the international economic order, especially with reference to *free trade*. It also provides no consistent set of principles which could establish standards or priorities for the state in terms of its relations to individuals or groups or institutional sectors, such as the economy or education.” (Mark Olssen 2004, 14)

Though the ideals of liberalism appear as if it will provide a strong foundation for a politics that is geared towards the good life and everything that comes with it, it hardly reaches its task. This is not necessarily a bad thing since the very essence and strength of liberalism as a theory lies in the continuous process of attainment rather than a fixed set of

some countries. Other countries have emerged as big educational spenders as well, increasing their relative budgets markedly over the span of the last 5 years. It is evident that, with time, most nations will continue to increase their relative expenditures on education as this important component of society receives more appreciation worldwide.” (The World Atlas 2017)

²² “Of the 60 national universities that offer courses in these disciplines, 26 have confirmed that they will either close or scale back their relevant faculties at the behest of Japan’s government, according to a survey of university presidents by the Yomiuri Shimbun.” (Grove 2015)

standards. Therein also lies its strength as a form of governance despite the issues that arise from its relativity.

.... Liberal democracy is simply better than the alternatives; or as Winston Churchill said, it is the worst from of government except all the others (Gutman, 1996). It is better than the alternatives because it aspires to, and to varying degrees, is held accountable for securing civil liberties, equality before the law, limited government, competitive elections that are procedurally fair, and solidarity around a common project (a *civi unum*) that exists alongside individual and cultural manyness (*pluribus*). That democracies fall short of these aspirations is a plain fact and the chief motive behind social movements that seek to close the gap between the actual and the ideal. (Mark Olssen, viii)

The gap between the actual and the ideal is the reason why social movements exist and why advocacies, in general, empower the citizen to engage. But it is our contention that the foundation and impetus of these movements show the relevance of a humanities-based education. What then is an education that attempts to go beyond liberal and neo-liberal stronghold? Basically, "Education, in neoliberal utilitarian terms, is considered to be a *preferred good*, that is something we expect some to want and others not to want." (217) It is a choice, rather than a right. This is consistent with the quote given above that liberalism as a creed has an "impoverished conceptualization of the individual". Because to conceive of education as a choice means leaving the individual subject to the tides of the capitalist regime as opposed to empowering the person with the knowledge and skills after a thorough schooling. In contrast, we started this section with the contention that education is actually a *summum bonum* leading towards other, secondary goods. This idea is based again on the connection between education and the good life via the active participation of the citizen in the political sphere. Liberalism sees the individual as a potential good that will contribute to capital rather than an individual who is a potential citizen. The rights and freedoms attributed to the worker is in conjunction with this objective. Thus, the education policies that frame this

goal is in keeping with the practical skills needed to become a productive and efficient worker as opposed to the skills needed to become a thinking citizen, who is, able to conceive of the good life not just for herself but for her fellows.

How would an education that is conceived of as a primary good be viewed? Since John Rawls, this question has been answered in relation to social justice. The two principles of justice that Rawls' posits address essential points of liberty as well as attempts to answer social and economic inequalities. The main objective of social justice is equity, so this means that education as a primary social good is to be distributed fairly among its citizens. Much has been written about this subject as well, which is why it is imperative to mention it at this juncture. An education that is geared towards global sustainability and security is an education founded on social justice. According to Anthony Giddens—as part of the so-called Third Way politics—[this] entails a state that, “emphasizes the renewal of civil society, inclusiveness and social responsibility, but also embraces individualism, economic freedom and globalization.” (245) But it seems that such a notion is still within the framework of the neoliberal model. Again, it is not necessarily a negative but it hardly addresses the issues brought forth in the first place. Some would answer that an education founded on social justice is an education on political literacy.²³

However, with regards to education, Rawls' theory does not really present a more embodied and robust form of education that addresses the changing political needs of nation-state within this globalizing socio-political climate. There is a potential danger in taking this direction as well. A pedagogy geared towards a clear, strict goal is vulnerable to ideological pandering, even one that is based on social justice principles. The fact that this educational

²³ For example, as cited by Darren E. Lund: “Davies and Hogarth (2004) argue that political literacy must be resituated as the focal point of citizenship education. Their vision of political literacy surpasses the ‘compound of knowledge, skills, and procedural values’ to also include ‘such areas as respect for truth and reasoning and toleration as opposed to substantive values which could mean that pupils would be told what to think about particular issues’”. (Darren E. Lund 2008, 182)

goal will be enacted by nation-state governed institutions and structures that are also vulnerable to capital pressures presents an even bigger challenge.

The Capital-Nation-Education-State

Aristotle argued that ‘the constitution of a state will suffer if education is neglected’. (1958, p. 332) A state’s constitution was, for Aristotle, both its organization of government and its way of life. ‘The citizens of a state should always be educated to suit the constitution of their state,’ he continued, because ‘the type of character appropriate to a constitution is the power which continues to sustain it, as it is also the force which originally creates it.’ (Mark Olssen 2004)

In this section of the work we underscore the importance of education, not just in terms of the general connection between the nation-state and its future, but viewed within the larger, global question of sustainability and security. The aim here is to present how education should frame the goals of the capital-nation-state by giving its institutions and structures the same degree of relevance.

In recent years, the ubiquitous economic view via the modes of production presented by Karl Marx has been challenged by a perspective of the economy based instead on modes of exchange by scholar Kojin Karatani. In the preface to *The Structure of World History* he claims that, “there are four types of mode of exchange: mode A, which consists of the reciprocity of the gift; mode B, which consists of ruling and protection; mode C which consists of commodity exchange; and mode D, which transcends the other three²⁴.” (2014, x) These are the basic concepts of Karatani’s work wherein he reviews the history of social formations that gave rise to the capital-nation-state which is a “mutually complementary status” (xiv) and

²⁴ “Mode of exchange D is not simply the restoration of mode A—it is not, hat is, the restoration of community. Mode of exchange D, as the restoration of A in a higher dimension, is in fact only possible with the negation of A. D, is in sum, the restoration of nomadic society. Yet this too does not appear as the result of human desire or intention, but rather emerges as a duty issued by God or heaven or as a regulative idea. In concrete terms, D arrives in the form of universal religion, which negates religions grounded in magic or reciprocity.” (Karatani 2014, xii)

despite the oppositions to this not-so-holy trinity it remains strong because “its mechanisms are functioning all too well” (Ibid.). He expounds on the efficiency and subsequent strength of this trio and its various components with “a capitalist economy allowed to take its own course will inevitably result in economic inequality and conflict. But the nation, as something that intends communality and equality, will seek to resolve the various contradictions and inequalities introduced by the capitalist system. The state in turn realizes this intention through such measures as taxation, redistribution, and various regulations. Capital-nation-state are distinct entities, each operating according to its own principles, but like a Borromean knot, they are linked in such a manner that all will fall apart if any of the three is missing.” (xiv)

The threat of such an event wherein the balance among the three forces becomes weak is a possibility. However, due to the “stable circuit” formed, Karatani believes that “the denial of one ends up being reabsorbed in the ring of the trinity by the power of the other two. This is because each of them, though appearing to be illusory, is based upon different principles of exchange. Therefore, when we take capitalism into consideration, we always have to include nation and state. And the counteraction against capitalism also has to be against nation-state. In this light, social democracy does nothing to overcome the capitalist economy but is the last resort for the capitalist nation-state’s survival.”²⁵

Basically, capital accumulates via trade and commerce (which is an example of a mode of exchange) in the early communities, regardless of its size. Eventually, through the stable growth of capital, structures of governance are formed which became the precursors of the modern nation-state. In order to maintain its steady development and economic progress, the state has to continually address and formulate norms to further accumulate capital. These structures of law, in turn, further legitimized the functions and power of the state. Hence, the

²⁵ Kojin Karatani himself says that he “wrote these words in the 1990s, (in his earlier work, *Transcritique: on Kant and Marx*) and they can stand without revision even today.” (xv)

relationship of capital and state. The essence of a nation is much more complicated. According to Karatani, “the nation is formed by capital-state, but it is at the same time, a form of protest and resistance to the conditions brought about by capital-state, as well as an attempt to supplement for what is lacking in capital-state.” (209) The concept of the nation corresponds to the sense of belonging and identity which was characteristic of the early communities. Essentially, the nation provides the *raison d'être* of capital and state but it is an “imagined” motivation. “If we understand the nation as a substitute for community, then we see that what appears to be religious nationalism is in fact an imaginary restoration of the vanished community.” (215) It is helpful to read Karatani’s point as he sought to explain it utilizing the Kantian distinctions of sensibility, understanding, and imagination. “The capitalist economy (sensibility) and state (understanding) are held together by the nation (imagination). Together they form Borromean rings, in which the whole collapses if any of the three rings is removed.” (220)

In this trinity, each force plays a role that is reiterated and balanced by the other. The issue then, at least according to Karatani, is the idea that “people are not even aware that they are trapped within its circuit, they mistakenly believe that they are making historical progress when in fact they are simply spinning around in circles within it.” (xiv) This explains the problems that beset the democratic states—whether we use the liberal or social versions of it. Economic globalization as derived from capitalism “is about processes that enable the free flow of goods, services, investments, labor, and information across national borders in order to maximize capital accumulation.” It has resulted in the commodification of people, knowledge, and even of culture which further crystallizes the concern of whether the concept of nation is indeed enough to balance the powers of capitalism.

This also helps us understand the issues that plague our educational systems. Karatani states that his objective “is not to praise it [capital-nation-state] but to transcend it.” This transcendence came from his reading of Kant’s *Perpetual Peace* and Kant’s reaction to Hegel.

However, the objective of this study is to bring this transcendence to the ground by suggesting that it is through education that we can break away from the circuit that Karatani described in his work. This notion becomes even more tenable when reminded of how knowledge, in the age of information, is a major commodity.

It is important to note here that for Karatani, “state and nation were not merely elements of the superstructure but instead functioned as active agents on their own.” (xv) And he is right in clarifying this because Marx himself said that the state will “melt into air” once the revolution is over, which it has not, based on the experience of Russia and China. “Marx regarded the capitalist economy as constituting the base structure, while he took nation and state to be part of the ideological superstructure... This led him to the view that state and nation would naturally wither away once the capitalist system was abolished.” (xvi) Karatani is right in saying that state and nation are active and do have agency, but it seems too simplistic to assume that capital-nation-state can manage and control each other as a matter of fact. In his work, it seems that this trio exists as a check and balance, which is hardly the case in actual practice, especially with regard to the liberal and neoliberal points we made earlier. Where then should the moral and political sustenance of the capital-nation-state arise from?

Reimagining the Imagined Community

To continue to conceive of the nation as providing the balance between the evils compounded by the capital and the rigid institutions of the state, is to insist on viewing it from two opposing perspectives. Perspectives which, in the first place, are yet to be given thorough justification. On the one hand, we can conceive of the nation as providing the much-needed rootedness necessary to ground the capital-state and on the other hand, we can think of the nation as an apparatus to which capital and state anchors its aspirations. However, setting goals is different from controlling the future. Investing and ensuring the structures and constructs needed to grow assets is the agenda of capital. Currently, it is capital that sets the

guidelines for the future of our civilization. This is evidenced by two things: (1) the capital controlling the creation of citizens via its insistence that education be geared towards a specific type of individual and (2) the way it has ignored the long-term sustainability of, as well as, abused natural resources. The state and the nation as active agents have at times pushed against capital but have not been able to consistently derive a method of doing so without resorting to ideologies and dogmas, which carries its own set of dangers. The state is too busy churning the proverbial requirements of daily living. It does not see beyond what is necessary at the present moment. Meanwhile, the nation derives its meaning from the past. The future then is being dictated by capital, it is not surprising that Karatani thus likens the never-ending cycle of production and exchange as a circuit that does not end. This is why education is an essential factor in the capital-nation-state, as possibly, the fourth element in this compound. When Karatani talked about the relationship among the three, he failed to underscore the imbalance that pervades this symbiosis. It is only through education that balance is restored. It cannot be found within the three elements of the capital-nation-state because of its self-reinforcing natures.

First, it seems important to be reminded that “civic education [in particular] is a vital means by which our society transmits to the next generation the core knowledge, skills, and dispositions of democratic citizenship. It is what allows democratic societies to reproduce themselves.” (John J. Patrick 2002, 93) Democracy should always be conceptualized, cultivated, and applied within the educational context because it is a process. Since it is an aspiration rather than a reality, it should always be viewed within that context. However, as long as we continue to sublate education under capital, as long as we create workers instead of citizens, it is capital that is controlling our fate as a civilization with nation and state merely keeping the status quo. The very structure of pedagogy lies in the future, in the accumulation of knowledge that will prepare and maybe even set the progress of our democracies.

The idea of the nation as imagined community is different from the distinct sovereignties which we have grown accustomed to, with its strict borders and homogenized cultures. From a geo-political perspective, this is a fact. But on closer inspection, there is value in Karatani's argument, especially in this age of globalization wherein sovereignties rely on each other for capital and their state structures continuously interact. "Nations and nation-states do not simply interact with each other; under modern conditions, they form--or tend to form--a world, i.e. a global context with its own processes and mechanisms of integration." (Arnason 1997) This means that even though education policies are enacted by nation-states and funded by capital, there is little value in insisting that pedagogies be designed only for the purposes of nation-building, capital-pandering, and state-politicking. An education that is not afraid of plurality and the multiplicity of views, stresses the importance of discourse, and underscores the role of civic duties and responsibilities that go beyond the capital-nation-state seem like a direction worth exploring.

V. Globalization and the Quest for the Universal

In this section, we delve into the significance of universalities—both as a political perspective and as scope. We have already discussed in the introduction how cosmopolitanism as a theory finds its strength in its view of the universal; its all-inclusive, multicultural aspects. However, it is also its most challenging condition. As a matter of scope, it has to first address how the philosophical tradition delves into the idea of a universal concept of ethics but is also limited to utilizing social theories of justice that can only mitigate within state boundaries, giving contemporary political philosophers an inadequate paradigm to assess the rise of universal issues. To simplify, our social-political theories have to use blunted modern tools to deal with contemporary global political problems and challenges.

Ernst B. Haas gives an interesting theory as to why we are gravitating towards a more global political mode of thought and how this mode of thinking is playing a major role in today's political milieu. He says that it is a matter of evolution but not an evolution in the Darwinian sense. He “wants to explore the thesis that progress has occurred in international politics,” but he also “wants to argue that progress has occurred *because* our conceptions of what constitute political problems, and of solutions to these problems, have been increasingly informed by the form of reasoning we label ‘scientific’. Perhaps the hypothesis suggests a corollary: the diffusion of this mode of thought from its home in eighteenth-century Europe to the far corners of the planet is creating a universal problem-solving technique.” (1997, 1)

This is why below we have two distinct but related topics that deal with themes of the universal as perspective and scope. We begin with conceptions of space and shared meanings as well as how these conditions our moral structures. It is easier to conceive of the significance of shared space within traditional territories but these are being challenged by globalization and meta-principles of the universal. The second part of the chapter is more pragmatic, putting the limelight on the import of non-state actors in our discussions of local and global

politics. These non-state actors are evidence of the rise of cosmopolitan norms and structures that influence the way we do and view politics locally and internationally. Whether these influences are positive and/or negative to our democracies is something we are very much interested in.

A. Shared Meanings, Space, and Moral Structures

Shared meanings are systematic understandings of cause-and-effect relationships about specific phenomena shared by people irrespective of whether they are liberals, Marxists, fascists, Buddhists, Muslims, Christians, or atheist. These transideological bridges must be buttressed by cognitive structures that command general respect. In modern times, these structures are those associated with scientific reasoning... The sharing of meanings eventually brings about the melding of beliefs concerning phenomena that affects human welfare. (Haas 1997)

In July 2015, the Philippines presented a case to the United Nations tribunal in the hopes that a peaceful resolution will be reached against China regarding a handful of islands that can be found in the West Philippine Sea. Other nations have also laid their respective claims to the nautical vicinity, namely Vietnam, Taiwan, Brunei, Malaysia and Indonesia. All the mentioned nations cite historical records as a basis for their contentions. The smaller South East Asian nations have also used the UN Convention on the Law of the Sea (UNCLOS) to further cement their case against China though only the Philippines has, so far, formally sought arbitration. (Johnson 2015) From a political perspective, what is at stake are obvious enough: control of a major seafaring trade route and strategic military outposts as well as access to an untapped, possibly rich sea floor of oil and mineral reserves. From an ethical viewpoint, there are also far less apparent stakes that are on the line.

The purpose of this section is to show the political possibilities of contested spaces: to seek virtues, positive values, if there are any, in spaces of conflict. Spaces of conflict or

contested spaces, to put it simply, are instances when (or where) people or nations confront each other or interact with each other under a conflict-ridden atmosphere. Are our actions within this conflicted figurative space somehow influenced by the actual place we occupy and vice versa? Are there any latent, inherent values in these spaces, both figurative and literal, while the said conflicts occur? Are there any virtues to be extracted from this conflict between China and its Asian neighbors: virtues which we can study now, as it happens, and not just retrospectively as part of history?

In order to explore these values, it is necessary to first describe how we have used the metaphor of space in political discourse. We will explore the notion of space in political thought by determining its role in various contexts wherein the term has been used. The role of space is a key tool in examining how political actions become possible. If indeed values are derived from actions then there may be value in the idea of space as well. If these values arise, not just from actions, but also from whatever the space creates or produces then it is also worthy to note.

First, a brief presentation of the various ways in which the term “space” and its meanings will be explored. Second, David Harvey’s approach on space as a social construct will be discussed and how this process of construction gives way to a deeper understanding of it. Third, there will be a focus on Hannah Arendt’s public and private spheres as well as Maruyama Masao’s usage of space in his work. The two philosophers mentioned above give us a unique explanation of how political actions occur and how these actions shape more tangible, more normative changes in the political milieu. It will be interesting to see how both philosophers used the idea of space to show developments in political situations. Lastly, the metaphor of space will be explained within the context of values that arise during the discussion.

Defining Space

Plato found it necessary to explain the difference between forms and objects from the context of where they arise. This kind of dualism uses the concept of place in two ways. First, it helps us to clearly picture the distinction that Plato is highlighting because our mind is aided by a metaphor of space. It helps us compartmentalize the information, immediately noting the separation even before we understand that there is indeed a difference between an idea and an object. Second, we use the same word to refer to two distinct meanings of spheres. Using the same term referring to place, sphere, or realm, magnifies the difference between abstract and concrete space. When we distinguish between the world of forms and the world of objects, the difference between forms and objects are immediately retained because we are able to picture two vastly different realms.

Meanwhile for Kant, space underlies all other representations. It is a pure intuition which is a subjective requirement in order for us to perceive and understand our world. This is a metaphysical account of space, one which any philosophy student is familiar with. This esoteric space can be used to refer to so many concepts of spheres: the realm where the categories lie, heaven & hell, dreams, creative space, imagination, and so on. Since he was also interested in Geography, he must have seen the epistemological connection between real space and abstract space.

Note that the Oxford English Dictionary defines the word “space” in numerous ways but it begins with “a continuous area or expanse that is free, available, or unoccupied.” The idea that concrete space is something that is empty and free already gives it a political and moral nuance. Using the notion of emptiness already alludes to the idea of occupation, freedom, and even interaction. These allusions barely scratch the surface of what space could symbolize especially from a political standpoint. William H. Sewell Jr. says that “space in this sense is a definite location of a particular size and shape. Used in this way, space is defined

not by objective quantifiable characteristics, although of course, it might well be measurable. Rather, concrete space is defined in relation to human occupation, use, or gaze.” (2001, 53) To occupy space, to try to do something within a space, already seems related to an idea of political will and action.

Sewell and others like him study the concept of political space by discussing how political events arise and are shaped by real places where people congregated and gathered to voice their opinions about a specific political situation. Specifically, he talked about the Beijing Student Movement of 1989 as well as the series of events that led to the French Revolution. It is important to note that Sewell focused on the contentiousness of politics and how it becomes an “an exercise of spatial agency, an ensemble of work within and upon spatial structures that produces new spatial structures, meanings and routines.” (Ibid.)

“New spatial structures, meanings and routines” promise interesting derivatives of place that seem to point towards a wider understanding of this term. Could moral values be one of them?

Space as a Social Construct

David Harvey, the foremost contemporary thinker on the subject of space and its possible meaning starts with the baseline proposition that “space, in whatever guise, is like space and time, a social construct.” (2009, 293) Given this fundamental notion, it is not difficult to connect the idea of space and morality together, especially if one is working under the assumption that morality is also a social construct. For the purposes of this work, space as a social construct and morality also as a social construct provide us with a base from which we can build on theoretical ideas of how contested spaces can be a positive thing. We will return to this idea later. For now, let us return to how Harvey describes the process of how space becomes a social construct.

There are two strategies to understanding space as a social construct. The first is concerned with the “relational view of space-time” under which place can be conceived in two ways:

- (a) a mere position or location within a map of space-time constituted within some social process or;
- (b) an entity of “permanence” occurring within and transformative of the construction of space-time. (2009, 294)

Based on these, place is shaped by a “fusion of spatial and temporal indicators so that time, as it were, thicken takes on flesh, becomes artistically visible while space become charged and responsive to the movements of time, plot, and history. This is the way that places are constructed in human historical geography.” Space then acquires a more malleable character. Its permanence comes from how people relate, manage and, to a certain extent, take care of it rather than the actual structures that people build on. Space becomes charged—but charged by what or by whom? It is not so much that people exist on a piece of land and hence that land becomes “charged”. It seems more apt to understand this energy as generated by people’s actions in relation to the space they occupy. Space then becomes responsive to change. It is not a passive factor in this overall social process of becoming. Nowhere is this idea more apparent than in the current environmental transformations we have been observing of late: how Earth is reacting to the demands and pressures we put on it.

The second strategy to understanding place is to “look at places as the locus of imaginaries, as institutionalizations, as configurations of social relations, as material practices, as forms of power, and as elements in discourse.” Harvey then attempts to combine all these elements together and “the effect is to understand places as internally heterogeneous, dialectical and dynamic configurations of relative ‘permanences’ within the overall spatio-temporal dynamics of socio-ecological processes.” From a political philosophy standpoint,

various combinations of these ideas—for example: place as forms of power and place as an element of discourse—bring to mind the works of Michel Foucault and Jurgen Habermas, both of whom discussed political philosophy within the contexts of one or two of these social processes which Harvey mentioned. Viewing the concept of space as the locus of morality or ethicality is something that should also be explored. Moral virtues relating to space is usually understood in terms of culture. Though culture and geopolitics are also connected, the focus here is not so much on values that arise from a permanent space brought about by culture. What we focus on here are the moral virtues that arise from political space created by conflict.

As in the case given in the introduction, the contested space between China and its neighbors in Asia is a prime example of how place as a constructed socio-spatial practice “is an intense focus of discursive activity, filled with symbolic and representational meanings, and they are a distinctive product of institutionalized social and political-economic power.” (Harvey, 316) These symbols and meanings can be explored further to represent values or virtues which are relatable from a moral perspective. The point of which is to show that political issues not only raise ethical questions but are sources of moral lessons which history will judge.

Space and Morality

Arendt mentions that “even Plato, whose political plans foresaw the abolition of private property and an extension of the public sphere to the point of annihilating private life altogether, still speaks with great reverence of Zeus Herkeios, the protector of border lines, and calls the *horio*, the boundaries between one estate and another, divine, without seeing any contradiction.” (1958) It seems that even in-between spaces are places worthy of note. This section of the research does not really focus on compartmentalizing properties of place but instead centers on what is it exactly that philosophers segregate or differentiate when they talk about space. It is not so much that these thinkers see a clear line between two places

or ideas. We pose that what they see are the nuanced differences in idea or character and then they apply the metaphors of space as a linguistic tool to clearly explain what would otherwise be an ambiguous concept. For example, when Hannah Arendt expounded on the distinction between private and public sphere, its delineation and dissolution and the particular activities that are associated in each realm, she was able to paint a picture of the political in a concise manner. The distinction between a private and public sphere of life corresponds to the household and the political realms, which have existed as distinct, separate entities at least since the rise of the ancient city-state; but the emergence of the social realm, which is neither private nor public, strictly speaking, is a relatively new phenomenon whose origin coincided with the emergence of the modern age and which found its political form in the nation-state.

She goes on to argue that “in our understanding, the dividing line is entirely blurred, because we see the body of peoples and political communities in the image of a family whose everyday affairs have to be taken care of by a gigantic, nation-wide administration of housekeeping” (1958, 28). What makes this a fascinating topic is Arendt’s contention that the analysis of this process is no longer within the realm of political science but is relegated instead to “national economy” or “social economy”. These developments are products of or, at the very least, came after the rise of the modern age and the modern concept of the nation-state. Space in this sense does correspond to a specific space which is the home and the nation. But it is also a metaphor derived from the Greek concept of the public space or the agora. With regards to the public space, Arendt reminds us that “what all Greek philosophers, no matter how opposed to *polis* life, took for granted is that freedom is exclusively located in the political realm... (Ibid.)”, that is, the public realm. One can easily picture how freedom and equality are values which are associated with it whereas the home is a tyranny founded on the need to survive, what is necessary. However, this is not to say that there are no virtues that can be derived from private sphere. In it, one learns, for example, the virtues of sufficiency and

responsibility. Responsibility as a virtue is a product of the structure that maintains the household.

Japanese political philosopher Maruyama Masao gives a critical comment on the German intellectuals during the Nazi regime that is related to responsibility as well. In the essay *Politics and Man in the Contemporary World*, he says, “So, by totally surrendering the external sphere, that is human relations or society, to the world of politics, that ‘ineradicable’ individualism of which Schmitt speaks so proudly released the German intellectuals from their personal responsibility to choose what was happening in the world. Is that the glory of the spirit, or is it the misery?” (Maruyama 1969, 332) He discusses the importance of viewpoints and how our understanding of our situation, especially the political one, is affected by our vantage point. He talked about how in Nazi Germany, truth is split into two wherein political reality itself is divided into two versions of society under totalitarian rule. In one version of the truth, “since the form of things and people remained constant from one day to the next, then what the ‘principled’ critics on the inside and the outside said about your society would surely be reflected as either the words of an alarmist”. In the standpoint of the other truth, “you cannot help but wonder how they could have lived indifferently in such a bleak world or be amazed at their moral frigidity.” What is particularly interesting in Maruyama’s thought is that it focuses on perspective. He further states that “had there been an opportunity for *intercourse* between these two versions of the truth in people’s images” (334-335) there would have been more people who have acted or done something to prevent the atrocities that were committed. He places the concept of action as something that is possible when the two versions meet. This is because even in the midst of a contestation between two versions of the truth, action becomes possible. We may even go so far as to say that action is inevitable. In this case, where truth is at stake, any action seems bound for good things because the very examination of truth on either side may lead to more truths being revealed.

Maruyama then expands the meaning of space and perspectives to the modern world where it seems that our choices “is not between a fictitious environment and a real one; it is our fate to live in a world where there are only various fictions and various designs.” (344) It is helpful then to distinguish between those who live in the central and peripheral zones with regard to political ideologies and beliefs. Both the orthodox and the heretical worlds (discussed above as each possessing its version of truth) have subjects who are said to have been divided or gradually isolated into central and peripheral zones. Below is a description of the Nazification process as it gradually expanded. “*Gleichschaltung*, while meaning on the one hand a concentration of orthodoxy signifies on the other hand a forcible concentration of heresy... As *Gleichschaltung* becomes more successful, intercourse between the two images above mentioned becomes more and more difficult. In such a situation, the closer you get to the central core of these two worlds, that is, the original orthodox world and the original heretical world, the more extreme you will find the rigidity due to the self-accumulation of their respective images.” (335)

It is the rulers or those who are in power that “try to separate the residents of the peripheral zone who are exposed to a blending of images, and to throw up a thick, high wall on the border, dividing the two worlds both materially and spiritually.” This division is essential to the success of the Nazification process, to deepen the line between us and others. “The significance of living in the peripheral zone is that, while sharing a common image with the insiders, one tries to maintain continual communication with the outside.” (347) This somehow helps neutralize the dogmatic tendencies of the insiders or those from the central zones. These distinctions translate to social and political responsibility and ideological commitment according to Maruyama. These are, once again, two values attributed to distinctions of space.

In the discussions above, it seems that the metaphor of space in political thought is sometimes used as symbols that house virtue. Since virtues are abstract notions which can be interpreted as transcending the individuals that exercise them, it is sometimes easier to conceive of them as being contained in or arising from the spaces wherein they were observed. We are not claiming that the idea of place by itself is capable of producing virtues. However, it becomes easier for us to understand a value when it is related to or connected to a specific space. The meanings that we assign to the space somehow acquire values. These meanings can be subjected to analysis and understanding, further providing us with another use of space which is: a concept of place as structures of moral or ethical possibilities.

Sometimes, the virtue is as crude and as simple as, who is right and who is wrong, who is the hero or the villain. It is not really about being on two opposite sides of the same virtue, although sometimes that is the case, but that we assign an aspect of a virtue to a specific side, as if they cannot occupy the same space. It is possible that in reality, we do occupy that same space—we just choose to see it as contentious, thereby further polarizing the issue at hand. This notion will hopefully be explored further in future research. Secondly, the metaphor of space is used as a tool for us to better understand our place in this world. When we ask a person, “where do you stand” in such and such issue, what we are attempting to do is identify that individual’s opinions and thoughts in the simplest way possible, before details or emotions start to factor into the discussion. History shows us that sometimes this division and its subsequent partisanship is the only aspect of the power struggle or battle that stands the test of time. The nuances are forever lost in antiquity. The intentions behind the acts and choices are sometimes edited out or ignored altogether to make room for memorable dates, significant numbers, and outstanding personalities. And through the telling of tales, that is, when reality becomes legend, the point of contention is simplified even further by the designation of who are on the right or the wrong side of the dilemma. The moral question diluted to an oversimplification.

In the situation between China and its neighboring countries, it is easier to frame the discourse from an economic, geopolitical view and from that perspective, intentions from any of the parties concerned can at least be broken into which nation gains the most and hence which nation eventually wins the contestation. But this is not necessarily a moral victory. If existing norms that come in the form of conventions and treaties are indeed framed within moral laws, then the discussion becomes simpler. However, there are other social structures that are at play aside from moral or legal ones.

Socio-political issues as a value theory subject can be vague. Frustration and an apolitical attitude are consequences of this ambiguity. Yes, we have theories, we have hypothesis to questions such as “Where does power really lie? How should we distribute wealth? Or how freedom should be viewed from the perspective of a citizen?” But in the end, we need a tangible thing to anchor our understanding of the man-made idea of politics, democracy, freedom, and that anchor that grounds us is the concept of space.

B. Legitimizing Non-State Actors: Going Beyond Sovereignty

In the previous section we cited how the Philippines sought a formal arbitration against China regarding islands which are being contested. A year after, the United Nations-backed arbitral tribunal at The Hague ruled in favor of the Philippines citing that “the Philippines has exclusive sovereign rights over the West Philippine Sea (in the South China Sea) and that China’s “nine-dash line” is invalid, according to the United Nations (UN) Arbitral Tribunal.” (Santos 2016) The first order of business for the Permanent Court of Arbitration itself to assert that it had jurisdiction over the case.²⁶ For a court to be compelled to rule that it has the right to oversee the case to begin with sends warning signals as to the nature of the dispute. This circumstance shows how these international bodies have to prove their legitimacy. In this specific instance, the jurisdictional issue was raised not because China participated in the discourse, they questioned the court’s right to hear the case through a press release or a position paper which they made public.²⁷ In turn, the tribunal cited the convention or Annex VII to the United Nations Convention on the Law of the Sea (the

²⁶ Under the Convention, an arbitral tribunal must satisfy itself that it has jurisdiction to decide a matter presented to it, even if a party chooses not to participate in the proceedings or to make a formal objection. Accordingly, the Tribunal decided in April 2015 that it would treat China’s Position Paper as effectively constituting a plea concerning the Tribunal’s jurisdiction and convened a Hearing on Jurisdiction and Admissibility that took place in The Hague on 7, 8 and 13 July 2015....

Turning to the preconditions to the exercise of the Tribunal’s jurisdiction set out in the Convention, the Tribunal has rejected the argument in China’s Position Paper that the 2002 China–ASEAN Declaration on the Conduct of Parties in the South China Sea constitutes an agreement to resolve disputes relating to the South China Sea exclusively through negotiation. On the contrary, the Tribunal has held that the China–ASEAN Declaration was a political agreement that was not intended to be legally binding and was therefore not relevant to the provisions in the Convention that give priority to the resolution of disputes through any means agreed between the Parties. The Tribunal has likewise held that certain other agreements and joint statements by China and the Philippines do not preclude the Philippines from seeking to resolve its dispute with China through the Convention. Further, the Tribunal has held that the Philippines has met the Convention’s requirement that the Parties exchange views regarding the settlement of their dispute and has sought to negotiate with China to the extent required by the Convention and general international law. (Arbitration, Third Press Release in English 2015)

²⁷ “Notably, the Court has rejected an argument in China’s position paper that the ‘2002 China–ASEAN Declaration on the Conduct of Parties in the South China Sea constitutes an agreement to resolve disputes relating to the South China Sea exclusively through negotiation.’ The Court has decided that the Declaration on Conduct was a ‘political agreement that was not intended to be legally binding.’” (Panda 2015)

“Convention” or the UNCLOS), wherein both China and the Philippines are signatories, as agreement that the court does have jurisdiction to hear said claims.

The implications of decisions made by these international tribunals have yet to be truly studied and analyzed. Though some have questioned their efficacy and legitimacy in resolving disputes and hearing cases, it is of interest to critically view their impact on world politics. For example, China²⁸ has refused to see the validity of the arbitration to begin with and did not send a representative to defend their case seemingly showing disregard to the arbitration body even given the fact that China itself is a signatory to both conventions of the PCA (Permanent Court of Arbitration). What then is the role of such establishments if even signatories themselves do not heed its verdicts? How do these non-state actors find legitimacy? More importantly, do these contestations make them ineffectual? It seems that part of the problem lies in the fact that these international institutions do not have the means and ways to enact on their own verdicts though in this particular case the point is merely to arbitrate between two nation-states. To some, it may be seen as an encumbrance, to have the power to mediate between two nations but having no real resources to decree on the results. However, at the same time, these restrictions curtail these groups’ power which may also be an advantage. We are thus left with the question of the purpose of such transnational associations if most of them still rely on national agencies for the enactments of their decisions. It goes without saying that this state of affairs causes conflicts of interests within and among sovereign nations.²⁹ This section will thus explore the roles of these organizations

²⁸ “China did not appoint an agent. In a Note Verbale to the PCA on 1 August 2013, and throughout the arbitration proceedings, China reiterated “its position that it does not accept the arbitration initiated by the Philippines.” (Case View: The South China Sea Arbitration (The Republic of Philippines v. The People’s Republic of China))

²⁹ “How can the court secure the arrest and trial of suspects? The ICC has no police force of its own to track down and arrest suspects. Instead it must rely on national police services to make arrests and seek their transfer to The Hague. The case of Mr. Bashir illustrates the problem this can present for the court. Several ICC signatory countries, including Chad and Kenya, have refused to co-operate in his arrest. The case file against Sudanese President Omar al-Bashir is pictured on the court bench at the North Gauteng High court on June 15, 2015. Omar al-Bashir, the president of Sudan, is wanted by the ICC in connection with war crimes. A South African court did order that he be prevented from leaving

and institutions in our global politics. It is important that we understand the basis of the legitimization of their existence and the justifications for their work and objectives. We propose that through the *democratic iterations* that Benhabib has described in her various works, these international organizations and their work are being legitimized by nation-states themselves, whether they agree with the position of the organization or not. In the same way, it is also through the interactions of nation-states that these institutions are being undercut. Thus, this chapter is divided into three sections to precisely make these points clear. The first part is an exploration of the growing involvement of transnational organizations and bodies in world politics. Second, we will show and analyze the implication of the increasing influence of these institutions using Benhabib's thoughts regarding democratic iterations as well as the difference between sovereignty and popular sovereignty. The last part is a short explanation of how the issues raised against them actually, counter-intuitively legitimize these various non-state actors. We will show that the nation-state's role is slowly being challenged and thus might have a significant impact on political practices and in policy-making. Generally, the establishments of these institutions are indicative of the move towards a cosmopolitan normativity.

Along with the growing sense of a global civic society, mostly thanks to advancements in technology which make communication and transportation easily accessible, the world seems to be getting smaller. This does not mean, however, that a cosmopolitan ideal of brotherhood is effortlessly to be had. Because even as we are becoming more aware of the similarities of our claims and problems, we are also painfully aware of our differences. One only has to log on to social media to witness the variety of thought and practice that make up our "democratic civic society" to realize that we may use the same technologies, maybe even have the same penultimate desires and needs, but the ways and means that we employ to

the country, only for the government to override the order. The African Union has instructed members not to carry out the ICC arrest warrant against him while it conducts its own investigation." (BBC 2015)

bring it to fruition are set by a multitude of values, principles, and behaviors that cannot and should not be thoughtlessly brushed away. Hence the focus of this chapter is on the present pressures that sovereignties undergo and the various players that prove to be challenging the supposed hegemony and strength of the sovereign nation. Here we explore the aggregating influence of non-state actors on nation-states. Are sovereignties being forced or challenged to give up their powers and if so, how are their functions any different from their original conception? How does this impact our global political practices?

International, Transnational, and Cosmopolitan Practices

Any discussion of non-state actors in political theory will not be complete without a discussion of the neoliberal institutionalist paradigm as well as its contrasting theories of realism and neorealism. We have already discussed in an earlier chapter how neoliberalism as an economic paradigm influences education but its reach, as political thinkers have posited, is more expansive. The focus of this section is on a more philosophical approach towards this phenomenon. Robert O. Keohane, world renowned political scientist who first articulated the importance of international institutions in world politics says, “(t)he four key elements of the neoliberal institutionalist paradigm are emphases on non-state actors, including international institutions, on forms of power besides military force and threats, on the role of interdependence in addition to anarchy in the international system, and on the importance of cooperation as well as conflict in international politics.” (Moravcsik 2009, 4)

However, the paradigm leaves much to be desired, especially if viewed from the left-leaning perspective. For example, “(N)eorealists see anarchy and see the balance of capabilities as the central systematic factors influencing states.” (Ibid.) The neoliberal view has a tendency to downplay the importance of balances of power, focusing instead on the “institutionalized nature of modern world politics.” This is problematic because it does not leave much room for the necessary adjustments that need to be made to address inequalities

and injustices attributed to the contentious history of our politics. It brushes aside the real and deep-seated issues that are born out of colonialist and imperialist, as well as patriarchal strands of thought and practice.³⁰ Given this, we take a much broader view of these non-state actors by focusing on specific instances wherein they are legitimized via state invocation, that is, when states actively seek their mediation. It goes to show that from a realist and non-realist perspective, non-state actors are mere manifestations of the underlying hegemony of the westphalian system of nation-states. However, we cannot discount the fact that we have seen glimpses of how these institutions have shown the possibilities of cosmopolitan idealities.

Most of the organizations we refer to, such as the Permanent Court of Arbitration, the International Criminal Court, the United Nations and its various agencies and bureaus, exist primarily through the membership and finance of signatory states. However, as we have already mentioned earlier in this work, two world wars have given birth to the League of Nations and the United Nations. Though they are, of course, far from an ideal organization—as most human-based organizations tend to be—there is still value in their continued existence. As Kant, himself aptly describes: “As nature widely separates nations which the will of each state sanctioned even by the principles of international law, would gladly unite under its own sway by stratagem or force; in the same way, on the other hand, she unites nations whom the principle of cosmopolitan right would not have secured against violence and war. And this union she brings about through an appeal to their mutual interest.” (1795, 157)

It seems easy to argue that it would be in each sovereignties’ interest for there to be, for example, peace. Unfortunately, the political milieu is such that constituents’ interests are not always at the forefront of political goals and thus does not drive its will. Instead, only the

³⁰ “Neoliberal institutionalists accept the importance of these factors (i.e. anarchy and balance of capabilities), but they also think that the effects of anarchy are mitigated by both mutual interdependence and the institutionalized nature of modern world politics, especially with respect to certain issues and among certain countries. While agreeing that systematic theory is preferred, neoliberal institutionalism does not focus solely on anarchy and the balance of power as the sole elements of the system.” (Moravcsik 2009, 4-5)

interests of the few, primarily of the wealthy few who have more influence and sway compared to—the majority, or the experts—only a select few usually have such access to these decision-making bodies. We have already argued earlier how it is the cosmopolitan thinkers’ goal to attribute to individuals their rights and claims that will designate them at the heart of our political wills and practices, regardless of their standing in society (e.g. the Capabilities Approach).

Kant himself has inadvertently foreseen the emergence of these international bodies as a result of war, specifically the two world wars. The League of Nations originated from the ashes of the First World War but it “(in) spite of these early successes, did not manage to prevent neither the invasion of Manchuria by Japan nor the annexation of Ethiopia by Italy in 1936, nor that of Austria by Hitler in 1938. The powerlessness of the League of Nations to prevent further world conflict, the alienation of part of its Member States and the generation of the war itself, added to its demise from 1940.” (The League of Nations (1919-1946)) The League literally owed its strength as an organization to the strength of its members. For example, it can only weakly protest against the withdrawal of Japan and Germany prior to the commencement of the Second World War. “The League was most seriously weakened, however, by the nonadherence of the United States; the U.S. Congress had failed to ratify the Treaty of Versailles (containing the Covenant).” (League of Nations 2017) Thus, there is a tension among members themselves in light of their own self-interests. We have already discussed in the chapter on the rise of Nationalism how reasons of state and nationalism ideologies are actually sometimes counter-productive to the well-being of constituents and the long-term progress of state democracies as well as global interaction.

Most recently, the withdrawal of the United Kingdom from the European Union demonstrated this tension most harshly. It is understandable how these contentions occur. There will always be groups and individuals who will fear “the other”, if we underscore the

reasons why a majority of Britons chose to vote against staying within the EU. There will always be various modes of thought regarding new phenomena, in this case, the refugee crises happening in Europe as well as the financial insecurities brought forth by the economic crises in the early 2000s. This is why it seems more pertinent to ask: when has there not been a tension between national and global politics? In some form or the other, it has always existed in the same way that there will always be disputes even among people of the same color, culture, and political affiliation. The topics we have been discussing are classical, well-discussed themes from the time of Plato to the present. Therefore, it seems safe to assume that these regional and transnational organizations; despite their internal strains and, at times, questionable intentions, even despite their hegemonic tendencies, are symbols of a democratic, liberal step towards universal understanding, or at the very least, international discourse.

For example, the horrific memories of the previous world wars have pushed against these state-centric agenda and it is of particular interest to our research as to where this push will take our “global democracy”. We refer to this democracy as the interactions between and among nations, especially within a transnational organization. We question with utmost trepidation, whether to include under the term “global democracy” the dialogues or diplomatic exchanges strictly between nation-states. The apprehension is based on the fact that, more often than not, these dealings are usually based on the relationships between government administrations, which are not always as transparent or as straightforward compared to ones that are made within transnational organizations. As an example, we bring forth the case of the supremacy of the permanent members of the UN Security Council. Or to go back to the example we provided earlier, China felt more comfortable to deal with the Philippines directly, knowing that its economic clout will bring about a more favorable outcome for their agenda. This is precisely what happened when the Philippines government changed administrations in 2015. The previous administration which sought the international

arbitration spent millions to pursue their case via legal means knowing that it is at a disadvantage in any other proceedings with China. Meanwhile, the economic superpower wanted to continue exclusively through negotiations. Currently, the new Philippine administration entered into dealings with China to the disapproval of many Filipinos as well as the international community. The results of such negotiations are subject to partisan agenda and prone to surreptitious transactions. It is also subject to inconsistencies when administrations change.

The negative impacts of one-on-one transactions notwithstanding, there are also questionable decisions and motivations behind transnational cases. For example, the ICC (International Criminal Court) has been accused of bias for mostly prosecuting black African leaders such as Uganda's guerilla army leader Joseph Kony or Sudanese President Omar al-Bashir. (BBC 2015) It is not that this particular case has no merit. To begin with, the ones who placed the case against the defendant are also from concerned groups in their own country. The issue lies in the fact that it is only poor countries with no political clout which can be held accountable by these institutions. War crimes which have been committed and can be traced to the United States of America or Russia, for example, are yet to be pursued. Under such allegations, the ICC's already admittedly disputable authority is further weakened. "Hence, international institutions are slow to expand and adapt to new areas of potential cooperation because of the costs of bargaining and the entrenched interests of its founding members." (Moravcsik 2009, 9)

But this issue goes even deeper than a simple justification for the organization—the issue is also related to the global "north-south divide". "Most developing countries are no longer colonies of wealthy ones, but many bear the marks of a history of domination and exploitation. The post-colonial period in Africa in particular has often been brutal, and the extent of responsibility of the former colonial regimes for what followed independence is not

clear, and, whatever its extent, rarely acknowledged but the former imperial countries.” (Gillian Brock 2005, 1) These instances and their implications on our political environment should not be ignored even as we consider the possibilities of what these organizations are capable of accomplishing. The finality of these groups’ arbitrations, for example, may be questioned but what is it exactly that we derive from these growing cosmopolitan practices?

Global Civil Society as a Political Actor on World Politics

We have to mention the emergence of the global civil society at this juncture. “Whether understood as an autonomous sphere of economic activity or as the embodiment of a distinct type of political community, civil society emerged in conjunction with the modern sovereign state—the basic component of the international system.” (Frost 2011, 9) It does not seem fair to attribute the rise of civil society as a mere product of modern sovereignty. Given that, it is not farfetched to link the rise of a *global* civil society as capitalism and global politics also came into existence. There is an interesting phenomenon happening wherein we observe the mounting influence of a global civil society. It is not just mere soft power relations amongst nation-states. We are familiar with this idea because as early as Aristotle, we are already aware of the significance of civil society as it pertains to politics. But a modern global society is particularly interesting because its membership is not as exclusive, nor are there hard and fast rules for how it works. According to Frost, there are four components to civil society that give rise to social movements, possibly the components of a global civil society as well. These are: “secularism, democracy, universalism, as well as use of printed media and new modes of protest.” (2011, 7-8) This is the reason why we mention it here, the call for universality is not just heeded by nation-states, transnational organizations, and other non-state actors, we may also include the global civil society as a non-state actor which has a undeniably loud say in the political milieu.

The global civil society comes in many forms, there is the general populace wherein technically, everyone is a member. Of course, some are more vocal and active compared to others. Recently, with the ubiquity of social media, there are individuals who are quite vocal about their political beliefs, at least on social networking sites. The relative safety (we say relative because there have been a few but equally damaging cases of cyber bullying on the internet and it can go as far as physical harassment) of the internet has made this public space truly influential. It has helped shape the outcome of the US 2016 elections and is said to be the easiest measure of the partisan divide. Its unique combination of public space as well as a form of media has been capitalized by groups and political parties, and its global as well as free-for-all reach made it a cheaper option for those who are propagating their agenda. Social networking sites have been so significant that it has been proliferated by fake automated accounts which “troll” legitimate issues being discussed on the platform. These accounts are being run by individuals who have found a demand and is made possible by robots.

The global civil society also comes in the form of non-governmental and/or non-profit organizations and groups that have steadily risen in number since people realized that there is power in number. If NGOs are “private in form (but are) public in purpose”, (Reinalda 2001) then they present a midway point between public institutions and the general populace. This gives them a significant role in policy-making and democracy-building initiatives. Beyond the lobbying for their own agendas, non-profit and/or non-governmental organizations are the concentrated form of movements that were usually formed from the ground up. Their resources affect the outcome of their causes as well as the public support that they receive but, ideally, it should not stop them from representing the marginalized issues and peoples that would have otherwise been ignored by the system, whether these systems are local or international. Their possible impact and influence should thus not be ignored. “As *pressure groups* striving for interest representation through lobbying and consultation, NGOs can be embedded in both pluralist and corporatist arrangements, favored by nation-states and IGOs

(intergovernmental organizations) ... As *private actors* in the national and international policy processes NGOs ensure that ignored issues are put on the agenda and that implementation of international policies are taken seriously.” (2001, 37)

We may also mention private corporations as political actors on the world stage, which is basically saying that capitalism has a legitimate face and a substantial effect on the political sphere. As the main provider of resources, most would even say that they are primary movers and we can observe the exercise of their power most especially in the issues, for example, regarding the environment versus big business and their bottom line. Multinational corporations are a pervasive part of civil society and they drive the civilian agenda as employers and as providers of necessities and creators of wants. Where their financial support is, there one will find the impetus for policy, the success of political will, and the wins of political personalities. How can anyone discount such authority? Not only are they able to influence local legislation but they are able to navigate the intricate laws of international finance and banking, taking advantage of the variances of policy and practice in each and every state. If money talks, then its volume can be heard across the globe.

Global civil society also comes in more sinister forms as in the case of terrorist groups and transnational militia. If there is one enemy that all modern sovereignties share these days, it is the existence of extremist, militant groups that seek to wreak havoc on their own civil society. These groups may challenge governments but their victims are their fellow civic members, seeing them as casualties in a war of their own making. An initial look into this phenomenon may render us into assuming that it is the age-old disputes on religion and faith that drive these terror attacks in increasing instances all over the world. It is hard to discount the fact that these organizations find sympathy and build memberships in people that have legitimate concerns relating to poverty and security. Of course, they can hardly be called “civil” but we include them here because they do have the loudest voices in terms of their partaking

in social woes. These groups find fertile ground in people who are unsatisfied with the institutions that they currently have. They are a factor in our reality whether we admit it or not. By virtue of their existence, we are political pawns in a struggle for power wherein nation-states are being slapped in the face with a gauntlet.³¹

Democratic Iterations: Changing the Face of our Politics

Today the global poor and the global rich face off in an environment where the state, which was once viewed as an instrument of oppression of the poor and racial minorities, is disappearing, leaving in its wake (as after Hurricane Katrina) collapsing public institutions and frayed solidarity. The poor, the colored, the ex-, post- and neo-colonials are the victims of the receding power of the state. (Benhabib 2007, 46)

In the essay where the quote above was taken, Seyla Benhabib borrows the title from another collection of essays by Hannah Arendt. The *Crises of the Republic* has come to capture Arendt's political philosophy wherein, as Benhabib notes in her own work, Arendt is reacting to a series of events that seemed to show that "there were invisible forces pulling the social fabric of American society apart." (45) Benhabib states that Arendt was responding to, for

³¹ "First, non-state agents who are capable of inflicting large-scale violence on states with ever new means of mass destruction have emerged unto the world stage."

"Second, the new means of electronic communication, the ease of global air travel, the emergence of transnational networks of finance and weapons procurement, along with the unprotected borders of weak states, are producing transnational modalities of violence. "

"Third, compared to terrorist movements of the late 1960s and 70s the global jihadist groups are short in words and ideology and quick to act; there is frequently only a slim connection between the acts which they undertake and self-interested political results they may wish to produce."

"Fourth, the presence of this diffuse global enemy, whose networks range from "sleepers" cells in Hamburg to Lakawhana, NY, from Islamabad to Madrid and to Bali, erases the lines between the enemy within and without, the foreigner at home and the alien other. Police action, security operations, and military planning flow into each other. "

"These four features of the post-9/11 world - the emergence of non-state actors as agents of mass violence; the deterritorialization of violence; the symbolic politics of fear and martyrdom, and the vanishing lines between military, police and security functions - are among the political and security challenges which increasing numbers of states will face in the new century." (Benhabib 2007, 47-48)

example, the Kennedy and Martin Luther King shootings, the Vietnam War, the Watergate scandal, to name a few. For Benhabib, choosing the title is apt as she describes, “If I may phrase this somewhat pointedly, I would say that whereas formerly it was society that was torn apart—and not only in the USA—through class conflict, war, race riots, ethnic tensions and gender struggles, today’s crises are generated by the diminishing capacity of nation-states to navigate an increasingly complex, fluid, and obscure security as well as economic environment. Since the end of the Cold War it is the world state-system and the Westphalian model of sovereignty that are in crises.” (Ibid)

She goes on to describe how our concept of citizenship and sovereignty is being challenged amidst these changes which are occurring, not just in one society or in a specific region, it seems to be happening all over. Hence, these occurrences are universal in character. We have already discussed in a previous chapter how nationality and sovereignty are facing a predicament: it is struggling against enemies inside and outside its borders rendering our efforts ineffectual in protecting these boundaries. Leading experts and social scientists to question whether stricter laws on immigration such as travel bans, walls, and such, are solutions or merely compounding the issue.

We present Benhabib’s thoughts here to show that non-state actors affect global politics in ways that go beyond what is observable, that is, beyond terrorist attacks and border tightening measures. Non-state actors are proof that nation-states, even though they remain a force to be reckoned with, are being attacked on other levels. While there are some non-state actors whose methods are benign, there are some who are on the farthest end of the spectrum, pressuring government institutions to go farther as well. These extremes are putting the pressure on just how far nation-states will go to protect, not just their constituents, but more importantly, their structures and institutions, which is only natural given that the nation and the state are also living organisms that have an essential role.

Because as much as there already is, what Benhabib refers to as an international regime of human rights, what is really being protected by nation-states are their institutional structures, which have lasted the test of time since its inception. Even colonialism and imperialism did not altogether eradicate these structures, they have only adapted to survive. The point here being, since there are already international and transnational structures that are slowly being strengthened by our appeals to their legitimizations, as we argued earlier, are these also under attack? On the one hand, they have always been vulnerable, as shown by the fallibility of their own members which we mentioned earlier. On the other hand, states are also strengthened by their organizations. This is not to discount the fact that there are hegemonies wherein superpowers are constantly winning the discourses that assail international politics. Benhabib states, “(t)he fact that the internationalization of human rights norms and the weakening of state sovereignty are developing in tandem with each other does not mean that the one can be reduced to the other; nor should objections to the weakening of state sovereignty lead one to reject the spread of human rights norms for far that they can be used to justify humanitarian interventions.” (50)

To illustrate this further, we use Benhabib’s distinction between state sovereignty and popular sovereignty to analyze the impact of these non-state actors on our politics. In the aforementioned essay, she talks about the difference between the two to show how our concepts of citizenship and sovereignties are transfigured. We utilize here her theories to prove how non-state actors are finding legitimacy. We believe that her objective is related to what we are proving here but we are applying it in a different way. Just as international organizations are legitimized by adhering to their functionality, rather than their authority, nation-states are also legitimized by cosmopolitan groups and laws because they are still the enactors of these laws. Benhabib says that laws are being “deterritorialized” and she claims that the “cosmopolitan project is interwoven with some of these trends.”

Since these transformations are altering norms of state sovereignty as well as impacting the actual capacity of states to exercise sovereignty, I focus on the interrelationship between state sovereignty and popular sovereignty. The concept of "sovereignty" ambiguously refers to two moments in the foundation of the modern state, and the history of modern political thought in the West since Thomas Hobbes can plausibly be told as a negotiation of these poles: first, sovereignty means the capacity of a public body, in this case the modern nation-state, to act as the final and indivisible seat of authority with the jurisdiction to wield not only "monopoly over the means of violence," to recall Max Weber's famous phrase, but also to distribute justice and manage the economy. In the course of the last three centuries the sovereign Rechtsstaat. (Ibid.)

As Benhabib reiterates here, this monopoly over the means of violence is no longer true. With the prevalence of these terrorist, non-state groups, violence is now a political tool that incites fear in citizens and is a logistical nightmare for governments. Whereas sovereigns are to be held accountable for each and every liability as they respond to these threats—both domestic and foreign—these groups have no such qualms. Hence the "final and indivisible" authority which nation-states have otherwise been naturally attributed to has now weakened. This then puts new emphasis on the roles of other non-state actors, especially international and transnational organizations and institutions.

We can again turn to the issue of migration to better explain this point. The continuous migration of people from one country to another challenge the territoriality of the westphalian version of politics and consistently aggravates the pervading nation-centeredness of policies as well as the "us versus others" culture that we are used to. People make up states but they also challenge states—and this challenge can usually be felt in terms of their number— the number of bodies that are literally pushing these issues to the fore. Space itself

can be crossed, reached, walked towards, swam across—and these little acts seem insignificant in the grand scheme of things, for example, when travel bans are mandated. But then it only takes a boat-full of desperate asylum seekers to find the ways and means around or under these disparate but still legally valid mandates. Capitalism also plays a role in the sense that as long as there is a demand, there will always be enterprising individuals who will supply the need for those who wish to cross the border, regardless of its supposed legality. Again, in these cases, legitimacy is questioned and thus the norm is weakened. This is because “(s)overeignty also means, particularly since the French Revolution, popular sovereignty, that is, the idea of the people as subjects and objects of the law, or as makers as well as obeyers of the law. Popular sovereignty involves representative institutions, the separation of powers, and the guarantee not only of liberty and equality, but of the ‘equal value of the liberty of each’”. (2007, 50) Benhabib’s point here underscores how popular sovereignty is slowly prevailing over classical notions of sovereignty. Not that one is overtaking the other, but how the populace, or the global civil society cannot be ignored any longer.

This is not exactly new. We already know that since the era of modernity, humanism—wherein it is people who hold their destinies and freedoms, not the gods—has only strengthened and is thus reiterated in our universal laws, more specifically, our cosmopolitan laws. More often than not, the two are used interchangeably. But universal laws pertain to so many various notions: universal laws of the natural sciences for example, or the more esoteric universal laws of ethics. But cosmopolitan laws, as we have already described, refer to universal claims and duties that specifically go beyond nation-centered normativity. Thus, “cosmopolitan norms enhance the project of popular sovereignty while prying open the black box of state sovereignty. What is undermining state sovereignty is not the abuse of cosmopolitan and humanitarian norms of justice, though they certainly have served as ideological shields to justify interventions in Iraq and Afghanistan; rather, it is first and foremost the demands of global capitalism that have led to transformations in state

sovereignty and to the deterioration of the capacity of states to protect and provide for their citizens." (50)

Cosmopolitan norms "enhancing" the project of popular sovereignty is an interesting notion, especially if we view it within the terms of how non-state actors are becoming more relevant. Cosmopolitan norms give credence to the individuals and their claims. However, Benhabib never posited that it will take the place of positive laws as practiced in nation-states. It is our contention that in the minute instances wherein universal norms are exercised, cosmopolitan laws are strengthened. This is a notion brought forth by Jeremy Waldron which is worth mentioning here. In his response against Benhabib, he counters that it is not just through people's votes and voices that laws undergo changes, "but because the change emerged from the dynamics of ordinary life in relation to which there have been no problematic or invidious exclusions." (2006, 97) Waldron here illustrates how our everyday practices give rise to cosmopolitan law. Our maritime and business practices for example have been in existence prior to the actual writing and legal accreditation of said norms. It would be interesting to know how our current political engagements, even if it is merely on social media, for example, will affect our future discourses.

We have already mentioned in previous chapters how capitalism destabilizes states but we should mention it here as well since Benhabib stated how it added to the "deterioration of the capacity of nation-states to protect and provide". Capitalism is a force to be reckoned with but most institutions and the academe itself sees it as a partner for development. Just like a force of nature, global capitalism is difficult to control. We can study its patterns but to say that one nation can fight against it is naïve. Piketty says that,

Modern economic growth and the diffusion of knowledge have made it possible to avoid the Marxist apocalypse but have not modified the deep structures of capital and inequality—or in any case not as much as one might have imagined in the optimistic

decades following the World War II. When the rate of return on capital exceeds the rate of growth of output and income, as it did in the nineteenth century and seems quite likely to do again in the twenty-first, capitalism automatically generates arbitrary and unsustainable inequalities that radically undermine the meritocratic values on which democratic societies are based. (2014, 1)

Capitalism as a phenomenon is also subject for modifications. These alterations may not be focus of our project but it bears mention since it is an important factor in our political practices. We only need to remind ourselves again how various cosmopolitan theories, which we mentioned in the first chapter of our work, share a similar objective, that of addressing inequalities brought about by capitalism. It is not farfetched to assume that as the actors change, so does the underlying way of thought—whether it is capitalism or liberalism, etc.

It is essential to see the crux of Benhabib's theoretical justifications, the idea of iterations. The word does not simply refer to repetitions of terms: to iterate means to replicate and legitimate processes. This means that the constant usage and utterances of words do not simply refer to the quantitative statements of the words, it pertains to how words are utilized and transformed with each utterance, adding layer upon layer of significance. This process signifies changes to the meaning, not just of the term, but how it is understood and how it impacts our everyday lives. Such an understanding is consistent with Wittgenstein and his idea of family resemblances. According to Benhabib, "(e)very act of iteration might be assumed to refer to an antecedent that is taken to be authoritative... Every iteration involves making sense of an authoritative original in a new and different context." (2006, 48) Not only are our sovereignties changing its meanings through the actions and the movements of people that challenge the exclusivity engrained within its political usage, our sovereignties are also being confronted by non-state actors that do not necessarily undermine nation-states but tests its authority. This is because "the rights claims that frame democratic politics on the one hand

must be viewed as transcending the specific enactments of democratic majorities under specific circumstances; on the other hand, such democratic majorities *reiterate* these principles and incorporate them into democratic will-formation processes through argument, contestation, revision, and rejection.” (49)

Non-State Actors and Their Influence

Here we see how individuals and non-state actors are able to provide opposition to standards of oppression and injustice even as they are also sources of these themselves. It takes time so the results are not immediate but when we apply this notion, not just to individuals versus status quos, but on the level of nation-states as political actors and the international scene, then Benhabib’s theory helps us analyze how non-state organizations find justifications. Whereas Benhabib says that through democratic iterations, cosmopolitan norms will progressively incorporate these norms into positive law, we may add that when smaller and less powerful countries like the Philippines appeal to such institutions, their legitimacy is also reiterated, regardless of whether more powerful countries actually take these decisions into consideration. We say regardless because even ignoring the decisions of such tribunals demands the recognition of the vast economic and power discrepancies between sovereign nations, highlighting the issues that plague our so-called democratic “world republic” wherein states are all equal. Even after the conclusion of these proceedings, the historical stamp will always be intact, making even future generations cognizant of judicial processes on an international level. Robert Post, in his introduction and commentary to Benhabib’s *Another Cosmopolitanism* describes her process of “democratic iterations” as, “as involving a ‘jurisgenerative politics’ that mediates ‘between universal norms and the will of democratic majorities’ and that “it functions at two levels. “It alters the substance of democratic law, so that the content of democratic law is progressively reconstructed along

lines that reflect principles of ethical universalism. And it also alters the very boundaries by which democratic states are defined.” (4)

While there were some philosophers who envisage the merits of a world republic, most cosmopolitan philosophers recognize the dangers of such an attempt. From Thomas Hobbes to Jean-Jacques Rousseau, the state has always been the means to which norms are enacted and ideals enshrined. Contemporary cosmopolitan thinkers are not any different. Despite their arguments for a conception of justice that has global reach, they still see the practicality of using the existing structures of the state. This position can be said of Seyla Benhabib, Martha Nussbaum, David Held, Anthony Appiah, and others. Even Kant himself, despite his academic pursuit of the idea of the world republic, still unequivocally stated that “the positive idea of a *world republic* cannot be realized.” (1795) Thus, at least in the arguments he presented in the essay, these cosmopolitan norms which he claims signify the growing interdependence and interactions between states as political actors on the world’s stage are not necessarily enough to herald such a literal and figurative worldly event.

Thus, The Hague decision, even though China does not recognize its validity, still legitimized itself by proceeding with the hearings. It is not just a simple matter of a smaller country choosing to fight against a bigger country through these channels, though that is part of the process of legitimization. First, China as a signatory of the UNCLOS or the Convention cannot easily dismiss their recognition of the court, even as it disagrees with the final decision. Second, it is the norms and the laws that the Permanent Court of Arbitration and its members itself have agreed to, reiterated, and used, that help attest their legitimacy as a non-state actor. So long as these norms continue to be repeated, revoked, and revised, then the very institution becomes even more justified. This is how our nation-states came to be, and that is how non-state actors will be recognized as well. How does this apply though to the more sinister forms of non-state actors which we mentioned earlier? The difference lies in the

structures that they have. Terrorist groups cannot be fully institutionalized until it becomes secular, or at least until it loses the dogmatic ideologies it espouses. NGOs, NPOs, and transnational groups have agendas but they still work within the boundaries of the Westphalian tradition. This is because the interactions amongst these groups still follow a given set of parameters set by the language and the systems of nation-states themselves—again, whether they are liberally democratic or veering towards more socialist forms of governance. Through the practice of democratic iterations, we find legitimizing means of existence. Thus, even as non-state actors continue to be relevant, states are also reified, which may contribute to a more diverse and robust global democracy.

VI. Summary and Conclusion

Our main argument is that cosmopolitan norms are indicative of our growing global civic society and it challenges our national structures as well as some of our philosophical theoretical constructs, rightly forcing these structures and constructs to reassess the way we view or analyze our human rights and its subsequent claims.

To review, cosmopolitanism is based on the notion that wherever they may legally originate, cosmopolitan norms of justice endow to individuals as “moral and legal persons in a worldwide civil society”. (Benhabib and Jeremy Waldron 2006, 16) Given this fundamental idea, we explored how this view can be applied to contemporary political issues which consistently challenge our usual understanding of the differences between global justice and social justice. We explored how we usually conceive of our human rights as enshrined within our national constitutions. There are laws and structures in place that protect our rights and it is our belonging to a country that cements this protection. However, we have shown through various examples how there are current global scenarios that challenge this construct. Thus there is a need to view these rights from a cosmopolitan perspective, a perspective that it is not merely based on a universal abstraction. We explored this without espousing a global institution that can enact these laws, recognizing the danger of doing so. We strongly stated that the cosmopolitan perspective of our human rights is more fundamental than our national laws because they are universalizable and are based on an intersubjective consensus that even the most undemocratic and illeberal of countries theoretically recognize, even as they discount it in practice.

First, this study has shown through various examples that there are indeed problems that we all communally share, regardless of our country of origin. What we perceive as local, national issues are actually mere symptoms of problems that are globally common. Thus, the impression that these issues overwhelm to the point of rendering us incapable of action, is

well-founded. For one thing, accountability by each nation will always be complicated especially since there are economic, cultural, and historical biases which we cannot simply ignore. Indeed, many factors contribute to this inability to act on global problems but in particular, we focused on our shortcomings in assessing our political discourses. There have been significant steps towards this direction, an example is the Paris Climate Agreement but there is still much to be accomplished (for it is just as easy to withdraw from such accords). In the first section of this work, we presented various ways in which cosmopolitanism has been defined as well as the critical points that we kept in mind as our investigation unfolded. We featured several cosmopolitan thinkers and we analyzed where their ideas converge and where they diverge. This showed that their political assessments enrich contemporary political discourse as well as provide insight into the specific character of cosmopolitan thought, discussing the concept of justice from the distinct perspective of going beyond national limits. Thus challenging the boundaries of our existing social justice theories but controlling the tendency towards universal idealizations. This tension is obvious in their discussions as they explore and react towards their colleagues and compatriots. However, there is contention among cosmopolitans themselves as to how far we can argue for national responsibility without the limits of national belonging and identity. This is a concern that better philosophers than this researcher have explored but have not yet fully answered. The idea of cosmopolitan norms is enticing, yes, but questions on how to compell government structures to see past state-centric policies are far from being answered.

We intentionally presented how the presence of cosmopolitan moral and political norms is not simply an inevitable result of the steady pace of globalization. Philosophers recognize that there is a need to address political concerns from a wider, more global perspective, without necessarily turning towards the ideal, westphalian notions that were reminiscent of, for example, the Enlightenment period. It is clear that our existing philosophical theories, though providing good frameworks for our discourses, are not

sufficiently equipped to address real, contemporary political issues. Our advancements in knowledge, technology, the sciences, the arts, etc. have all moved forward, forging new paths in this vastly different world. However, our moral and political skills as well as ways of processing phenomena are stuck in the middle ages, or more possibly, stuck in that cusp between the medieval and the modern.

This work has shown that, at the beginning, when nation-states were still forming, it was necessary to highlight differences; the things that separate and make each country and their respective cultures as well as histories unique. Peeling away the layers of sentiment (which we recognized as a necessary factor in the building of the nation-state with the help of Kojin Karatani) and seeing beyond the emphasis on differences or otherness; this study questioned its continued relevance when used as the basis for excluding individuals in the light of human rights claims, as we have shown in the section entitled *Conflicting Citizenships in a Globalized World and Discourse*. Here, we presented the fundamental problem between a universal and national approach towards political meta-analysis. While John Rawls gives us rich insights into the role of the citizen and the structures of politics, he sees these solutions within the borders that separate each nation-state. This limits our analysis of global issues. Meanwhile, Immanuel Kant's thoughts on universality as well as his optimistic assumption of people's rationality, though illuminating, tend to merely provide frameworks for norms; thus creating more debate and leading to more queries than answers.

In *Discourse and Cosmopolitanism: A Case for the Filipino Domestic Helper*, we showed how cosmopolitanism is able to develop and criticize the idea of universality, in this case, Habermas' concept of universality. The section underscored how Habermas's philosophy and its hyper-emphasis on consensus, inevitably oversimplified and limited the applicability of discourse theory. We highlighted this to show how a cosmopolitan-individually centered approach towards the application of discourse can be applied on real issues, the issue of

immigration and how such analysis benefitted from expanding the idea of universality to a cosmopolitan normative view. Again we saw how there are gaps between what political philosophy can offer and what it can truly attempt to answer.

We explored the changing roles and some of the prevailing challenges that face nation-states in *The Rise of Nationalism in the Era of a Global World*. We acknowledge, along with David Miller, Michael Walzer, and Seyla Benhabib, the necessity of nation-states in the construction of societies that take into serious consideration the welfare and *good life* of their constituents. However, we deem it necessary to emphasize, as Benhabib and Hannah Arendt did, the nonsensicality and irrationality of maintaining that democratic states only have an obligation to do this for their citizens. They cannot call themselves liberal democracies without addressing this contradiction. This is precisely what cosmopolitanism offers as a moral and political theory. It offers perspectives that call into question accepted practices that our national and social structures deem normal and economically feasible. Cosmopolitanism questions the conditions that these structures set and they use the philosophical tools that we have long been utilizing but they tweak, adjust, and challenge these apparatuses in ways that creatively seek innovations in framing the political chaos that we have been observing of late. National boundaries exist and they serve a purpose but we found no moral evidence to justify how nation-states should only act based on their antiquated conception of citizens. Though we recognize the idea of efficacy based on resources, this does not mean that countries, especially liberal democratic ones, are morally justified in limiting the scope of their obligations based simply on territorial borders.

This led to our analysis of how citizens are created via our educational system in the section *Education and the Capital-Nation-State: Aspiring for Better Democracies*. We cannot discuss the effects of globalization without mentioning contentious terms such as Liberalism and Neoliberalism. This study focused on the effects of such phenomena on education and

the creation of citizens as political actors, again in this global political milieu. We explored these concepts within the view of cosmopolitanism once again. Martha Nussbaum as well as John Dewey were particularly helpful. We forget that democracy is a process so we become impatient with what it has yet to accomplish, focusing on its imperfections and not its strengths which are: accountability and transparency. These strengths could only be utilized to create stronger democracies if we have citizens that are able to appreciate and demand these strengths from their institutions. But we have an educational system that has weakened the creation of citizens; citizens who can aspire to accomplish what democracy can do and this section highlighted this.

In *Shared Meanings, Space, and Moral Structures*, we delved into the meanings of private and public spaces which gave rise to our communal experiences as political actors. This chapter explored the connection between spaces we occupy, the meanings that arise from them, and the values that arise from these interactions. This is particularly essential in our research work since we studied the relationship between the rise of cosmopolitan norms and this worldwide civic society.

From this idea of space as universally shared, we then finally discussed non-state actors. In the section, *Legitimizing Non-State Actors: Going Beyond Sovereignty*, we underscored the role that non-state actors also play in this global stage. While there are superpowers that continue the hegemony and will continue to persist in maintaining the unequal distribution of powers amongst nations, we observed that there are also progressive steps that are being made towards recognizing the individual who inherently, naturally carry these claims³². This state of affairs is significant in this study because it proves that the republic

³² “... the ideal of self-governance was increasingly interpreted as the formal equality of citizens who now sought to realize the *equal value of their liberty* in terms of an equivalent schedule of rights and entitlements. The civic-republican ideal self-governance, the exercise of freedom among equals in a public space, is connected—and I would argue necessarily—to the liberal ideal of citizenship as the practice and enjoyment of rights and benefits. Modern democracies seek to integrate these republican and liberal ideals into the practices of “private” and “public” autonomy. The private autonomy of

is indeed in crisis. The crisis being highlighted here refers to how, even as nation-state structures are being undermined both by their nation-state peers and non-state actors, the necessity of recognizing the claims and liberties of individuals, regardless of their citizenship, is highlighted. This does not mean that these cosmopolitan norms³³ automatically ensured that citizens are always at the forefront of political interests but this recognition goes a long way into reminding us that we are aware for whom these structures exist in the first place.

We have to acknowledge that rules, what we call the cosmopolitan norms that arise from these interactions among countries, non-state-actors, international coalitions and such, are indicative of a much larger phenomenon, that is, the phenomenon towards a *cosmopolitan view of rights and liberties*. Benhabib is saying, in essence, is that there is now a tension between “republican and liberal-democracy, or of public and private autonomy”. However, the true problem is “not the crisis of democracy in the first place but rather the crisis of the territorially circumscribed nation-state formation.” The borders that we use, the lines that we draw to protect ourselves, to understand others, lines that consequently define and/or demean, and at times, make it easier to destroy, is philosophically imagined. We did not claim that they are without a purpose, but cosmopolitan norms seek to go beyond these lines even as it attempts to analyze how to work within its lines.

Throughout this entire work, we emphasized the need to reexamine how we analyze contemporary political issues in light of this increasingly interconnected world. We proved how cosmopolitanism is not just a revival of the tendency of political philosophers towards the idealizations of universality. In this study, we highlighted the problem of *scope* in our philosophical/political analytic endeavors. While we recognize that the Rawlsian approach continues to be relevant in any political analysis, we also have to admit that there are issues

citizens presupposes the exercise and enjoyment of liberty through a rights-framework which underwrites the equal value of their liberty; public autonomy is realized through the institutions of democratic self-governance in increasingly complex societies” (Benhabib 2005, 141)

³³ United Nations Universal Declaration Human Rights, for example.

and circumstances that push the boundaries of our existing political theories. This is what the likes of Benhabib, Fraser, Nussbaum have worked on. This awareness that we have new problems and new issues call for innovative approaches to moral and political deadlocks and discourses. The philosophical tradition and its focus on state-centered theories that inadequately and awkwardly investigate these universal phenomena has, unfortunately, undermined the role of philosophy in contemporary political discourse. This is something that will be pursued further by this researcher.

Our third objective was to prove that through our transnational activities (i.e. trade and other economic negotiations, political interactions, social media communications, etc.) and the prevalence of universal issues such as immigration and environmental problems, it has become necessary to expand our concept of what is political on a cosmopolitan, global level³⁴. We presented these issues throughout this work as problems to be overcome but these also show the progress that we have made as a civilization. We have to recognize the sense of the argument wherein capital can freely flow between and amongst nations, but people cannot. Hence, the need for all other aspects to grow with the economy and society, to mature and develop along these lines without losing the lessons and values which history has proven as necessary in our human flourishing and development.

This work showed that there is an underlying problem in the academic discourse of political philosophy. There is an academic chasm, an arena which socio-political thinkers have previously overlooked. There are gaps between our conceptions of fundamental universal morality and our notions of social justice theory. There is a broad array of philosophical theories that attempt to explain the fundamentality of ethical norms. Since the modern period, there have also been a plethora of social justice theories that show how we can utilize

³⁴ "Cosmopolitanism may thereby be associated with human progress and thus transform international politics." (Haas 1997, 1)

our existing national structures of law and governance to address various issues. These days wherein these issues are not just local but have global reach, we find ourselves unable to adequately frame the questions that arise. This is because of this rift: the rift between universal morality and social justice theory. Since our social justice theories are designed for national sovereignties, they fail to address global subject-matters, problems that transcend the borders of the nation-state. This chasm is the perspective that cosmopolitan normativity is able to fill. It is able to do this in two ways. First, by addressing the fundamentality of our rights and attempting to justify the essentiality of attributing individuals with rights beyond their nationalities. Second, by focusing on the democratic process of changing normativity. These changes may have a transnational theme, but they remain rooted in the existing structures that we have. We believe that this is important because, while we realize that while we have fundamental claims, there are multicultural differences that cannot be ignored.

For example, our choosing to focus on immigration issues shows how significant immigration issues worldwide affect academic research. However, we should recognize that there are international and national systems that are in place which perpetuate the problems and does not address the issue at its core. So, while there are human rights claims that migrant workers have been clamoring for and while we may demand for their rights to be framed in a manner wherein cosmopolitan rules be applied, there is also a need to address why there are migrants fleeing economic or political persecution in the first place. While we conduct a discourse on how asylum seekers have a right to be welcomed in host countries by virtue of their humanity, one cannot discount the underlying problem in Syria and the perpetration of the main cause of the diaspora to begin with, by the very countries that are pushing against these refugees. However, the point of this work is to show that our current political philosophical theories do not have the reach and the depth to address these issues, partly because these are unprecedented problems that are only being manifested in this globalized world that we live in. Hence, the rise of cosmopolitanism. Proving whether these cosmopolitan

thinkers are successful in addressing these issues is not our objective here. Our objective is to show that this attempt addresses the gaps that we have been unaware of in the past. As much as it has been difficult to conceive of universal moral laws that may apply to the variances of thought, cultures, and practices which do not even adequately begin to describe the human race, our philosophers still attempt to open the discourse in issues brought about by free capitalism, neoliberalism, and the like. The need to process inconsistencies, inequalities, and injustices makes the problem even more pressing, not just as a thought experiment but as a reality that takes into consideration the possible effects and dangers.

Globalization, through its structures of commerce and its particular brand of politics, has led to remarkable advancements in technology, communication, and wealth. It is not altogether startling to comment on the fact that along with these benefits come a different set of problems. The far-left would argue that its negatives far outweigh its positive aspects: the growing social and economic inequalities and the environmental effects of rampant capitalism, for example, are issues that demand our attention and further analysis.³⁵ While our world expands exponentially, both socially and economically, our morality and politics have not kept up. We still choose to view international and transnational issues using theories and policies that are designed for local and national perspectives.

If there is one thing that this study has proven, it is that there is a revelatory quality in this turn towards cosmopolitanism. It reveals our desire to reach for more, to progress beyond our local democracies and our national ideologies. This progress is not about turning

³⁵ "Rather than globalization leading to the emergence of a more clearly defined and homogenous global order, it has instead been characterized by the increasing differentiation of both economic and political structures. Globalization is an inherently heterogenous and fuzzy phenomenon. Against this background, the state is increasingly being transformed into a complex mix of civil and enterprise association— the 'residual state' rooted in the competition state. The state retains a certain hold over national consciousness and constitutional legitimacy, and its residual functions (the 'competition state') are still central both to the globalization process and to carrying out a range of crucial political, economic and social tasks." (Cerny 1998, 135)

one's back on our specific histories and identities but in finding ways to include these particularities with global justice in the mind's eye. The public space created with the methods and processes of this cosmopolitan turn has a democratic imperative that is not based on ideology but on pedagogy. Quite simply, the multiplicity of views that is instantaneously accommodated by its scope is not only inclusive but is also transparent. To challenge the way we view the political from the usual national/universal viewpoint to the cosmopolitan point of view is to immediately recognize the importance of plurality. This is not about turning one's back on identities, cultures, and histories, that is, we are not dismissing our unique pasts. This turn towards cosmopolitanism is an attempt at understanding these particulars from a perspective that would help make sense of the present and help assess our future.

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