

## Disciplining Cosmopolitanism

Rahul Rao\*

**Abstract:** Surveying recent writing on cosmopolitanism, this review article explores the disciplinary grounding of, as well as substantive themes in, the thinking and praxis of contemporary cosmopolitanism. Beginning with David Harvey's Kantian view of geography and anthropology as propaedeutic to philosophical enquiry, I argue that Rawlsian-style contractarian efforts to devise principles of global justice cannot legitimately claim to be universalistic unless they operate, not only beneath a veil of ignorance of contracting parties' interests, but also with the benefit of substantial empirical knowledge of the lives of subaltern others. I then consider the relationship between international relations and cosmopolitanism by intervening in a long-running discussion on moral and institutional cosmopolitanism. I read Gillian Brock's work as valuably remedying the relative neglect of institutional cosmopolitanism, but also as unwittingly demonstrating its pitfalls. I argue that despite its attempt to accommodate nationalism, it fails to recognise the role that nationalism might play in disciplining institutional cosmopolitanism, and suggest that progressive global politics will be constituted by the dialectical relationship between institutional cosmopolitanism and nationalist contestations thereof. Finally, returning to Harvey's work, I explore the liberatory potentials of the more sophisticated deployments of geographical concepts such as space, place and environment that he outlines, in contemporary struggles for human rights.

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\* Rahul Rao is Lecturer in International Relations at the School of Oriental & African Studies, University of London.

Gillian Brock, *Global Justice: A Cosmopolitan Account* (Oxford University Press, Oxford 2009)

David Harvey, *Cosmopolitanism and the Geographies of Freedom* (Columbia University Press, New York 2009)

Stan van Hooft, *Cosmopolitanism: A Philosophy for Global Ethics* (Acumen, Stocksfield 2009)

### *Geography, anthropology and cosmopolitanism*

Like many Western thinkers writing about cosmopolitanism, David Harvey begins with Immanuel Kant. Yet rather than the politically corrected version that we have become accustomed to encountering in much contemporary Western philosophy, Harvey's is a much more full-blooded portrait of the German Enlightenment thinker who remarked, in one of his less edifying moments, that 'Humanity achieves its greatest perfection with the White race. The yellow Indians have somewhat less talent. The Negroes are much inferior and some of the peoples of the Americas are well below them.'<sup>1</sup> Kant was tremendously interested in the physical and political, in addition to the metaphysical, world. Believing that metaphysics needed to rest on a scientific understanding of human experience, he repeatedly argued that the cosmopolitan ethic arose out of nature and human nature, and further, that the disciplines of geography and anthropology respectively provided the most scientific account of those phenomena. Harvey takes as his point of departure, Kant's view that geography and

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<sup>1</sup> David Harvey, *Cosmopolitanism and the Geographies of Freedom* (Columbia University Press, New York 2009) 26, citing Immanuel Kant, *Geographie (Physische Geographie)*, (Bibliothèque Philosophique, Paris 1999) 223.

anthropology defined the ‘conditions of possibility’ for all other forms of practical knowledge.<sup>2</sup>

Kant’s own forays into these disciplines are less well remembered than his contributions to logic, metaphysics and ethics, in no small part because they are full of what we would now consider shockingly prejudiced statements about race, class, gender and nation. Even allowing for extenuating circumstances—Kant was a man of his time—the tendency to brush under the carpet the more embarrassing aspects of his thought fails to do justice to his own understanding of geography and anthropology as propaedeutic to other forms of knowledge. Harvey suggests, intriguingly, that it may have been precisely Kant’s geographical and anthropological view of the world as populated by ‘unwashed Hottentots, drunken Samoyeds, conniving and thieving Javanese, and hordes of Burmese women lusting to become pregnant by Europeans’ that accounted for his rather circumscribed view of cosmopolitanism.<sup>3</sup> ‘Hospitality’ as Kant understood it implied the right of the stranger not to be treated as an enemy when he arrived in the land of another. The stranger could be refused entry so long as such refusal did not result in his destruction, implying that Kant would have endorsed a right of political asylum. But on no account was the right to hospitality to be understood as entailing an expectation of permanent residence.<sup>4</sup> To be fair to Kant, this circumscribed account of hospitality enabled an argument for a natural right to trade, but also furnished the basis for a powerful critique of contemporary European colonialism.<sup>5</sup> Nonetheless, as Harvey rightly asks, if the geographical and anthropological foundations of Kant’s ethics are so rich in prejudice and supremacism, on what grounds can we trust his cosmopolitanism?<sup>6</sup> The point

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<sup>2</sup> David Harvey, *Cosmopolitanism and the Geographies of Freedom* (Columbia University Press, New York 2009) 20.

<sup>3</sup> *Ibid* 27.

<sup>4</sup> *Ibid* 18.

<sup>5</sup> Immanuel Kant, *Perpetual Peace: A Philosophical Sketch* (Cambridge University Press, Cambridge 1991) 106-7; see also Sankar Muthu, *Enlightenment Against Empire* (Princeton University Press, Princeton 2003).

<sup>6</sup> Harvey (n 2) 35.

of this critique is not to dismiss Kant out of hand, but to raise the more fundamental questions of whether a cosmopolitan ethic needs geographical and anthropological foundations, and if so what an appropriate foundation might look like.

Harvey argues that ‘the facts of geography and anthropology are occluded, if not actively repressed, within liberal theory (and its derivative discourses such as economics) because they are judged irrelevant to the universality of its basic conceptions.’<sup>7</sup> This complaint has become a familiar feature of the critique of global governance, particularly when it manifests itself in the form of the ‘one-size-fits-all’ policies that international financial institutions have frequently been berated for foisting on the Third World.<sup>8</sup> But such occlusion and repression is also visible in the orthodoxy of international normative theory, particularly in those strands of it that are indebted to John Rawls’s contractarian approach to devising principles of justice. Social contractarian approaches envisage society as a contract for mutual advantage that human beings will enter into when the ‘circumstances of justice’ obtain (i.e. when people are so placed that it is rational for them to exit the state of nature and make a compact for mutual advantage). As originally devised by Rawls in a domestic context, the principles of justice are arrived at by means of a thought experiment in which parties gathered together in an ‘original position’ are imagined to contract behind a ‘veil of ignorance’—a state of mind in which they are divested of knowledge of characteristics (such as race, gender, wealth, education, etc.) that are judged to be morally arbitrary from the point of view of determining basic entitlements.<sup>9</sup> Although Rawls himself was not a cosmopolitan, his work has been extended in cosmopolitan directions by a number of theorists—Gillian Brock included—arguing that nationality ought to be considered a morally arbitrary characteristic, from which contracting individuals should abstract themselves in the process of devising principles of global justice.

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<sup>7</sup> Ibid 38.

<sup>8</sup> Joseph Stiglitz, *Globalization and Its Discontents* (Penguin, London 2002).

<sup>9</sup> John Rawls, *A Theory of Justice* (Harvard University Press, Cambridge 1971) 137.

Global contractarians argue that the result of such a procedure would be the endorsement of Rawls's difference principle on a global scale, whereby global inequalities would be permissible only if they were to the benefit of the least advantaged.<sup>10</sup> Common to all contractarian approaches in the Rawlsian tradition is the premise that the principles resulting from such a bargain would be just, given its egalitarian starting point and fair procedure. But note, crucially, how the fairness of the procedure relies on an active suppression of geographical and anthropological knowledge about the participants and their interests.

Although this is rarely explicitly recognized by Rawlsians, it seems to me that the procedure for choosing principles of justice could be considered fair only if it assumed, not only that the participants had divested themselves of morally arbitrary knowledge of *themselves*, but also that they had acquired a tremendous amount of knowledge of *others* and were able to imagine, further, what it might be rational to desire if they were ever to occupy the life-stations of those others. Only if the parties are able to imagine what life might be like for the subaltern, to consider the possibility that they might themselves occupy positions of subalternity, and to reflect on what entitlements should be universally guaranteed so as to reasonably enable the alleviation of subalternity, could the choosing procedure yield principles of justice for the society as a whole. Beginning from the communitarian premise that the self is inescapably embedded in social communities, Yael Tamir has suggested something analogous when she remarks that rather than being ignorant of their own interests, the contracting parties should take into account not only their own interests but also the interests of all the possible positions they could occupy during the course of a lifetime (some worse than others), the interests of people they care about and the people those people care about as well as all the possible positions these many people could occupy. In doing so, they would be forced to take into account a range of interests and conceptions of the good life and

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<sup>10</sup> Thomas Pogge, *Realizing Rawls* (Cornell University Press, Ithaca 1989); Charles R. Beitz, *Political Theory and International Relations* (Princeton University Press, Princeton 1999).

would come to realize that it is irrational for them to protect any one particular set of interests. Tamir suggests that the parties would end up choosing principles of justice similar to those endorsed by Rawls.<sup>11</sup> In these alternative formulations, the fairness of the Rawlsian choosing procedure relies not only (in Tamir's view, not at all) on throwing a veil of ignorance over one's own interests, but on shining the bright lights of geographical and anthropological enquiry on the lives of others so as to be able to engage in moral reasoning that can claim to be universalistic.

But why engage in normative thought experiments in the first place? We do this not just as a second-best alternative to actual deliberation, but as a way of modelling conditions of impartiality that would not obtain in even the most perfectly representative political institutions. By emphatically forbidding the contracting parties from representing their interests, the thought experiment yields critical standards against which actually existing political speech and action can be judged. Yet as I have suggested, if the thought experiment *implicitly* relies on substantial empirical knowledge of subaltern lives, then there is an inescapably dialectical relationship between utopian and actually existing moral and political thought. Given the demographic basis of Anglophone political theory, how successful are a group of largely white, middle-class, professional, Anglo-American writers likely to be at imagining the lives of subalterns? Might there lurk, underneath all of this well-meant imagining, a subliminal tendency to suppose that the worse-off want the lives that we have? Harvey hints at a way around this when he notes that 'there are three ways in which cosmopolitanism can arise: out of philosophical reflection; out of an assessment of practical requirements and basic human needs; or out of the ferment of social movements that are engaged in transforming the world each in their own ways.'<sup>12</sup> While Brock and Stan van Hooft are content to engage in a combination of the first two methods (it is worth noting here

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<sup>11</sup> Yael Tamir, *Liberal Nationalism* (Princeton University Press, Princeton 1993) 110.

<sup>12</sup> Harvey (n 2) 94.

that van Hooft's book is explicitly addressed to 'thinkers and policy makers'<sup>13</sup>), it is Harvey who is most interested in the ways in which knowledge—and in particular geographical knowledge—can inform the liberation struggles of a 'subaltern insurgent cosmopolitanism',<sup>14</sup> about which more anon.

### *International relations and cosmopolitanism*

Notwithstanding her rather more elite focus, to her credit, Brock is more interested in the political than most theorists working in the Rawlsian tradition. She aims to 'develop a viable cosmopolitan model of global justice that takes seriously the equal moral worth of persons, yet leaves scope for a defensible form of nationalism along with other legitimate identifications and affiliations'.<sup>15</sup> In doing so, she hopes to address the concerns of sceptics who question the feasibility of cosmopolitan projects, as well as those who allege that cosmopolitanism interferes with defensible forms of nationalism and the political goods that it enables. This overriding concern with viability takes Brock onto the terrain of institutional cosmopolitanism in a move that is laudable but problematically executed in her book.

Cosmopolitans have tended to make a distinction between moral and institutional cosmopolitanism, emphasising the primacy of the former to the detriment of the latter. As Charles Beitz has explained it, institutional cosmopolitanism is concerned with the way political institutions ought to be designed so as to give effect to cosmopolitan precepts. Although it could take a wide variety of forms from 'world government' at one extreme to looser networks of regional arrangements at the other, in his words 'the distinctive common feature is some ideal of world political organisation in which states and state-like units have

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<sup>13</sup> Stan van Hooft, *Cosmopolitanism: A Philosophy for Global Ethics* (Acumen, Stocksfield 2009) 2.

<sup>14</sup> Harvey (n 2) 283.

<sup>15</sup> Gillian Brock, *Global Justice: A Cosmopolitan Account* (Oxford University Press, Oxford 2009) 4.

significantly diminished authority in comparison with the status quo and supranational institutions have more.’<sup>16</sup> In contrast, moral cosmopolitanism is concerned, not with institutions themselves, but with

the basis on which institutions, practices, or courses of action should be justified or criticized. It applies to the whole world the maxim that answers to questions about what we should do, or what institutions we should establish, should be based on an impartial consideration of the claims of each person who would be affected by our choices.<sup>17</sup>

Beitz sees moral cosmopolitanism as more fundamental than institutional cosmopolitanism because it provides the basis for arguments on behalf of cosmopolitan institutions as well as for the specification of institutional design.<sup>18</sup> But he also sees no necessary link between moral and institutional cosmopolitanism, noting by way of example that the doctrine of universal human rights is cosmopolitan in its foundations without being cosmopolitan in its institutional requirements: ‘human rights doctrine does not rule out the possibility—indeed, it trades on the hope—that its institutional requirements can be satisfied within a political structure containing nation-states more or less as we know them today.’<sup>19</sup>

It is here that one of the great paradoxes of contemporary cosmopolitan thought arises. Cosmopolitan theorists such as Martha Nussbaum, Thomas Pogge, Henry Shue and Beitz himself are unanimous on the point that institutions must play the primary role in discharging duties of global justice, citing the problems of collective action, fairness and sheer incapacity

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<sup>16</sup> Charles Beitz, ‘Cosmopolitan Liberalism and the States System’, in Chris Brown (ed), *Political Restructuring in Europe: Ethical Perspectives* (Routledge, London 2002) 124.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid 125.

<sup>19</sup> Ibid 127.

that would arise were such duties to be left to individuals.<sup>20</sup> Yet they are hostile to the notion that such institutions should take a cosmopolitan form. In part this insistence comes out a belief, echoing Kant, in the undesirability of a world state—a hypothetical institution that is seen to be fraught with the prospect of global tyranny.<sup>21</sup> Thus, Shue suggests that ‘rather than global institutions, which may be dangerous and are in any case most unlikely, we [should] pursue minimal global standards for national institutions.’<sup>22</sup> In part, it comes out of a sense that only the nation-state offers the institutional agency and possibility of accountability necessary to guarantee universal entitlements. Nussbaum, notwithstanding her well-known antipathy towards nationalism,<sup>23</sup> offers a surprising defence of the nation-state in her latest work on global justice, citing it as ‘the largest and most foundational unit that still has any chance of being decently accountable to the people who live there.’<sup>24</sup> And in part, it may stem from a desire to insist on the possibilities for the praxis of cosmopolitanism in the here and now, rather than a deferral of such praxis to a hypothetical uncertain future in which a world state has been ushered into being. Whatever the reasons underlying this queasiness about institutional cosmopolitanism, the upshot is that notwithstanding their recognition that institutions rather than individuals ought to be the primary bearers of duties of global justice (with individuals being under a secondary obligation to create and support such institutions) the disavowal of institutional cosmopolitanism imposes constraints on the extent to which existing institutions can and ought to be redesigned to ensure that they give effect to moral

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<sup>20</sup> Ibid endnote 3; Charles Beitz, ‘International Liberalism and Distributive Justice: A Survey of Recent Thought’ (1999) 51 *World Politics* 269, 289; Martha C. Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Harvard University Press, Cambridge 2006) chapter 5; Thomas Pogge, ‘Cosmopolitanism and Sovereignty’, in Chris Brown (ed), *Political Restructuring in Europe: Ethical Perspectives* (Routledge, London 2002) 92; Henry Shue, *Basic Rights: Subsistence, Affluence, and US Foreign Policy* (Princeton University Press, Princeton 1996) 168-9.

<sup>21</sup> Kant (n 5) 113.

<sup>22</sup> Shue (n 20) 175; see also Kwame Anthony Appiah, *Cosmopolitanism: Ethics in a World of Strangers* (W. W. Norton, New York 2006) 163.

<sup>23</sup> Martha C. Nussbaum, ‘Patriotism and Cosmopolitanism’, in Joshua Cohen (ed), *For Love of Country: Debating the Limits of Patriotism* (Beacon Press, Boston 1996).

<sup>24</sup> Nussbaum (n 20) 257.

cosmopolitan precepts. To put this slightly differently, the fear of world government seems to result in an endorsement of the institutional status quo and a reliance on a heroic degree of voluntarism to make existing institutions deliver better results. Nussbaum is a case in point, and worth quoting at length. After rehearsing a familiar litany of arguments against institutional cosmopolitanism, she says:

If these arguments are good ones, the institutional structure at the global level ought to remain thin and decentralized. Part of it will consist, quite simply, of the domestic basic structures, to which we shall assign responsibilities for redistributing some of their wealth to other nations. Part of it will consist of multinational corporations, to which we shall assign certain responsibilities for promoting human capabilities in the nations in which they do business. Part of it will consist of global economic policies, agencies, and agreements, including the World Bank, the IMF, and various trade agreements. Part will consist of other international bodies, such as the UN, the ILO, the World Court and the new world criminal court, and of international agreements in many areas, such as human rights, labour, and environment. Part of it will consist of nongovernmental organisations of many kinds, ranging from the large and multinational (such as OXFAM) to the small and local.<sup>25</sup>

In other words, institutionally, the world ought to remain very much the way it looks today. But Nussbaum wants these institutions—unreformed and unreformable as they may be, in her view—to take on more responsibilities and to discharge them more effectively. For example, arguing that multinational corporations, amongst other institutions, ought to assume responsibility for promoting basic human capabilities in the regions in which they operate, she says:

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<sup>25</sup> Ibid 314-5.

To some extent corporations can be controlled by domestic laws in each country. But the difficulty is that all countries want to attract them [thereby potentially setting off a legal and normative ‘race to the bottom’] so the main responsibility must rest on the members of the corporation themselves, their lawyers, and, very importantly, their consumers, who may bring pressure to bear on a corporation to perform better than it has been performing.<sup>26</sup>

It is curious that in Nussbaum’s view, the assignment and assumption of new responsibilities for promoting human well-being in her preferred world order does not seem to entail radical revision of institutions or the incentive structures within which they operate. Elsewhere, Nussbaum calls for a global public sphere that is ‘thin, decentralized, and yet forceful’—but it is not clear where this forcefulness will come from in a deeply conservative moral cosmopolitan worldview that refuses to acknowledge, first, that its moral commitments might be unattainable without deep and radical reform of existing institutions, and second, that such reform might push us in the direction of institutional cosmopolitanism.

Pogge has been a measured exception to the tendency to avoid questions of institutional reform, recommending various measures that would, in his view, promote cosmopolitan goals while remaining compatible with the existing architecture of the states-system. These include his proposals that the international borrowing and resource extraction privileges of dictators be rescinded so as to discourage the undemocratic seizure of power, and that democratic states contribute a small part of the value of resources used or sold into a ‘global resources dividend’ to be utilized for global poverty alleviation.<sup>27</sup> Yet the dominant tendency within the cosmopolitan literature has been to adopt a highly reductive understanding of institutional cosmopolitanism, which is equated with world statehood, as a prelude to summarily

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<sup>26</sup> Ibid 318.

<sup>27</sup> Thomas Pogge, *World Poverty and Human Rights* (Polity Press, Cambridge 2002) chapters 6, 8.

dismissing it by raising the spectre of inescapable global tyranny and then retreating into a comforting but ineffectual moral cosmopolitanism. In contrast, while recognizing some of the frequently reiterated difficulties of institutional cosmopolitanism, Brock nevertheless insists that

...some changes to the status quo are needed in order to pursue a cosmopolitan account of global justice. These can certainly involve renovating the materials at hand rather than requiring their wholesale reconstruction. However, to the extent that *some changes* to our social and political arrangements are needed to effect the necessary reforms to global arrangements, the kind of cosmopolitanism I am advocating is probably best described as at least ‘quasi-institutional’.<sup>28</sup>

Furthermore, in contrast to the ontologically quaint conceptualizations of the world implicitly held by some of the theorists surveyed above (recall Shue’s assertion that ‘rather than global institutions...we [should] pursue minimal global standards for national institutions’,<sup>29</sup> implying that we live in a world of mainly national institutions, or Nussbaum’s claim that ‘the institutional structure at the global level ought to remain thin and decentralized’,<sup>30</sup> as if the global institutional structure *were* thin and decentralized), Brock seems much more aware that we are already enveloped by normatively significant structures of global governance and that we are obliged to ensure that they are fair if we are not to be implicated in the injustices that they perpetrate.<sup>31</sup> She outlines a number of constructive and ambitious proposals in the middle section of her book, entitled ‘Moving from Theory to Public Policy: Closing the Gap between Theory and Practice’, which sketches more substantially than any author in this literature has done so far, what an institutional cosmopolitanism might entail. Developing and expanding

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<sup>28</sup> Brock (n 15) 316.

<sup>29</sup> Shue (n 20) 175.

<sup>30</sup> Nussbaum (n 20) 314.

<sup>31</sup> Brock (n 15) 87, 89.

considerably upon the suggestions made by Pogge, these range from proposals to plug taxation and accounting loopholes that enable businesses to evade and avoid tax, as well as suggestions for new global taxes that would be levied and administered by an international tax organization (chapter 5), specific measures to enhance press freedoms and judicial independence, which she identifies as the most effective means of protecting basic liberties (chapter 6), proposals for a clarification of the norms governing humanitarian intervention (chapter 7), a nuanced discussion of immigration acknowledging the benefits but also the costs to countries of origin and suggestions for measures to mitigate the latter (chapter 8), and a detailed consideration of how labour standards might be improved by linking them to trade in a fair and non-exploitative manner (chapter 9).

Laudable and necessary as this venture into institutional cosmopolitanism is, the discussion of many of these proposals is politically naïve, making this section of the book at once the most useful and problematic. For example, in her discussion of possible new global taxes, Brock remarks that universal support would not be necessary for such proposals to take effect.<sup>32</sup> Yet it seems unlikely that states would unilaterally make meaningful efforts towards this end for fear of precipitating capital flight from their jurisdictions, in the absence of agreement at least amongst the world's major economies. Elsewhere Brock contradicts herself, noting that an international tax organization might be necessary, amongst other reasons, because 'the taxes that countries can impose...are significantly constrained by the tax rates others impose', thereby underscoring the need for collective action.<sup>33</sup> The problem is that there is no coherent evaluation in these scattered observations of the political prospects for implementing such proposals in the current global order.

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<sup>32</sup> Ibid 136.

<sup>33</sup> Ibid 137.

Brock's treatment of humanitarian intervention offers another instance of her willingness to engage with the political, but her failure to do so adequately. Here, a comparison with van Hooft may be instructive. Despite recognizing *both* the ethical arguments in favour of humanitarian intervention when a state is unable or unwilling to protect the human rights of its citizens *and* political concerns that a right of humanitarian intervention would be abused by powerful states acting in their own interest, van Hooft refuses to incorporate the political into his formulation of the ethical, noting that 'as a matter of logic, it does not count against the validity of a moral principle that it might be abused by unscrupulous agents. That the principle of humanitarian intervention might be abused by powerful nations does not count against the validity of the principle.'<sup>34</sup> In van Hooft's account, ethical principles are formulated independently of the political consequences that could follow from their endorsement, with the possibility of abuse addressed simply with a slightly desperate plea that decision-makers 'apply the principle with honesty and integrity'.<sup>35</sup>

Brock is more serious about incorporating political concerns into the process of normative reasoning. In her Rawlsian-style normative thought experiment, she would have contracting parties take into account not only the fact that people are oppressed by dictators, but also that powerful states have sometimes meddled inappropriately in the affairs of less powerful states with detrimental consequences. She suggests that the parties would endorse a principle of humanitarian intervention whereby states would lose their legitimacy in circumstances where they were unable or unwilling to protect the vital interests of their citizens, with such responsibility devolving to the international community. She suggests further that it would be reasonable for the contracting parties to establish or empower an organization—hypothetically named the Vital Interests Protection Organization—to undertake this responsibility. Crucially, in the ideal scenario that this thought experiment is intended to

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<sup>34</sup> van Hooft (n 13) 139.

<sup>35</sup> *Ibid.*

describe, the possibility of abuse of such a principle by powerful states would lead the parties to qualify the principle in a number of ways. Among other things, Brock argues that the parties—placing themselves in the position of victims—would care about the intentions of the interveners because ill-intentioned interventions are highly likely to generate at least some bad consequences, even if not immediately.<sup>36</sup> This seems to me to be correct and puts Brock at variance with much of the liberal orthodoxy on this question, which tends to draw a sharp line between intentions and consequences, arguing that victims would only care about the latter.<sup>37</sup> A second qualification that the contracting parties would introduce to allay concerns about the possibility of abuse would be a requirement of proper authorization by the VIPO, which would be ‘composed of the representatives of all nations’, and would in addition be appropriately resourced to meet the demanding expectations placed on it.<sup>38</sup> The VIPO endorsed by the parties to the thought experiment would be a body in which ‘all states have a say in interventive decisions, not only a subset, and no nation should be given veto powers over a decision that has the overwhelming support of others’,<sup>39</sup> making it a far more democratic and legitimate organization than the UN Security Council. This strongly implies that current procedures for the legitimation of humanitarian intervention are woefully inadequate, falling far short of ideal justice. In contrast, van Hooft, who also addresses concerns about the possibility of abuse of a principle of humanitarian intervention, thinks that these could be assuaged through a requirement of authorization by the Security Council,

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<sup>36</sup> Brock (n 15) 174-9.

<sup>37</sup> See for example Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford University Press, Oxford 2000) 37-9; Michael Ignatieff, ‘The Way We Live Now: The Year of Living Dangerously’, *New York Times Magazine* (New York 14 March 2004) <<http://www.nytimes.com/2004/03/14/magazine/the-way-we-live-now-3-14-04-the-year-of-living-dangerously.html>> accessed 2 July 2010; for a critique of this tendency, see Rahul Rao, ‘The Empire Writes Back (to Michael Ignatieff)’ (2004) 33 *Millennium: J of Intl Studies* 145, 158-60.

<sup>38</sup> Brock (n 15) 178.

<sup>39</sup> *Ibid* 185.

notwithstanding his somewhat contradictory acknowledgement that ‘the UN is not itself a body that can escape the pressures of its most powerful members.’<sup>40</sup>

Both Brock and van Hooft refer to the efforts of the International Commission on Intervention and State Sovereignty (ICISS) to evolve a normative consensus on the circumstances in which force might be used to protect human rights, and it is here that both books are once again wanting in the realm of political analysis. Brock in particular invokes the General Assembly’s endorsement of the ‘responsibility to protect’ at the 2005 World Summit as evidence of an emerging normative consensus, and as a means of indicating to cosmopolitanism’s feasibility sceptics that concrete steps towards cosmopolitan justice can, and are, being taken. The comfort that Brock and van Hooft take from the thought that clarity in, and agreement over, international law can address concerns about the hegemonic capture of humanitarian intervention discourse is misplaced for two reasons. First, the degree of normative consensus that exists over a norm of ‘responsibility to protect’ is overstated. Gareth Evans—himself a leading figure in the drive to promote acceptance of the norm—wondered, in the wake of the perceived abuse of humanitarian justifications for the war on Iraq in 2003, whether the responsibility to protect had become an idea whose time had come and gone. When UN Secretary-General Ban Ki-moon sought to appoint Edward Luck as his Special Advisor on the Responsibility to Protect in early 2008, Latin American, Arab, and African delegates to the UN’s budget committee went on record as saying, variously, that ‘the World Summit rejected R2P in 2005’ and that ‘the concept of the responsibility to protect has not yet been adopted by the General Assembly’.<sup>41</sup> The 2009 General Assembly debate on R2P suggested wider and stronger backing for the norm than these angry statements from the previous year, yet as Alex Bellamy has argued in a recent article, in practice, R2P has been very selectively invoked in

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<sup>40</sup> van Hooft (n 13) 138-9.

<sup>41</sup> Gareth Evans, ‘The Responsibility to Protect: An Idea Whose Time Has Come...and Gone?’ (2008) 22 Intl Relations 283, 288.

humanitarian crises, barely figuring at all in the international political discourse on Somalia, to give just one example, despite significant evidence of war crimes, crimes against humanity and ethnic cleansing perpetrated in that country since 2006. Bellamy suggests that the indeterminacy of some dimensions of R2P, particularly those that impose positive obligations on states to assist and encourage their peers in the fulfilment of R2P obligations and to take timely and decisive action in cases where a state has failed to do so, weakens their compliance pull, allowing states to adopt the norm's language while persisting in established patterns of behaviour.<sup>42</sup> Second, even if universal agreement on R2P were achieved, and no matter how clearly specified the norm might be, political disputes would invariably arise over the interpretation and application of the norm.<sup>43</sup> Indeed, this has already been evident in debates over intervention in Sudan, where even opponents of intervention have appropriated the language of R2P, but use it to argue that the primary responsibility for protection continues to lie with Sudan, and that the circumstances in which such responsibility might shift to other actors do not yet obtain.<sup>44</sup> In other words, the argument is no longer over whether there is a responsibility to protect, but over the agent of such responsibility. This may represent progress of a sort for R2P advocates, but it has not yet resulted in a greater degree of protection for the vital interests of vulnerable civilians.

It may be pointed out at this stage that the failures of political analysis outlined here heighten the case for a division of labour between philosophy and international relations, but do not undermine the normative arguments made in these books. Brock cannot really shelter behind this assertion, given that one of the stated aims of her project is to demonstrate the feasibility of cosmopolitanism—a task that entails linking speculative political theory, which ascertains the values that ought to be pursued in political life, with an assessment of whether, and what

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<sup>42</sup> Alex J. Bellamy, 'The Responsibility to Protect—Five Years On' (2010) 24 *Ethics & Intl Affairs* 143, 166.

<sup>43</sup> Fred Dallmayr, 'Cosmopolitanism: Moral and Political' (2003) 31 *Political Theory* 421, 434.

<sup>44</sup> Alex J. Bellamy, 'Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq' (2006) 19 *Ethics & Intl Affairs* 31, 52.

sorts of, purposive action in pursuance of those values is possible within the constraints of the contemporary world.<sup>45</sup> But the problem is not simply that Brock is overly sanguine about the political prospects for her quasi-institutional cosmopolitanism. She also fails to convincingly address some of the deep philosophical tensions inherent in her proposals for a more just world.

Brock is acutely aware that a meaningful quasi-institutional cosmopolitanism featuring powerful institutions above the level of the nation-state would pose challenges for the practice of democracy as we know it. She notes at the outset that we seem to want global governance arrangements to be both effective at promoting and protecting people's interests and accountable to the people they govern. Accountability in turn can be assured in different ways. One way is to enable greater participation in governance, but Brock is keen to point out that this will not always be feasible or desirable.<sup>46</sup> Problems of scale render greater participation increasingly impracticable at higher levels of governance. And there are circumstances in which giving people a greater voice in the articulation of their interests would not overcome a number of difficulties. For example, collective action problems present situations in which collectively optimal outcomes are impossible to reach because of assurance problems, leading to sub-optimal outcomes (think of the prisoners' dilemma). The emphasis on participation and voice also does not take into account the interests of future generations. Finally, although greater voice might enable interest articulation, we would still need special expertise to design policies that enabled the realization of multiple sets of interests. The demonstrated infeasibility and inadequacy of participation as a method of extracting accountability from global governance institutions, leads Brock to consider a second method, namely delegation of authority to unelected experts who would both possess the requisite technical knowledge needed to craft policy and be able to take the bold but

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<sup>45</sup> Fred Halliday, 'The potentials of Enlightenment', (1999) 25 *Rev of Intl Studies* 105, 108.

<sup>46</sup> Brock (n 15) 104-09.

unpopular decisions that might be necessary in the collective interest but that elected politicians may be punished for. By way of illustration of the delegation model, Brock mentions the International Criminal Court (ICC) and a ‘panel (comprised of scientific, economic, and other experts) empowered to formulate policy that has binding force in addressing the problem of climate change’.<sup>47</sup> (One presumes that this latter panel is hypothetical since no such body exists—the Intergovernmental Panel on Climate Change (IPCC) makes scientific assessments rather than binding policy.<sup>48</sup>) The delegation model of course immediately poses the question of whether such arrangements can be considered democratic in any meaningful way.

This leads Brock to ask the more fundamental question of why global democracy is desirable in the first place. Relying on the work of Daniel Weinstock, she answers this question in two ways: first, global democracy is desirable because it would enhance political agency, i.e. the extent to which people are authors of their own fates; second, global democracy is desirable because it would enhance the realization of people’s interests.<sup>49</sup> But our reasons for valuing global democracy are in tension with one another because, as we have seen above, greater participation does not necessarily enable greater realization of the collective interest. Brock hopes that the tension could be avoided or reconciled in some way. Citing Weinstock once again, she reminds us that ‘mature, modern democracies’ are replete with overtly paternalistic institutions that, while not themselves being democratic, complement democratic institutions’ ability to realize citizens’ interests.<sup>50</sup> These include forced saving and public insurance schemes, child protection agencies, expert panels and, perhaps most notably and ubiquitously, unelected judges. Our discomfort with the existence of such authorities in democracies is assuaged by the fact that they play vital roles in the realization of citizens’ basic interests, and

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<sup>47</sup> Ibid 105.

<sup>48</sup> \_\_\_ ‘Organization’ <<http://www.ipcc.ch/organization/organization.htm>> accessed 20 July 2010.

<sup>49</sup> Brock (n 15) 105-06.

<sup>50</sup> Ibid 107.

by mechanisms of constraint and indirect accountability to the public via elected officials who often have the power to revoke delegated authority under specific circumstances.<sup>51</sup> In this way, it may be possible to alleviate the tension between the ‘participation’ and ‘interest realization’ motivations for valuing democracy. But where such tensions cannot be reconciled, Brock is very clear about her priorities: ‘If choices must be made between these sometimes conflicting desiderata, focusing on institutions that secure justice for all must be preferred to creating institutions that generate more rewarding opportunities for participation.’<sup>52</sup>

This is brave but ominous talk. It is brave because, as I have argued above, Brock’s engagement with institutional cosmopolitanism is vital, notwithstanding its oft-reiterated dangers, if we are ever to move beyond the homilies of a comforting but ineffectual moral cosmopolitanism. It is ominous because it fails to acknowledge, much less address, the problems that actually existing experiments in institutional cosmopolitanism have encountered, and indeed threatens to replicate these on an even grander scale. First, it is not clear why Brock treats the domestic state of affairs in ‘mature, modern democracies’ as the standard to which global democracy ought to aspire, when many of the most astute observers of these societies have been bemoaning the hollowing out of democracy, the lack of public participation, the convergence of political parties, the shrinking of the political, and the increasingly technocratic formulation of policy within them. Second, we need to be clearer and more careful about the role of experts than Brock is in this book. When it comes to climate change for example, it seems perfectly acceptable—indeed necessary—for scientific experts to be making risk assessments about likely increases in global temperatures and their consequent geographical and anthropological effects. It is deeply problematic for such experts to be making political decisions about what levels of risk are acceptable. Thus, Brock’s vague

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<sup>51</sup> Ibid 107-08.

<sup>52</sup> Ibid 109.

amalgamation of ‘scientific, economic, and other experts...empowered to formulate policy that has binding force in addressing the problem of climate change’ is unhelpful. Third, there is little recognition in her argument of the notion that the greater the number of links in the chain of delegated authority, the more difficult the extraction of accountability becomes and the more tenuous the legitimacy of the unelected officials charged with protecting people’s interests. Fourth, although delegated authority is made accountable by the possibility of its revocation, in fact the revocation of delegated authority can be so complex as to be almost impossible. Consider the participation of states in institutions such as the European Union (EU) or the World Trade Organization (WTO), both of which comprise combinations of agreements in which member states delegate various kinds of powers to unelected officials. Even if the citizens of a particular member state wished to revoke authority delegated under a particular agreement, it may not be possible to do this without unravelling the other agreements that membership in the organization entails. There may be circumstances in which the revocation of delegated authority in effect entails exit from the organization as a whole. The costs of such an action may be so high as to be prohibitive, as a result of which the threat of revocation ceases to be a meaningful instrument in making delegated authority accountable. Finally, running through Brock’s discussion of the tension between the ‘participation’ and ‘interest realization’ accounts of democracy is a conflict between ‘self governance’ and ‘good governance’ and a clearly expressed preference for the latter. From a postcolonial perspective, informed as it is by the historical memory of empires whose civilizing missions promised good governance at the expense of self-governance, Brock’s quasi-institutional cosmopolitanism is in danger of looking like a throwback to a darker imperial cosmopolitan time.

Given this demonstration of the necessity for, but also the pitfalls of, institutional cosmopolitanism, perhaps we should begin to think of it as a necessary evil. Thomas Nagel appears to suggest as much in a passage that Brock quotes approvingly at the end of her book:

Unjust and illegitimate regimes are the necessary precursors of the progress toward legitimacy and democracy, because they create the centralized power that can then be contested, and perhaps turned in other directions without being destroyed. For this reason, I believe the most likely path toward some version of global justice is through the creation of patently unjust and illegitimate global structures of power that are tolerable to the interests of the most powerful current nation-states. Only in that way will institutions come into being that are worth taking over in the service of more democratic purposes, and only in that way will there be something concrete for the demand for legitimacy to go to work on.<sup>53</sup>

But where will the ‘demand for legitimacy’ come from? What forms will it take? And how can it most effectively steer institutions of global governance in more democratic and legitimate directions? Brock does not say very much about these issues, barring a concluding reference to ‘education for world citizenship’.<sup>54</sup> While representing a worthy aspiration, this fails to recognise the forms of consciousness that animate some of the most serious contemporary popular contestations of hegemonic global governance. We should not be surprised to see postcolonial societies—confronted once again with imperial cosmopolitan institutions that deny self-governance in the alleged provision of good governance—responding in a nationalist or quasi-nationalist idiom. Indeed, this is clearly visible in important currents within the field of ‘anti-globalization’ protest. Neo-Gramscian international relations scholars writing about the impact of globalization on the state, have

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<sup>53</sup> Thomas Nagel, ‘The Problem of Global Justice’ (2005) 33 *Philosophy & Public Affairs* 113, 146.

<sup>54</sup> Brock (n 15) 332-3.

described a phenomenon known as ‘transnationalization’ or ‘internationalization’ of the state, in which elites begin to prioritise their responsibilities to global capital (debt repayment for example) over their commitment to ensuring the socio-economic wellbeing of their own citizens.<sup>55</sup> In such circumstances, subaltern movements have tended to respond with a nationalist discourse aimed at a ‘renationalization’ of the transnationalized state. Deploying a rhetoric of betrayal that accuses the postcolonial state of forgetting the ideals of the revolutions and independence struggles that brought them into being, such movements use what David Lloyd has called ‘nationalism against the state’<sup>56</sup> to repair the disconnect between state and nation with a view to making the state representative of its nation(s) in its dealings with capital and other states in global governance institutions. Simultaneously, a number of these movements have also framed their grievances in cosmopolitan terms with a view to winning international allies who could be of assistance in their struggles against global capital and its agents within the postcolonial state. They therefore speak simultaneously in cosmopolitan and nationalist registers, with each of these registers aimed at different audiences and intended to perform different sorts of political work.<sup>57</sup> The point of this brief excursion into the politics of ‘anti-globalization’ protest has been to suggest that ‘nationalisms against the state’ might play a vital role in contesting, reshaping and eventually legitimating emerging but still illegitimate forms of institutional cosmopolitanism.<sup>58</sup>

There has been a recent surge of interest in the cosmopolitan literature in accommodating nationalism and particularism, and indeed this is a striking feature of Brock’s book. One

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<sup>55</sup> Robert W. Cox, *Production, Power, and World Order: Social Forces in the Making of History* (Columbia University Press, New York 1987) 253; Josée Johnston, ‘Pedagogical Guerrillas, Armed Democrats, and Revolutionary Counterpublics: Examining Paradox in the Zapatista Uprising in Chiapas Mexico’ (2000) 29 *Theory and Society* 463, 472.

<sup>56</sup> David Lloyd, ‘Nationalisms against the State’, in Lisa Lowe & David Lloyd (eds), *The Politics of Culture in the Shadow of Capital* (Duke University Press, Durham 1997).

<sup>57</sup> For a reading along these lines of two contemporary ‘anti-globalization’ movements in Mexico and India, see Rahul Rao, *Third World Protest: Between Home and the World* (Oxford University Press, Oxford 2010) 166-72.

<sup>58</sup> The argument owes much to the suggestions of Pheng Cheah, *Inhuman Conditions: Cosmopolitanism and Human Rights* (Harvard University Press, Cambridge, MA 2006) 38-9, with regard to the role that popular nationalist movements in the periphery might play in a global socialist cosmopolitanism.

might trace this tendency back to the discussion on the tension in commonsense moral thought between ‘general’ obligations owed to all human beings and ‘special’ obligations owed to those with whom we stand in particular relationships (family, friends, co-nationals, etc.). This tension is sometimes described as one between equality and partiality. Taking the view that philosophy ought, as far as possible, to accommodate deeply held moral intuitions, some have attempted to justify partiality on the basis of universal principles that are equally applicable to all. For example, Alan Gewirth has justified familial partiality on the basis of a universal right to freedom of association.<sup>59</sup> Robert Goodin has argued that partiality to special others is merely an efficient means of discharging general responsibilities owed to all.<sup>60</sup> Others have argued that the attempt to derive special relationships from general obligations empties them of the motivations from which people favour those with whom they are in special relationships and which are constitutive of the relationships themselves.<sup>61</sup> A number of participants in this debate—Brock included—have therefore argued for the accommodation of special relationships on their own terms, subject to limitations on the circumstances in which, and the extent to which, people may legitimately give priority to special others.<sup>62</sup>

As mentioned at the outset, Brock’s project is to ‘develop a viable model of cosmopolitan justice that takes seriously the equal moral worth of persons, yet leaves scope for a defensible form of nationalism along with other legitimate identifications and affiliations’.<sup>63</sup> Despite conceding some space to nationalist aspirations by allowing that once universal obligations are discharged people may lavish resources on their co-nationals to the exclusion of others,

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<sup>59</sup> Alan Gewirth, ‘Ethical Universalism and Particularism’ (1988) 85 *J of Philosophy* 283, 292-8.

<sup>60</sup> Robert E. Goodin, ‘What Is So Special About Our Fellow Countrymen?’ (1988) 98 *Ethics* 663, 678; Nussbaum (n 23) 13; Martha Nussbaum, ‘Kant and Cosmopolitanism’, in James Bohman & Matthias Lutz-Bachmann (eds), *Perpetual Peace: Essays on Kant’s Cosmopolitan Ideal* (The MIT Press, Boston 1996) 32.

<sup>61</sup> Samuel Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford University Press, Oxford 2001) 108-09.

<sup>62</sup> Shue (n 20) 118, 122; Henry Shue, ‘Eroding Sovereignty: The Advance of Principle’, in Robert McKim & Jeff McMahan (eds), *The Morality of Nationalism* (Oxford University Press, Oxford 1997) 347; Kok-Chor Tan, *Justice Without Borders: Cosmopolitanism, Nationalism and Patriotism* (Cambridge University Press, Cambridge 2004) 150-7; Brock (n 15) 316.

<sup>63</sup> Brock (n 15) 4.

Brock cannot bring herself to acknowledge any ethical value in nationalist consciousness. Indeed, after enumerating and criticizing the justifications for nationalism that are typically advanced, she says: ‘Though I have been critical of the view that there are good arguments as to why we have stronger obligations to compatriots than non-compatriots, I realize that in the real world most people have strong attachments to their nations and a realistic utopia must accommodate this.’<sup>64</sup> Thus, the accommodation of nationalism takes the form of a grudging concession of space to a form of consciousness that the world would be better off without, but cannot seem to eliminate. Indeed this view is borne out by the manner in which she begins chapter 10 of her book:

Nationalism has been the cause of great misery in the world. In this century alone we have seen hideous forms of nationalism leading to genocide, ethnic cleansing, forced relocations, and civil wars. The violent conflicts between Serbians, Croatians, and Muslims in the former Yugoslavia, Hutus and Tutsis in Central Africa, Palestinians and Jews in the Middle East, Afrikaners, Zulus, and Xhosas in southern Africa, and the Nazis and non-Aryans, are just some of these.<sup>65</sup>

This astonishingly one-dimensional view of nationalism—not to mention the lumping together of vastly different nationalisms such as those of Afrikaners and Palestinians, as if these were the same thing—shows little cognizance of the postcolonial attachment to nationalism which, notwithstanding the very substantial depredations of postcolonial nation-states, continues to see nationalism as the vehicle that delivered the very condition of Latin American, African and Asian postcoloniality.<sup>66</sup> In contrast to Brock’s grudging admission of nationalism into her cosmopolitan utopia, I am suggesting that under conditions of contemporary capitalism, ‘nationalisms against the state’ may be necessary as a means of

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<sup>64</sup> Ibid 282.

<sup>65</sup> Ibid 148.

<sup>66</sup> Leela Gandhi, *Postcolonial Theory: A Critical Introduction* (Edinburgh University Press, Edinburgh 1998) 110.

contesting, disciplining, and perhaps eventually legitimating the as yet illegitimate cosmopolitan institutions of global governance, in accordance with the pathway to global justice that Nagel has chalked out. Indeed it may not be going too far to say that progressive global politics for the foreseeable future will take the form of a dialectical relationship between the construction of ever more intrusive forms of institutional cosmopolitanism as a functional response to our growing interdependence and a normative recognition of our common humanity, and the nationalist and quasi-nationalist contestations of such institutional engineering with a view to democratizing what will, at least initially, be deeply hierarchical and potentially oppressive institutions. A normative worldview that wishes away either polarity of this dialectic will deliver either the tyrannical world state that moral cosmopolitans are always warning about, or the Westphalian status-quo that has proven woefully inadequate at promoting and protecting basic human interests.

### *Liberating geography, the geography of liberation*

The discussion of popular contestation returns us to the thorny question of liberation, which only Harvey—of the three authors reviewed here—takes seriously. For Harvey, liberation is about eluding the constraints of a fixed geography and constructing a new and different geography. But what could this mean? Geographical theory, in Harvey's view, is constituted by the three concepts of space, place, and environment. If the first half of Harvey's book is essentially an elucidation of the ways in which non-geographers deploy these geographical concepts in simplistic ways, the second half lays out a complex conceptual apparatus that might enable a more sophisticated appreciation of them. Chapter 7 introduces us to a number of different ways of understanding space and time. Thus, absolute understandings of space and time visualize the world as a static grid within which the unique locations of individuals

and things can be plotted in space and along a linear conception of time. Relative space-time is concerned with processes, flows and motions and maps the world very differently, retaining the potential—for example—to imagine a number of locations as relatively equidistant from a central point in terms of time or cost, even if they are positioned at different absolute distances. Relational spacetime is the realm of immaterial feelings of affiliation or belonging with others who may be both near and far in absolute and relative terms, that while immaterial may nonetheless have objective social consequences. In this chapter, Harvey also introduces us to Henri Lefebvre's understanding of spatiality in terms of human practices, whereby it becomes important to think of space as perceived through the senses, as mentally conceived, and as inhabited. In chapter 8, Harvey explores tensions in the literature on 'place'—a concept usually identified with locality and juxtaposed against the universality of 'space'—between the recognition of place-based politics as offering possibilities for resistance to a neoliberal cosmopolitanism but also as inherently capable of becoming exclusionary and fascist. He examines work that attempts to escape the logic of closed territories by invoking relational ideas of place that define it not by reference to what its boundaries enclose, but in terms of the specificity of links between the 'inside' and the 'outside'.<sup>67</sup> Ultimately, he prefers Alfred Whitehead's understanding of 'places' as entities that achieve relative stability for a time in their bounding and internal ordering, and come to occupy a piece of space in an exclusive way for a time, thereby defining a place for that time. Referring to such entities as 'permanences', Whitehead offered an account of place formation as a process of 'carving out "permanences" from a flow of processes that simultaneously create a distinctive kind of spatio-temporality'.<sup>68</sup> Finally in chapter 9 on 'environment', Harvey problematizes the clear separation in much non-geographical social science literature between culture and nature,

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<sup>67</sup> Harvey (n 2) 189.

<sup>68</sup> Ibid 190.

arguing that the boundary between the two is porous and inviting readers to think about their relationship in more dialectical terms:

Environment may initially shape the range of choices available to a people at a given moment but then culture reshapes environment responding to those choices, the reshaped environment presents a new set of possibilities for cultural reproduction, thus setting up a new cycle of mutual determination.<sup>69</sup>

The key move in each of these chapters is from an Aristotelian conception of the world as composed of distinct and autonomous things, each with its own essence, to more dialectical and process-oriented philosophies that hold that things have no unchanging essence and ‘do not exist outside the processes, flows, and relations that create, sustain, or undermine them’.<sup>70</sup>

But what are the political implications of this conceptual complexity? Harvey notes that one of the key repressive characteristics of governmentality and its associated political economy has been to confine our understanding of space and time to its absolute dimensions.<sup>71</sup> The clear and unambiguous location, definition and classification of people and things in absolute space and time has been most conducive to serving state and capitalist interests in the appropriation of resources, and the political control and manipulation of subjects.<sup>72</sup>

Conversely, those subjects have tended to feel less alone and more capable of resisting their subjection precisely when they have been able to think and act outside of the absolute dimensions of space and time by drawing on the potentialities of relative space-time opened up by advances in transport and communication and by constructing relational solidarities across borders. Yet rather than simply privileging relative and relational conceptions of space and time in a neat reversal of the existing epistemic hegemony, Harvey urges that we begin to

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<sup>69</sup> Ibid 233.

<sup>70</sup> Ibid 232.

<sup>71</sup> Ibid 257-8.

<sup>72</sup> James Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (Yale University Press, New Haven 1998).

think about these multiple conceptualizations in dialectical relation to one another: after all, the workers of the world have never achieved their objectives simply by thinking in relative and relational terms, unless these efforts have manifested themselves in the form of bodies that threaten capital in the absolute space and time of streets and workplaces.<sup>73</sup> In what follows, I offer two examples drawn from contemporary African politics that may better illustrate the liberatory potentials of Harvey's more complex geography.

The first is provoked by the concluding sentence of Brock's chapter on humanitarian intervention: 'With some stronger international law in place, it is possible we will see less of the apathy apparent in more recent cases where there has been a spectacular failure to intervene, notably at the time of writing, in Darfur, Sudan.'<sup>74</sup> But consider for a moment UN Secretary-General Ban Ki-moon's characterization of the conflict in Darfur as 'an ecological crisis, arising at least in part from climate change', and the evidence that drought in sub-Saharan Africa has little to do with over-grazing (as formerly supposed) and much more to do with rising ocean temperatures, which in turn reflect global warming and the increased level of greenhouse gases in the atmosphere.<sup>75</sup> Consider also the disproportionate contribution that advanced capitalist states have made to global warming. Consider from a different angle, Alex de Waal's account of how 'international ostracism of Khartoum and the readiness of the international community to give a platform to poorly-organised rebel groups with little political or military capability has over-inflated the price which rebel leaders believe they can charge.'<sup>76</sup> In his view, uncertainty about the durability and intensity of the considerable interventional involvement that has already taken place in Darfur has made it difficult for both

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<sup>73</sup> Harvey (n 2) 153, 272.

<sup>74</sup> Brock (n 15) 186.

<sup>75</sup> Ban Ki-moon, 'A Climate Culprit in Darfur' *Washington Post* (Washington 16 June 2007) <<http://www.washingtonpost.com/wp-dyn/content/article/2007/06/15/AR2007061501857.html>> accessed 19 July 2010; Julian Borger, 'Scorched' *Guardian* (London 28 April 2007) <<http://www.guardian.co.uk/environment/2007/apr/28/sudan.climatechange>> accessed 19 July 2010.

<sup>76</sup> Alex de Waal, 'Dollarised' *Landon Review of Books* (London 24 June 2010) <<http://www.lrb.co.uk/v32/n12/alex-de-waal/dollarised>> accessed 19 July 2010.

the government and rebels to assess their relative strength, thereby *delaying* settlement of the conflict. With these considerations in mind, it becomes evident that only by locating Darfur solely in absolute space and time and by conceiving of ‘intervention’ as the absolute physical presence of (more) international bodies—both institutional and human—within the territory of Darfur, does it become possible to maintain the fiction that ‘there has been a spectacular failure to intervene’. In contrast, by locating Darfur in the relative space-time of the various flows and processes that generate climate change, and the relational spacetime of the various alliances and solidarities that have been constructed between internal and external actors, it becomes clear that the ‘international’—notwithstanding its self-image as benevolent and heroic saviour—is already deeply implicated in, and partly culpable for, the crisis in Darfur.<sup>77</sup>

The second example comes from Uganda, where a self-described Anti Homosexuality Bill introduced for consideration by the parliament of that country in 2009 proposes to enhance punishments for homosexual conduct in certain instances, assert extra-territorial jurisdiction over these offences, and criminalize any form of organization in support of rights for homosexuals.<sup>78</sup> Much of the activist outrage that this bill has generated couches its opposition in terms of the many ways in which the bill runs afoul of provisions of the Ugandan constitution as well as international human rights treaties to which Uganda is a party.<sup>79</sup>

Cosmopolitans justify human rights in a number of ways but whatever the nature of the justification, if—as they assert—human rights are universal, then their justification must be universally acceptable across national, cultural and other boundaries. In her search for such a justification, Brock regards human rights as guarantees to whatever is needed for the

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<sup>77</sup> Anne Orford, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law* (Cambridge University Press, Cambridge 2004) 85, has been noteworthy in the legal literature in attending to the spatial normativities of hegemonic discourses of humanitarian intervention.

<sup>78</sup> The Anti Homosexuality Bill, 2009, Bills Supplement No. 13 to the Uganda Gazette No. 47 Volume CII (25 September 2009).

<sup>79</sup> See for example International Gay & Lesbian Human Rights Commission, ‘Uganda Action Alert: Dismiss the Anti-Homosexuality Bill’ (16 October 2009) <<http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/globalactionalerts/989.html>> accessed 20 July 2010.

satisfaction of basic needs. She understands basic needs in turn as ‘those that are necessary, indispensable, or inescapable, at least with respect to human functioning in social groups.’<sup>80</sup> At the heart of this account is the idea that what distinguishes us as human is the capacity for agency. By developing a list of conditions for human agency, she argues, we can arrive at a more precise understanding of basic needs and, in turn, at an account of basic human rights necessary to assure the fulfilment of those needs.<sup>81</sup> The problem with this agency-centred justification of rights is that the concept of agency admits of degrees, thereby begging the question of *how much* agency ought to be universally guaranteed. In the context of the controversy being discussed here, the freedoms that look to some to be necessary to guarantee the psychological and physiological health required for a basic level of human functioning apparently appear to others as undue sexual licentiousness and decadence. Van Hooft also grounds his account of rights in a prior conception of needs, and argues that to understand what needs human beings have universally by virtue of just being human, we would need to have some conception of human nature. ‘The nature of a being’, in his view, ‘gives rise to duties in others to treat that being in accordance with its nature.’<sup>82</sup> This is even more unhelpful in the context of our Ugandan example. Article 145(a) of the Ugandan penal code criminalizes ‘carnal knowledge of any person against the order of nature’.<sup>83</sup> How can universal human rights founded on a conception of human nature command universal acceptance when the very idea of what is in accordance with the order of nature is deeply disputed? In the absence of a universally compelling account of foundations, cosmopolitan deployments of putatively universal norms begin to look dangerously particularist, Western, and imperialist.

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<sup>80</sup> Brock (n 15) 65.

<sup>81</sup> Ibid.

<sup>82</sup> van Hooft (n 13) 73.

<sup>83</sup> Penal Code Act 1950, article 145(a) <[http://www.ulii.org/ug/legis/consol\\_act/pca195087/](http://www.ulii.org/ug/legis/consol_act/pca195087/)> accessed 20 July 2010.

Ranged against these insecure cosmopolitan claims are voices asserting that homosexuality is ‘un-African’ and ‘Western’. Indeed the bill gives expression to these sentiments when it clarifies its aims as, inter alia, ‘providing a comprehensive and enhanced legislation to protect the cherished culture of the people of Uganda, legal, religious, and traditional family values of the people of Uganda against the attempts of sexual rights activists seeking to impose their values of sexual promiscuity on the people of Uganda.’<sup>84</sup> Such communitarian contestations of LGBT rights in the guise of preserving culture, religion and ways of life are themselves radically insecure, displaying a profound amnesia about the ways in which places and localized ways of life are relationally constructed by a variety of intersecting processes occurring at different spatio-temporal scales.<sup>85</sup> It is here that an account of the actual historical-geographical processes of the construction of the entity referred to as ‘Ugandan culture’ in these discussions, may offer the most promising prospects for the liberation of queer Ugandan subjects. Towards this end, it may be useful to insert at least two nuggets of information into the debate.

First, a number of scholars have begun to draw attention to the efforts of US Christian conservatives to recruit prominent African religious leaders to a global campaign seeking to restrict the rights of queer subjects. It has been suggested that it is no coincidence that the aforementioned Anti Homosexuality Bill was introduced in the same year that US anti-gay activists Scott Lively and Don Schmierer held a prominent ‘Seminar on Exposing the Homosexual Agenda’ in Kampala, Uganda, which received considerable attention from local politicians, clergy and the media. The notion that queer rights activists are at the vanguard of a postcolonial imperialist plot resonates strongly with many African elites whose worldview is indelibly shaped by the all too recent memory of Western empire; such elites may, in addition, benefit financially from relationships with US evangelical Christians. The latter, in

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<sup>84</sup> The Anti Homosexuality Bill (n 78) §1.1.

<sup>85</sup> Harvey (n 2) 112 criticizes Michael Walzer’s communitarianism in these terms.

turn, draw on the demographic weight of their African interlocutors in global Christian norm-setting fora such as the decennial Lambeth Conference convened by the Anglican Church, to block progressive moves such as attempts to allow the ordination of women and homosexuals as priests or the blessing of same-sex unions, effectively making African priests and congregations players in the US culture wars.<sup>86</sup>

A second nugget might focus on an earlier 19<sup>th</sup> century moment in the construction of ‘Ugandan culture’. In his illuminating account of the genealogy of homophobia in southern Africa, Neville Hoad recounts the fate of the last precolonial native ruler of the kingdom of Buganda (now the Central Region of present-day Uganda). Missionary sources of the time make reference, somewhat coyly, to Kabaka Mwanga’s avowed tendencies towards ‘unnatural desires’, which he was accustomed to consummating with pages in his court. When, after their conversion to Christianity, some of these pages refused his advances, Mwanga had them burned to death, setting off a chain of events that culminated in the awarding of a royal charter in 1888 to the British East African Company, which was charged with preserving law and order in Buganda. Although Hoad acknowledges that we might legitimately debate the nature of Mwanga’s demands, cautioning that the missionaries may have recorded and re-coded as ‘sexual’ something that was essentially a political test of loyalty in a time of eroding authority, he nonetheless uses this story to remind readers that the corporeal intimacies that are claimed by African elites to be the result of Western cultural imperialism were the very practices that were stamped out by an earlier wave of European imperialism.<sup>87</sup>

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<sup>86</sup> Kapyia Kaoma, ‘Globalizing the Culture Wars: US Conservatives, African Churches, & Homophobia’ (Political Research Associates, Somerville, MA 2009) <<http://www.publiceye.org/publications/globalizing-the-culture-wars/>> accessed 19 July 2010.

<sup>87</sup> Neville Hoad, *African Intimacies: Race, Homosexuality, and Globalization* (University of Minnesota Press, Minneapolis 2007) 20.

By drawing on the conceptual resources of geographical theory to offer a fuller account of the production of the locality we call ‘Uganda’ and, in particular, by locating ‘Ugandan culture’ in the relative space-time of flows of people, capital and ideas and the relational spacetime of transnational affiliations and solidarities, queer Ugandan subjects reaffirm the value of community, but contest conservative homophobic accounts of what belongs within that community. They insist on redrawing the boundaries of community in ways that are inclusive of non-heteronormative sexualities, but exclusive of Victorian and contemporary US evangelical-assisted homophobia. In this sense, Harvey’s cosmopolitan ‘geographies of freedom’ entail not so much an assault on communitarianism, as a more complex historically- and geographically-informed account of community construction. This once again draws attention to the place of community in—and to the possibility that community might not be antithetical to—cosmopolitan liberation. Indeed my claims in this article go further than this suggestion of compatibility, in insisting that a certain kind of communitarianism might be a necessary component of cosmopolitan liberation.

I have explored the idea of ‘disciplining cosmopolitanism’ in two ways. First, in a methodological sense, the works reviewed here are a timely reminder of the unavoidable interdisciplinarity of cosmopolitan thought and praxis. Harvey’s revival of the Kantian notion of geography and anthropology as propaedeutic to philosophical enquiry alerts us to the implicit and frequently flawed presuppositions of much contemporary cosmopolitan thought, as a prelude to reconstructing these foundations in more historically and geographically sophisticated ways. Second, in considering the relationship between international relations and cosmopolitanism, I applauded Brock’s attention to institutional cosmopolitanism as demonstrating a seriousness about cosmopolitan praxis and a determination to move beyond the comforting but ineffectual pieties of moral cosmopolitanism, but criticized her failure to adequately acknowledge and address the threats to freedom inherent in progressive moves

towards a meaningful institutional cosmopolitanism. Privileging good governance over self-governance, institutional cosmopolitanism is indeed fraught with the possibility of descent into elitism, imperialism and world tyranny. Yet rather than stepping back from this brave new world, the construction of which is as much a functional response to our growing interdependence as a normative recognition of our common humanity, we need to recognize the potential of communitarian and nationalist forms of consciousness to discipline, reshape, and perhaps eventually legitimate emerging but as yet illegitimate forms of institutional cosmopolitanism. Communitarianism, it turns out, might be necessary to make cosmopolitanism safe for the world.