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COSMOPOLITAN JUSTICE AND MINORITY RIGHTS THE CASE OF MINORITY NATIONS (OR KANT AGAIN, BUT DIFFERENT)

Ferran Requejo (Pompeu Fabra University)

Abstract: This chapter links a conception of global justice, moral cosmopolitanism, with plurinational democracies. After giving a brief description of moral cosmopolitanism (section 1), I go on to analyse notions of cosmopolitanism and patriotism in Kant's work (section 2) and the political significance that the notion of *unsocial sociability* and the *Ideas of Pure Reason* of Kant's first *Critique* have for cosmopolitanism (section 3). Finally, I analyse the relationship between cosmopolitanism and minority nations based on the preceding sections. I postulate the need for a moral and institutional refinement of democracies and international society that is better able to accommodate national pluralism than has so far been achieved by traditional liberal constitutionalism and cosmopolitanism (section 4).

Keywords: Cosmopolitanism, Nationalism, Patriotism, Kant, Global Justice, Democracy, Constitutionalism.

INTRODUCTION

Theories of justice and theories of democracy are currently facing two broad challenges: globalization, and national and cultural pluralism. These two challenges represent a revision of traditional approaches in both fields. While theories of justice –which until quite recently were generally limited to domestic justice– have been the subject of increasing interest on a global scale, theories of democracy have questioned: 1) the concept of demos when the political collectivity is plural in national and cultural terms, and 2) the access of the demos (or the different *demos*) to the *cratos*, the present-day multilevel decision-making powers. These two revisions are interrelated in such a way as to make it necessary to refine the existing values and institutional practices of both liberal democracies and the international or global sphere

On the other hand, global justice has usually been understood to mean institutional and social justice (political and redistributive issues on a global scale). In contrast, issues involving different national and cultural identities are usually marginal in reflections on global justice despite the fact that human rights include political, social and cultural rights. It is possible that the conclusions reached regarding political, social and national/cultural issues in relation to global justice will not be identical, as there are clear differences between: 1) the values and the kind of pluralism involved, 2) the actors and empirical cases involved, and 3) the variable degree of difficulty in achieving normative and institutional consensus on these issues.¹

This chapter links a conception of global justice, moral cosmopolitanism, with plurinational democracies. After giving a brief description of moral cosmopolitanism (section 1), I go on to analyse notions of cosmopolitanism and patriotism in Kant's work (section 2) and the political significance that the notion of *unsocial sociability* and the *Ideas of Pure Reason* of Kant's first *Critique* have for cosmopolitanism (section 3). Finally, I analyse the relationship between cosmopolitanism and minority nations based on the preceding sections. I postulate the need for a moral and institutional refinement of democracies and international society that is better able to accommodate national pluralism than has so far been achieved by traditional liberal constitutionalism and cosmopolitanism (section 4).

¹ Elsewhere I have analysed some of the moral and institutional shortcomings of traditional liberalism in plurinational democracies. See Requejo 2005a, 2005b, 2001.

MORAL COSMOPOLITANISM

Broadly speaking, cosmopolitanism is the idea that all human beings belong to the same moral collectivity. This is primarily a normative conception that creates obligations towards the other members of that collectivity, regardless of the specific characteristics such as nationality, language, religion, etc, that individuals may possess (moral cosmopolitanism). Secondly, cosmopolitanism also refers to a more political idea, one that advocates the creation of links between human collectives through a *league or federation of states* and an *international system of justice* (political and institutional cosmopolitanism). It is well known that these general ideas on moral, political and institutional cosmopolitanism usually are associated with Kant's work.

More recently, Pogge has offered a specific version of moral cosmopolitanism, linking it with three basic elements: individualism (the fundamental moral reference is persons, not groups, families, tribes, etc.), universality (morality concerns all human beings in equal measure, not only those of a specific ethnic group, nation, religion, etc) and generality (the moral implication is understood to concern all individuals, not only compatriots, members of the same religion, etc.) (Pogge 1994, 90)

Criticisms of the positions of cosmopolitanism can be broken down into criticisms of each of these components (Caney 2005, 3-5.). One of the most entrenched criticisms of moral cosmopolitanism is the one which questions its implicit anthropological roots. Behind the most common versions of moral cosmopolitanism one usually finds preconceived notions about human nature and a certain intellectual tendency to approach moral questions more in monist than in pluralist terms (Tully 1994; Taylor 1992; Parekh 2000, 1; Requejo 2005a, 1).

In this sense, cosmopolitanism would be flawed in at least two ways: On the one hand because it does not match the empirical motivations of moral behaviour and would thus be a *moralist* position based on a flawed conception of human beings, and on the other hand because of its excessively abstract and therefore empirically impoverished position. It would fail to satisfactorily include the specific contextual elements with which human individuals and groups make *rational and reasonable* decisions according to their specific values, identities and interests. The defence of human dignity and political liberty, for example, probably does not have the same consequences in different contexts (e.g., in uninational societies, like Germany or Portugal, or in plurinational societies, like

Belgium, Spain or Canada). I think that the solution, however, is not to reject moral cosmopolitanism but to refine and adjust it according to the contexts of its application. Our main theoretical point of reference is here Kant's work.

COSMOPOLITANISM, PATRIOTISM AND NATIONALISM: A REVISION OF KANT

Kant's work is commonly used as a reference point in theoretical discussions on cosmopolitanism, patriotism and nationalism. However, I am not sure that these constant references to Kant's work are always accompanied by an acceptable degree of analytical precision. On the one hand, many authors who claim to be cosmopolitan defend a version of *civic patriotism*, albeit often without justifying the compatibility between these two positions. On the other hand, cosmopolitan authors' general defence of liberal *national patriotism* (at times juxtaposed with and not very conceptually well distinguished from civic patriotism) is worth mentioning, especially when some aspect of their *national identity* is threatened.

Generally speaking, it is possible to say that in relation to cosmopolitanism and patriotism, Kant's work postulates:

1. A kind of moral cosmopolitanism (in the terms previously mentioned)
2. A moderate type of political cosmopolitanism, linked to the *league of nations*, constitutional law and *hospitality* between nations and with respect to *foreigners*. As is well known, this is a form of cosmopolitanism which does not include a coercive power (whether it be executive, legislative or judicial) but simply the voluntary adoption of supra-state organisations and their rules.
3. An explicit line of reasoning on the compatibility between moral cosmopolitanism and republican-style civic patriotism. Both positions generate different duties, but they are two normative ensembles that are harmonious or compatible.
4. A line of reasoning in favour of a form of national patriotism based on belonging to a specific national group founded on a common ancestry, one's own customs, etc., and on a set of specific collective values.

The last two aspects listed above highlight the discussion about moral cosmopolitanism and its compatibility with two basic types of patriotism (civic and national) in plurinational contexts

CIVIC PATRIOTISM

Kant's civic patriotism is related to the state patriotism and the citizen's patriotism of the republican tradition. The basic values here are liberty, equality, *res publica* and self-government - echoes of classical thought. This is a form of patriotism that generates duties that would like to believe that they are compatible with the duties associated with moral cosmopolitanism. Here Kant must confront a serious difficulty. Kant appears to believe he has overcome the possible incompatibility between duties, mainly by pointing out that both kind of duties in fact lead us towards the same cosmopolitan objective: to get ever closer to *perpetual peace*.² However, Kant's approach raises a number of questions about whether this compatibility is as harmonious as he would wish it to be (not to mention that Kant thinks in an institutional liberal republic). The following are a number of critical questions on this issue: Which of the two duties is more important when, in practice, resources are scarce? Why should the state, the republican *polity*, be considered unquestioningly as a collectivity characterised by solidarity and, moreover, one that takes precedence over all the other collectivities? Are the (more consensual or more coercive) historical formation processes morally relevant for the legitimacy of states? Does this alleged civic patriotism (today we would say this *constitutional patriotism*) which ignores the linguistic, cultural, historical, etc. characteristics which are present in all states really exist?³ It would seem that attempting to base the solidarity of a polity on the *interaction* that exists among its citizens is difficult to defend in moral terms, as this interaction may itself be based on previous coercion practised on

² P. Kleingeld posits a third type of patriotism in Kant's work, "trait-based patriotism" (Kleingeld 2003: 305). Despite the analytical plausibility of her arguments, I believe that the main types of patriotism in Kant are the other two (civic and national). The third type is linked to the second and can be subsumed within it. In this paper, I will omit this third type of patriotism.

³ For a criticism of the Esperanto-concept of *constitutional patriotism*, see Requejo 2005b, 97-100

particular collectives (wars of annexation, mass deportations, exterminations of specific peoples, etc.). In other words, coercion may have preceded interaction (European history is full of examples of this kind).

NATIONAL PATRIOTISM

Basically, Kant observes the psychological difficulty of attempting to be linked only to cosmopolitan duties and postulates a rejection of this position. Using a line of reasoning reminiscent of Hume, Kant posits the need to exercise the duties based on some empirical focus which assumes an emotive implication in our moral actions. The lack of emotive implications in this core would be an obstacle for moral action. From here, Kant simply identifies the group of co-nationals as this empirical focus, which also generates duties compatible with those linked to moral cosmopolitanism. But, as Kleingeld points out, neither the assimilation of co-nationals as members of the polity nor the identification between the reference empirical focus and the national collectivity seem justified here. Other alternative empirical foci can be used.⁴ Here, Kant's argument fails to meet his usual own high analytical standards. Nevertheless, it points towards a proven fact: concretion and emotivity are common ingredients of moral motivation.

In the case of plurinational societies, we always find several at least partially competitive nation-building processes. This is reflected in the different political positions that emerge when one attempts to establish the constitutional recognition of plurinationality itself, the level of the self-governments, how to regulate the use of political symbols, how the international relations of the state and minority nations should be regulated, which historical reconstruction most faithfully reflects the past reality in school curricula, etc. I believe that any *monist* moral conception is bound to fail here, as is any pluralist conception which attempts to establish a complete arrangement for values and for all practical cases. In fact, values related to empirical processes of nation-building are agonistic (they compete with each other) making it impossible to establish *rational* hierarchies of a generic nature among them.

The conclusion is that, despite the fact that with the *civic* version of patriotism Kant finds it easier to argue in favour of the compatibility

⁴ On this point, I concur with P. Kleingeld's analysis (2001: 311-314).

between this version and moral cosmopolitanism, this line of reasoning is not without its difficulties. It creates conceptual, empirical and institutional difficulties. Civic patriotism does not appear to pass the test of institutional practice (similar to the majority of *republican* notions when there are different boundaries for the republic and the nations). Moreover, it is a concept that grants hegemony to national majorities at the expense of minorities, and which therefore acts as a legitimising tool for the status quo of states, wherever the boundaries between them may lie. However, Kant's work makes it possible to incorporate and enrich moral cosmopolitanism from foundations that are more *agonistic* and better adapted to the empirical world (and more sensitive to the rights of minority nations than the usual versions of moral cosmopolitanism). We are entering a theoretical realm in which it is advisable to introduce the perspective of Berlin's value pluralism and Taylor's politics of recognition into the rules of cosmopolitanism (Berlin, 1998; Taylor, 1992). Both reflect the *deep diversity* of national pluralism. In order to do so, it is useful to introduce into the discussion: 1) an analytical perspective associated with the Kantian concept of *unsocial sociability* of human beings put forward in *Idea for a Universal History from a Cosmopolitan Point of View*, and 2) an analytical approach to the *Ideas of Pure Reason*, developed in the *Transcendental Dialectics* of the first *Critique*, especially when this use is related to the form of cosmopolitanism postulated in Kant's *historical writings*. The section that follows discusses these two Kantian approaches from the perspective of national minority rights.

THE CONCEPT OF UNSOCIAL SOCIABILITY AND THE IDEAS OF PURE REASON AS ELEMENTS OF THE MORAL AND INSTITUTIONAL REFINEMENT OF COSMOPOLITANISM IN PLURINATIONAL DEMOCRACIES

THE "UNSOCIAL SOCIABILITY" OF MANKIND

One of the main attractions of current political theory for Kant (especially for theories of justice and theories of democracy in a globalised world) is that he is an author who is by no means lacking in realism. We are not faced with a *moralist* work in the utopian sense, one that is disconnected from reality, nor are we in the presence of someone who shrinks from dealing radically with the components of the behaviour of individuals and

human collectives. The world is characterised by conflict and evolution in a non-linear fashion. Kant would not have been surprised by Darwin's theory of evolution. I believe that, at times, some of Kant's devotees do not fully appreciate this theoretical approach of an author they venerate. Fortunately, with Kant we are a long way from any *angelic* conception of mankind and societies. Kant's cosmopolitanism has less in common with Rousseau than with the tragic authors (from Aeschylus to Shakespeare). In other words, we are a long way from an ingenuous kind of rationalism and moralism.

This is reflected in the title of the small paper *Idea for a Universal History from a Cosmopolitan Point of View* (1784) and in its very first sentence: "Whatever concept we may have, on a metaphysical plane, of free will, its phenomenal manifestations, human actions, are determined, like other natural phenomena, by the general laws of Nature". History is neither linear nor moves towards a pre-established objective. No harmonious society is waiting for us in the future. This is not the horizon of the *cosmopolitan society* that Kant postulates.

One of the key concepts established in *Idea for ...* is the notion of the *unsocial sociability* which characterises mankind. Today we would say that the genetic *hardware* with which we are born is characterised by an internal antagonism in our *natural dispositions* to be in society, that is, to be in any society that transmits a set of specific cultural *software* to us. Conflict, rivalry and competition for resources and power are the ingredients of social relations. And it is all beyond our will. At times, human beings desire harmony, but our nature desires something else, and in this dual human condition of *supportive egoists* lie the roots of progress. But they are tragic roots.

Without action there is no tragedy, Aristotle said. It is like the board on which the game of our political and moral decisions is played. And the human condition is contradictory, among other reasons because the values with which we attempt to order the world morally are often irreconcilable. Love, justice, liberty, duty and friendship are desirable values, but they cannot be synthesised in a harmonious way. Viewed in isolation, they lead to dogmatism.

In this way, the tragedies show what moral and political theories usually keep quiet: our instrumental reason is strong, yet our morality is fragile. Practical actions are never decided in a totally rational way. But Creon, Antigone, Orestes, Brutus, Henry IV and King Lear cannot but act, despite the fact that their questions have a number of possible

rational and moral responses. The *agonistic* nature of morality and politics becomes *tragic* not only because any action that we embark upon involves some kind of loss, but also because we will not be able to avoid the fact that any action we take will have negative effects, whatever it is that we decide to do. Human morality reflects an insurmountable pluralism of values¹ linked to our unsocial sociability. This is one of Kant's most penetrating and fruitful concepts for the realm of politics which allows us to better define cosmopolitan society. Progress towards a cosmopolitan society, towards a society that *applies law universally*, is slow and plagued by setbacks. In fact, this progress may be seen as: 1) progress towards a form of political liberalism in the international sphere (international rule of law), and 2) progress towards liberal democracies which are more morally and institutionally refined. Both aspects require one to understand: a) that value pluralism constitutes an insurmountable framework when partially agonistic values and identities which should find their own accommodation among themselves come into conflict, and b) that it is morally desirable to go deeper into a politics of recognition of deep diversities (among them, those that reflect the national pluralism of some polities) as an ingredient in the moral and institutional refinement of liberal democracies at the beginning of the 21st century.²

THE "IDEAS OF REASON" AND COSMOPOLITANISM

Another aspect of Kant's work that has received very little attention is related to the potential of the first *Critique* for political theory, and, more specifically, the aspect linked to the role of the *Ideas of Pure Reason* developed in the *Transcendental Dialectics*. As is well known, unlike the *Transcendental Analytics*, where scientific knowledge based on the conjunction between theoretical categories and empirical information

¹ The performance of tragedies, as Aristotle saw, is always accompanied by an understanding of the characters and by the fear that the action arouses in the audience. Shakespeare situated this plurality of motives within his characters. We are morally trapped inside ourselves, and outside there is nothing else.

² I think that Kantian cosmopolitanism is more fruitful than remaining in the Rousseauian perspective of *constitutional patriotisms*, *communities of dialogue* or the renewed faith in *deliberative politics*. In this sense, I believe that Kant's work is more politically fruitful if it is understood as a key point within the Montaigne-Shakespeare-Hobbes-Hume-Berlin-Taylor line of reasoning than in that of Rousseau-Kant-Marx-Habermas.

predominates, the Reason of the *Transcendental Dialectics* offers us Ideas. We can define these ideas, although we are unable to obtain *knowledge* from them because there is a lack of empirical experience at this epistemological level.³ The Ideas function as a framework for ordering our experience and activity because they give us a global vision of the world. In this way, we humans know a lot less than we think. The problems posed by Kant's Reason cannot be either resolved unequivocally or rejected.⁴ Thus, *metaphysics* is understood here as a disposition (A XI; B 295). Ideas provide points of reference for our experience. They are not arbitrary inventions but constructions based on the same nature as human reason (A 669; B 697). Among these Ideas are those of a cosmopolitan society and perpetual peace.

Today we know that language and thought is what most distinguishes us as a species, but is probably not what most defines us as individuals. It is a characteristic of this strange primate, the product of evolution, who calls himself sapiens but whom it continues to be relatively easy to deceive and who is adept at deceiving himself (Requejo, 2005a, Final remark). How? For example, when the use of the Ideas goes beyond its functions, something that can happen quite easily. For Kant, humans make correct and incorrect use of the Ideas of Reason. The correct uses are those which limit the function of the Ideas to a regulative use, while the incorrect uses establish a constitutive use of them, that is, a use which attempts to obtain *knowledge* from them which they are epistemologically unable to provide. This incorrect use has disastrous consequences in the practical sphere (moral and political)⁵. In this sense, cosmopolitan society is a regulative Idea which protects against constitutive uses of Reason that result in the desire to attain absolute order.

³ First Critique, B 395, Kant's note; Reason orders (B 671), regulates (B 672) and plans (B 814, B 730). It does not work only *at dusk*, after knowledge, but precedes it, regulates it and directs it (B 708). The philosopher is the legislator of Reason, not its creator (B 867). Here there is a kind of *Kantian revenge*: Kant could say to Hegel and Marx that "precisely because you show *reason* when you criticise me, you have to return to me".

⁴ A VII. In Idea for ... Kant clearly states: "men do not move, like animals, by pure instinct, nor, like rational citizens of the world, according to a pre-arranged plan. It does not seem to be possible to construct a history of mankind according to a plan" (2nd paragraph).

⁵ The Spanish painter Francisco de Goya (1746-1828), a contemporary of Kant, expressed the same idea in the painting *The Dreams of Reason Engender Monsters*.

One of Kant's most decisive contributions is to have seen that the constitutive use of Ideas (those which attempt to take human reason beyond its limits) cannot be eradicated. This is a *metaphysical impulse* of human reason related with its agonistic underpinnings. One must accept the inevitable existence of this impulse and endeavour to combat its excesses, the tendency to overstep rational limits (B 421), both in theory (for which it is necessary to have freedom of criticism and enlightened education) and in practice (for which one needs rights and liberal (not *republican*) institutions).

Kant's Ideas of Reason are not invented problems (B 386); *imagined communities* are not *invented* communities. Kant puts forward a complex philosophical version, expressed in modern language, of the aim to protect against the two main practical dangers detected in classical Greece: anarchy and tyranny. For Kant, the theoretical correlate of anarchy is scepticism and the correlate of tyranny (or despotism) is dogmatism. Cosmopolitanism represents an achievement for the human species, in other words, an objective for mankind (*First Critique*) which encourages the species' progress towards perpetual peace in the empirical world (*Historical Writings*). In this way, cosmopolitanism (and civic patriotism) would act, for example, as a restriction on the fanaticism (*Schwärmerei*) and obsession (*Wahn*) of national patriotism (regardless of whether this is exercised by the majority or by a minority). However, it will be better to defend moral cosmopolitanism, as Kant perceives it, while at the same time accepting the radical pluralism of a set of national (not civic) and to some extent predictably competitive patriotisms, which are searching for mutual accommodation both in the sphere of democracies and internationally

MORAL COSMOPOLITANISM AND MINORITY RIGHTS IN PLURINATIONAL DEMOCRACIES: REFINING JUSTICE AND INSTITUTIONS ON A GLOBAL AND DOMESTIC SCALE

It is obvious that both state and non-state *nationalisms* have provoked practices that fail to respect the propositions of moral cosmopolitanism. One only needs to take a look at the history of the 20th century to find examples where nationalist positions have been used to justify totalitarian practices and the extermination of peoples, such as Nazism, Stalinism, Maoism, the events that occurred in the former Yugoslavia,

etc. However, nationalism is not intrinsically alien to cosmopolitan tenets. In fact, the concepts of *nation* and *citizen* originate from the same historical experiences in the American and French revolutions of the 18th century. Both concepts were and continue to be linked largely to states (to existing states and to demands for the creation of new states and to reform existing ones). Moral cosmopolitanism has its own roots deep in this modern and enlightened tradition, but we know that *progress* also has its darker side. This darker side sometimes reveals itself because of the gap which always exists between what the theories say and what empirical institutions do (the liberal language of the *free and equal men* has contrasted with exclusions based on gender, class, religion, ethnicity, etc., of empirical societies which called themselves liberal). It is as much of a mistake to believe that liberalism and cosmopolitanism are all sweetness and *light*, as it is to believe that moral *principles* should be insensitive to context. In fact, today we know that despite the fact that a plurinational liberal democracy may respect the civil, political and social rights of its citizens, the latter are not usually treated equitably in national and cultural terms.

In this context, moral cosmopolitanism has sometimes functioned as a *conservative* philosophy, that is to say, as a way of legitimising the status quo of the national and cultural characteristics dominant in contemporary societies. This happens when cosmopolitanism turns a blind eye to, that is, when it fails to question or challenge, examples of domination exercised by human groups over others on national and cultural grounds. This situation means that cosmopolitanism is sometimes associated in practice with a lack of respect for individual dignity and a deficient treatment of the kinds of universal equality and generality that supporters of moral cosmopolitanism defend.

Therefore, the three elements of moral cosmopolitanism mentioned above (individualism, universal equality and generality) demand special attention when national pluralism is introduced into the *fact of pluralism* of some contemporary societies:

1. Individualism. National pluralism introduces an anthropological normative dimension which affects individuals precisely because they are “the ultimate units of concern ... rather than, say, family, tribes, ethnic, cultural or religious communities, nations or states” (Pogge). This means recognising people as moral subjects without ignoring them or deciding their characteristics for them.

2. Universal equality. This second element indicates that the individualism mentioned above refers “to every living being equally – not merely to some sub-set, such as men, aristocrats, Aryans, whites ...”. In our case, this would mean expanding the list of “men, aristocrats ...” to include persons with a “hegemonic national identity in their own state”. This is precisely the dimension of political liberty which is marginalised or ignored in the traditional theories of political liberalism and cosmopolitanism.
3. Generality of application. This condition would require the inclusion of minority national identities in the cosmopolitan rules of juridical recognition and guarantee. All national minorities (and not only the largest ones in a state) should be the object of normative and institutional protection on a global scale.

Political power has often become despotic due to the very tendency of human reason to *go beyond its limits*. Political liberalism successfully carried out the task of regulating a series of rights and putting limits on the exercise of political power. Thus, it is not a question of establishing a relativist or *multicultural* alternative to liberally-based moral cosmopolitanism but to refining it intellectually and morally so that its characteristics of individualism, universal equality and generality can find a better practical expression in nationally diverse societies (in the intellectual and moral sense of the term *better*). My proposal for the case of plurinational societies is a form of cosmopolitanism that:

1. At the analytical and normative level, is a kind of cosmopolitanism that is much more sensitive, both in its concepts and in the interpretation of its values, to empirical information that has crucial moral and political relevance for individuals who are members of minorities. This kind of cosmopolitanism displays the will to *optimise* national diversity morally and politically (without uncritically sanctioning the simple reality of existing states in the international sphere). Both conditions would encourage greater respect for the individual dignity of individuals themselves and the development of the individual and collective dimensions which are usually excluded from the values of liberty, equality and pluralism established in the political and constitutional practices of present-day democracies.

2. At the institutional level, is a kind of cosmopolitanism that recognises and guarantees the *pluralism of values and identities* of these societies as well as establishing recognition, juridical guarantees and far-reaching self-government for national minorities in its constitutional rules (recognition of the plurality of demoi existing in the polity; collective rights and liberties, a division of powers through consociational and/or federal rules establishing constitutional asymmetries when demographic, historical or cultural conditions require it, or even with clear rules for secession).

As Kant knew, there is no guarantee that “mankind will progress constantly towards a better future”. Conflicts are inherent to human collectivities. The important thing is to have institutions capable of settling conflicts between legitimate values, interests and identities. In this field, we humans have invented nothing better than the charters of rights and institutional practices whose origins lie in the political liberalism of modern times. Although this is not the subject of this chapter, I am personally sceptical, for both theoretical and practical reasons, about the advisability of establishing institutions of *global democracy*. Having said that, I believe that moral and political *progress* for the 21st century should consist in setting up institutions of *political liberalism*, in other words, institutions to guarantee rights and the rule of law on a global scale of justice. These global rights and rules should take into account the national and cultural rights of national minorities (charters of rights which include the option to appeal to international courts, which would have the capacity to impose sanctions on offenders). This is an indispensable requirement to ensure that we progress towards the kind of democracies and international relations that are more in tune with the cosmopolitan ideal.⁶

In short, I advocate the establishment of a kind of moral cosmopolitanism which is more attentive to the normative and empirical pluralism of contemporary societies in a world in which globalisation is transforming economic, political and cultural relations. In theoretical terms, it is a question of inserting Berlin and Taylor inside Kant, so to speak, and, in practical

⁶ In recent years, I have defended the possibilities of federal models to achieve this objective. Not all these models are equally effective. Normally, minority nations will not be politically accommodated unless they have at their disposal specific constitutional recognition and a singular position through techniques of asymmetric federalism. See Requejo 2005a, 3 & 4.

terms, it means establishing: 1) constitutions based on respect for national minorities which put them on equal footing with the majorities, and 2) international institutions based on a global rule of law (charters of rights, courts, etc.) to which the citizens from minority groups can have recourse when they believe that their rights have been violated. This should be a kind of cosmopolitanism that is firmly rooted in the unsocial sociability of mankind, in what moves people to act in empirical contexts (values, but also bonds and identities), and understood not as a *utopian ideal* but as a regulative function of one of the Ideas of Kantian Reason. In this way, a global cosmopolitanism that includes the moral and institutional perspective of plurinational societies will gradually expand the themes and scope of this “society which applies the rule of law universally” of which Kant spoke over two centuries ago.

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Ferran Requejo
Pompeu Fabra University
ferran.requejo@upf.edu

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