

Migrant Cosmopolitanism

Written by Thomas Nail

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THOMAS NAIL, APR 11 2013

Global Migration

Few things will affect our future more than the phenomenon of migration. The last decade alone has marked the highest number and rate of migrations worldwide in recorded history. Today there are over 1 billion migrants.[1] The world's 214 million international migrants alone compose 3% of the world's population and together are equal to the fifth most populous country in the world.[2] Further, most predictions point to a doubling of these numbers in the next 40 years.[3] These facts alone are cause for practical and theoretical action, but what is even more alarming about this phenomenon is that the rate of irregular or non-status migration is also increasing. The International Organization for Migration estimates that there are 25–32 million non-status migrants worldwide—that is, 10–15% of all international migrants.[4]

The phenomenon of migration thus poses a unique problem for international political theory. If citizenship and legal equality are the concepts by which many nation-states and liberal democracies understand the political agency and rights of a people, what does this mean for the 15–20% of people living in countries like the US, for example, without full status?[5] It means that a continually increasing population of migrants, with partial or no status, is now subject to a permanent structural inequality (the lack of voting and labor rights, possible deportation, and other deprivations depending on the degree of status). This is difficult to reconcile with almost any political theory of equality, universality, or liberty.[6] The fact that hundreds of millions of human beings are currently living outside their country of origin as a result of migration and frequent relocation should dramatically challenge the conditions of political life assumed by political philosophers.

Unfortunately, much of political theory has either been unwilling to acknowledge the structural nature of this exception with respect to the territorial nation-state,[7] or it has been content to merely critique the structure itself without offering an alternative.[8] If we want to understand the prospects for a truly global community, we have to move beyond the critiques of citizenship, nationalism, and liberalism, and propose an approach that will not structurally exclude the millions of migrants and refugees of the world. We must create what I propose to call a “migrant cosmopolitanism.”

Cosmopolitanism

The word cosmopolitanism comes from two Greek words, κόσμος, *kosmos*, meaning “world” + πόλις, *polis*, meaning “city.” The English word “politics” also derives from the Greek word *polis*, which in turn derives from the Proto-Indo-European root **pel-*, meaning citadel, or fortified high place. It is thus precisely with the birth of the city that politics and walls are born. The three are etymological and historical triplets: politics-city-wall. For example, the first non-domestic walls appear alongside the first human cities: Jericho, Ur, Lagash, Eridu, Uruk, and others in Mesopotamia. By the 4th century BCE, if a city did not have a wall for protection, there was likely no city, and thus no politics. However, if the origins of political life are found in the exclusionary walls of the city, the origins of cosmopolitanism can be found conversely in the opening of the city walls—and of political membership itself—to the entire world. In contrast to the parochial *polis* or walled-city, the *kosmopolis* is the political community that is open to the world. Today, there are at least two major types of cosmopolitanism. Unfortunately, both types fail to fully account for the inclusion of one of the fastest growing groups of disenfranchised peoples in the world: migrants.[9]

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The first modern theory of cosmopolitanism was developed by the German philosopher Immanuel Kant in the 18th century. Kant argues that the progress of human history can be defined precisely by our capacity to increasingly open up our city walls so “that which nature has as its highest aim, a universal cosmopolitan condition, can come into being, as the womb in which all the original predispositions of the human species are developed.”[10] Slowly, over thousands of years, human societies have become progressively inclusive and will continue to do so, according to Kant. Unfortunately, Kant’s theory of cosmopolitanism does not resolve the structural exclusion of migrants; it only alleviates it temporarily. For Kant, migrants, nomads, and other non-citizens are only allowed *temporary* access to the *territory* of a state: visitation (*Besuchsrecht*) not residence (*Gastrecht*). Kant’s right of cosmopolitan hospitality may protect nomads and migrants from slavery but only through their perpetual displacement at the hands of the true movers of history: citizens and states. Contemporary proponents of the “federation of democratic states and societies,”^[11] like David Held, encounter a similar problem. More often than not, cosmopolitan institutions composed of nation-states exist to protect the interests of citizens and states above and at the expense of migrants and the stateless. For example, the United Nations (an institution similar to what Kant had in mind) defines the right to leave a territory as a human right, but not the right to enter a territory. The contradiction is clear: emigration is a human right but immigration is not. In short, powerful nation-states want to protect their wealth from the global poor. Another example: the United Nations Migrant Worker’s Convention (signed by many states) provides basic rights and protections for migrants with status, but deliberately excludes rights for non-status migrants for the same reasons as above.[12] Thus, the cosmopolitanism of nation-states is not enough to protect or include all global migrants.

In response to this, the second major type of cosmopolitanism proposes that global institutions (like NGOs and transnational corporations) would be more capable of implementing a civic set of cosmopolitan laws based on global justice and shared humanity than the nation-states biased by their own parochial interests.[13] This “civic cosmopolitanism,” however, only displaces the problem of requiring benevolent and knowledgeable lawmakers in these institutions as the sufficient condition for cosmopolitan inclusion. It is certainly true that NGOs and other global institutions are capable of following principles of global justice—and in some cases better than nation-states. But the proliferation of global migrants and refugees cannot be resolved by NGOs like the Red Cross in tent-cities and refugee camps. In fact, rather than increasingly including migrants and refugees into political membership, humanitarian camps accomplish precisely the opposite: they depoliticize migrants and refugees by treating them as *mere* human beings.[14] Refugee camps provide food and shelter but they do not provide political voice and agency for their populations. Global institutions do not have the power to include stateless people in political membership. This is the danger of cosmopolitan institutions: that everyone becomes a mere human body to be managed in a camp. It is true that global institutions do provide an important cosmopolitan role that should be increasingly regulated. But global institutions alone are not sufficient to protect or include global migrants.

Thus, a third option would be to combine both democratic and civic cosmopolitanism into a system based on a “three-tiered system of political authority.”[15] Political decision-making could come from sub-national entities like cities, nation-states, and supra-national institutions like the European Union and the United Nations. Many theorists have formulated some combinatory version of this thesis.[16] However, the combination of multiple cosmopolitan law-creating institutions, while important, still does not in principle allow us to understand the most basic aspect of *how* those without the “rights to have rights,”[17] like many migrants, come to attain cosmopolitan rights in the first place: through political struggle. Any theory of cosmopolitanism that focuses exclusively on the power of democratic leaders and their institutions to create laws of inclusion for dispossessed peoples is *fundamentally inadequate*. Cosmopolitanism is not just about the creation of globally fair and inclusive laws and institutions. It is also about the popular struggles required to demand and win those laws.

Migrant Cosmopolitanism

While states and other institutions have slowly opened the *polis* walls over the course of civilization, there has always been a group on the other side of those walls forcing them open or tearing them down: the migrants of history. A migrant, broadly defined, is the political figure who moves in-between the dominant forms of political membership. The migrant is the collective name for all the political figures in history who have been territorially, politically, juridically, and economically displaced from their homes by force. As such, migrants have always been engaged not only in demanding greater inclusion, but also in creating cosmopolitan alternatives of their own.

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In the Neolithic world, the nomads of the steppe were territorially displaced by agricultural peoples and so invented a new social organization of their own based on solidarity, inclusion, and undivided territory. In the ancient world, people were kidnapped from all over the Mediterranean and enslaved for the purpose of supporting the Greek and Roman political apparatus. Maroon societies of escaped slaves in Chios and communities of revolting slaves in the Servile Wars (including the one led by Spartacus) were by far the most open and diverse cosmopolitan societies of the ancient period. In the Medieval world, hundreds of thousands of peasants were forced from their homes by excessive taxation, the invention of money-rent (commutation-debt), enclosures (land privatization), and other means, and then criminalized as vagabonds. Vagabonds of all kinds created maroon societies like those of Bacaude in Gaul, that welcomed all displaced people; they created roaming bands of military defectors, paupers, heretics, minstrels, etc., with open-membership. They created universalist and often egalitarian underground societies that dug up enclosure fences in the night, lived in the forests, wastelands, and commons, and preached the universal right of the poor to the land. In the modern world, after centuries of displacement, migrants were dispossessed of everything but their own labor and were forced to move to wherever and work for whatever capitalists desired. Workers in the modern period created the Paris Commune and socialist utopian societies of all sorts. Communists, anarchists, and others advocated for the universal equality of an international working class against capitalist displacement and all political exclusion. Thus, it is migrants of all kinds throughout history—and not states—who are the true agents of political inclusion and cosmopolitanism.[18]

The legacy of migrant cosmopolitanism continues today. In 1996, the first autonomous organization of undocumented migrants was formed in France, called the *Coordination Nationale des Sans-Papiers*. The *sans-papiers* (without papers) occupied churches across all of France, went on numerous hunger strikes, mobilized hundreds of thousands of supporters all over France, and declared in their manifesto that they “have decided to come out of the shadows. . . . Like all others without papers, we are people like everyone else.”[19] Importantly, their manifesto explicitly demands papers. After many years, the *sans-papiers* won several important battles for their papers, rights, and inclusion in French society—yet there is still much to be done. These rights were not won simply because of beneficent leaders with big ideas about cosmopolitan justice; these rights were won by starving migrants who were beaten publicly, racially discriminated against, and expelled by police. These rights were won because hundreds of thousands of French people said they would rather break the unjust laws against harboring *sans-papiers* than turn their back on their fellows. This is migrant cosmopolitanism.

The creation of sanctuary cities for migrants is also part of this legacy. The creation of sanctuary cities and asylum is as old as slavery itself; and today, cities all over the world choose not to enforce federal and state immigration laws in their cities. Toronto, Canada, in particular, leads the charge with the migrant justice group No One Is Illegal. NOII first began in Germany in 1997—inspired by the *sans-papiers* organizations in France—and has spread to countries all over the world. The goal of No One Is Illegal Toronto is to move beyond the city’s simple refusal to enforce national immigration laws, and to actively mobilize the entire city, including all the social service providers, to provide services to migrants regardless of status. The goal of what they call the “Solidarity City,” is to move beyond sanctuary and to create grass-roots popular support for the city’s over 200,000 non-status migrants and organize directly against national immigration police. The goal is to create a true cosmopolis, and they are winning.

In conclusion, republican cosmopolitanism is only part of cosmopolitanism—the most reactionary part. The true agents and movers of cosmopolitan history and politics have always been, and continue to be, migrants.

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[1] United Nations Department of Economic and Social Affairs (UN DESA), Trends in International Migrant Stock:

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The 2008 Revision, <http://esa.un.org/migration/index.asp?panel=1>

[2] United Nations Department of Economic and Social Affairs, Trends in International Migrant Stock: The 2008 Revision, <http://esa.un.org/migration/index.asp?panel=1>

[3] International Organization for Migration, "World Migration Report 2010: The Future of Migration," 2010. http://publications.iom.int/bookstore/free/WMR_2010_ENGLISH.pdf

[4] International Organization for Migration, "World Migration Report 2010: The Future of Migration," 2010. http://publications.iom.int/bookstore/free/WMR_2010_ENGLISH.pdf

[5] Jeffery Passel and D'Vera Cohn, "U.S. Unauthorized Immigration Flows Are Down Sharply Since Mid-Decade," *Pew Hispanic Center*. 2010. <http://www.pewhispanic.org/2010/09/01/us-unauthorized-immigration-flows-are-down-sharply-since-mid-decade/>

[6] Phillip Cole, *Philosophies of Exclusion: Liberal Political Theory and Immigration* (Edinburgh: Edinburgh University Press, 2000).

[7] John Rawls, *The Law of Peoples: with, the Idea of Public Reason Revisited* (Cambridge, Mass.: Harvard University Press, 1999). John Rawls, for instance, goes as far as to posit states "as closed" where "persons enter by birth, and exit by death." Since Rawls holds that the state's problems are all internal, once its problems have all been resolved, migration "is eliminated as a serious problem" because no one has any reason to leave. Since large-scale migration ideally would not exist, political theory, for Rawls, should proceed as if it does not.

[8] Cole, *Philosophies of Exclusion*; Giorgio Agamben, *Means without End : Notes on Politics* (Minneapolis: University of Minnesota Press), 2000; and Judith Butler and Gayatri Chakravorty Spivak. *Who Sings the Nation-State?: Language, Politics, Belonging* (London; New York: Seagull Books, 2007).

[9] Seyla Benhabib, *The Rights of Others: Aliens, Residents, and Citizens* (New York: Cambridge University Press, 2004) and Cole, *Philosophies of Exclusion*.

[10] Immanuel Kant, *Perpetual Peace, and Other Essays on Politics, History, and Morals* (New York: Hackett, 1983), 14.

[11] David Held, "Democracy: From City-states to a Cosmopolitan Order?" *Political Studies* 40 (1992), 11.

[12] *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, GA Res. 45/158, UN GAOR, 45th Sess., Supp. No. 49A, UN Doc. A/45/49 (1990) 261.

[13] Nancy Kokaz, "Institutions for Global Justice," *Canadian Journal of Philosophy* 31 (2005).

[14] Giorgio Agamben, "What is a Camp?" in *Means Without End: Notes on Politics* (Minneapolis: University of Minnesota Press, 2000).

[15] Andrew Linklater, "Cosmopolitan Citizenship," *Citizenship Studies* 2:1 (1998): 29.

[16] James Bohman, "Republican Cosmopolitanism," *The Journal of Political Philosophy* 12, 3 (2004); Philip Pettit, "A Republican Law of Peoples," *European Journal of Political Theory*, 9 (2010); Andrew Linklater, "Citizenship and Sovereignty in the Post-Westphalian State," *European Journal of International Relations* 2 (1996): 77-103.

[17] Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, 1951).

[18] I develop this history of migrant cosmopolitanism in my book, *The Figure of the Migrant* (under contract with

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Stanford University Press).

[19] Madjiguène Cissé, *The Sans-Papiers: The New Movement of Asylum Seekers and Immigrants Without Papers in France: A Woman Draws the First Lessons* (London: Crossroads Books, 1997).

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