KANTIAN COSMOPOLITANISM TODAY, IN THE INTERPRETATION OF JÜRGEN HABERMAS AND DANILO ZOLO[1]

"The absolute sovereignty of nation states has led to a desire for domination on the part of each of them, since each feels threatened by the power of the others and considers ever larger territories to be their "living space", allowing them freedom of movement and the collection of means of subsistence, without [...] The problem that needs to be solved first and foremost is the definitive abolition of the division of Europe into sovereign nation states, and if this project fails, then all the other progress will only be apparent"
Ventotene Manifesto[2] .

Giuseppe Tosi[3]

RESUMO

O ensaio aborda a relação entre cosmopolitismo e realismo, duas maneiras distintas e até certo ponto opostas, de interpretar as relações internacionais na época da globalização. O ponto central da discussão é se deve ou não existir um poder superior de coação que obrigue os Estados a respeitarem o direito internacional, assim como faz o Estado no âmbito interno em relação aos cidadãos (*domestic analogy*). O texto começa com uma breve exposição do cosmopolitismo kantiano nos seus aspetos principais, e debate a sua atualidade. Entre os autores cosmopolitas neokantianos é abordado o pensamento de Habermas e as críticas feitas a ele por Danilo Zolo em uma perspetiva realista. É então feita uma ponderação entre as duas visões, procurando os pontos de dissenso e de contato. Em seguida é apresentada a União Europeia como um exemplo bem-sucedido de uma organização "inter" e "supra" nacional que garantiu mais de 70 anos de paz em uma região secularmente assolada por guerras. Finalmente, são retiradas algumas considerações sobre a necessidade de algum tipo de cosmopolitismo que supere a concepção absoluta da soberania dos Estados para enfrentar os enormes desafios da globalização, que ameaçam a própria sobrevivência humana.

ABSTRACT

The essay addresses the relationship between cosmopolitanism and realism, two distinct and to some extent opposite ways of interpreting international relations in the age of globalisation. The central point of the discussion is whether there should be a higher power of coercion that forces States to respect international law, as the State does in the domestic sphere in relation to citizens (domestic analogy). The text begins with a brief exposition of Kantian cosmopolitanism in its main aspects and discusses its relevance today. Among the neo-Kantian cosmopolitan authors, Habermas' thought and the criticisms made to him by Danilo Zolo from a realistic perspective are approached. A balance is then made between the two views, looking for points of dissent and contact. Next, the European Union is presented as a successful example of an "inter" and "supra" national organisation that has guaranteed more than 70 years of peace in a region ravaged by wars for centuries. Finally, some considerations are drawn about the need for some kind of cosmopolitanism that goes beyond the absolute conception of State sovereignty to face the enormous challenges of globalisation, which threaten human survival itself

[1]Text presented on 24 November 2021 at the **1st International Jürgen Habermas Symposium.** This text was written before Russia's war of aggression against Ukraine, which implies a reformulation of international relations, a topic that I was unable to address in this essay. The only observation I dare make is that the logic of absolute state sovereignty has provoked yet another war and broken the more than 70 years of peace (or truce?) provided by the European Union.

[2] SPINELLI, A. - ROSSI, E. - COLORNI, E - HIRSCHMANN, U. *Manifesto per un'Europa Libera e Unita*, better known as the *Ventotene Manifesto*, 1941 (1944). Portuguese translation: Eurostudium3w aprile-giugno 2011.

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1. Kantian cosmopolitanism.

Cosmopolitanism is an ancient doctrine that finds its roots in Greek Stoicism, the *jus gentium of* Roman law and the medieval *Christian respublica*, taken up again in the Renaissance by Erasmus of Rotterdam and the Spanish Second Scholasticism (Francisco de Vitoria and Bartolomé de Las Casas); a tradition that, through the mediation of Christian Wolf's doctrine of the *civitas maxim* and Enlightenment pacifism and universalism, reaches as far as Immanuel Kant[4] .

For Kantian transcendental idealism, politics belongs to the realm of "ideas" or "ideals" of reason and deals with the conditions of possibility of human coexistence in order to realise the "hidden end of nature", which is the moral and legal progress of humanity. Politics, therefore, cannot be limited to the consideration of what exists, but must indicate a duty to be, a *telos* which, for Kant, is, in the internal sphere, the creation of a republican civil state and, in the international sphere, the realisation of cosmopolitan law as a guarantee of "perpetual peace" between nations.

> The history of the human species as a whole can be seen as the realisation of nature's hidden plan to establish a political constitution (*Staatsverfassung*) that is inwardly perfect and, to this end, also outwardly perfect, as the only state in which nature can fully develop all its dispositions in humanity[5] .

Kant's thinking lies between realism and utopianism. Kant's anthropology is pessimistic:

> Given the evil of human nature, which can be contemplated purely in free relations between peoples (while in the civil legal state it appears veiled by the coercion of government) it is certainly surprising that the word 'right', as pedantic, has not yet been expelled from the politics of war, and that no state has dared to speak out publicly in favour of this opinion[6] .

And his anthropological pessimism is accentuated at the end of his life with the "discovery" of radical evil[7]. Kant also affirms the "unsociability" of men, the positive role of conflict and competition as a spring of progress, and even gives an important role to war itself which, becoming ever more intolerable due to its growing destructive power, would progressively convince peoples of the need for its elimination[8] .

At the same time, Kant, as the greatest thinker of the Enlightenment, maintained his confidence in the possibility of moral and legal progress for humanity and proposed a "philosophical or prophetic history of humanity" that would identify in the empirical history of the

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4 For a history of cosmopolitanism see: SCUCCIMARRA, L., *I confini del mondo. Storia del cosmopolitismo dall'Antichità al Settecento,* Bologna: Il Mulino, 2006.
5 KANT, I., *Idea de uma história universal do pontoo devista cosmopolita (1784)*. São Paulo: Martins Fontes, 2016, p. 17.
6 KANT. I., *Para a Paz Perpétua*. Introductory study by Joám Evans Pim. Translation by Bárbara Kristensen. Rianxo: Galician Institute for International Security and Peace Studies, 2006. p. 74.
7 KANT. I. *A religião nos limites da simples razão*. Lisboa: Edições 70, 1990.
8 KANT, I. *Idea de uma história universal* op. cit.

men an event that can serve as a sign of this progress: as we know, for the Könisberg philosopher such an event is the French Revolution[9].

Kant detects a legal vacuum in relations between nations, which behave towards each other as if they were in a permanent state of war, interrupted only by periods of truce, but not true peace. This void must be filled with a new type of law: in addition to international public law, cosmopolitan law (*jus cosmopoliticum)*, a supra-national law in which not only states but also individuals would be subjects of law.[10].

At first (1793), Kant believed that the "only remedy" for the state of war between nations would be the creation of a Universal State of Peoples [11] later (1795/96), he began to advocate a Universal Federation of free states[12]. Kant justifies this change of focus by saying that the idea of a world state would be the best in theory, but it might seem unrealistic and therefore it is preferable to adopt as its substitute the idea of a free federation opposed to war[13] .

The philosophical project of *For Perpetual Peace* proposes the "regulatory ideal" of a World Federation of freely constituted national states that would promote common institutions to regulate their relations.

2. Habermas' cosmopolitanism.

In the 20th century, Kantian cosmopolitanism found many followers, especially after the terrible experience of the two world wars and the totalitarianisms of the left and right. In political philosophy and law, what Danilo Zolo calls "juridical globalism" [14]is now a largely hegemonic current in the theory of law and institutional politics, and many philosophers, politicians, jurists, moralists and theologians (especially Western ones!) adhere to a cosmopolitan vision. [15] adhere to a cosmopolitan vision of international relations: think Hans Kelsen[16] , Norberto Bobbio[17] , Eric Weil[18] , Jürgen Habermas[19], John Rawls[20], Hans Küng[21]and Luigi Ferrajoli[22]among others.

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9 See: BOBBIO, N. Kant e a Revolução Francesa. In: *A era dos direitos*. Rio de Janeiro: Campus, 1992, pp. 131-142.

10 KANT, I. *Metafísica dos Costumes. Doutrina do Direito.* São Paulo: Ícone, 1993. See also: TERRA, R. R., *A Política tensa. Idea e Realidade na filosofia kantiana da história* São Paulo: Iluminuras, 1995. ROHDEN, V. (org.) *Kant e a instituição da paz.* Porto Alegre*:* Ed. UFRGS, Goethe-Institut/ICBA, 1997.

11 See: KANT, I., *A Paz Perpétua e outros opúsculos*, Lisboa: Edições 70, 1990, pp. 58-102 ("On the relationship of theory to practice in the law of nations, considered from a universal, i.e. cosmopolitan, philanthropic point of view").

12 KANT, I. *À Paz Perpétua, op. cit.*

13 IDEM, p. 77

14 ZOLO, D. Per una filosofia moderna e realistica del diritto internazionale, JURA GENTIUM. Available at: https://www.juragentium.org/topics/thil/it/zolo.htm. IDEM. *Legal globalism.* Jura Gentium. Available at: https://www.juragentium.org/topics/wlgo/it/legglob.htm

15 That's why Zolo ironically calls them *western globalists.*

16 KELSEN, H. *La pace attraverso il diritto.* Torino: Giappichelli, 1990.

17 BOBBIO, N. *Il futuro della democrazia*. Torino: Einaudi 1995. IDEM. *The problem of war and the ways of peace.* São Paulo: UNESP, 2003.

18 WEIL, *Filosofia Política.* São Paulo: Loyola, 1990 (in particular chapter IV).

19 HABERMAS, J. *A inclusão do outro.* São Paulo: Loyola 2002. IDEM. *O Ocidente dividido.* Rio de Janeiro: Tempo Brasileiro, 2006.

20 RAWLS, J., *O direito dos povos*, São Paulo: Martins Fontes, 2002. IDEM, *Political Liberalism*, São Paulo: Martins Fontes, 2003.

21 KÜNG, H., *Project of world ethics.* An ecumenical morality for human survival, São Paulo, Paulinas 1992.

22 FERRAJOLI, Luigi. *Constitutionalism beyond the State.* Modena: Mucchi editore, 2017. IDEM. *Why a Constitution of the Earth?* Torino: Giappichelli, 2021.

We will choose Habermas' thought because the German philosopher sets out to take stock of the Kantian proposal after 200 years[23].

The central point of the discussion is whether or not there should be a higher power of coercion that forces states to respect order and rights, just as the state does internally. In this essay, Habermas responds in a positive and complex way: he takes up and criticises the Kantian project, claiming that Kant was not entirely consistent with his cosmopolitan presuppositions when he abandoned the idea of a World State in favour of a Free Federation of sovereign states:

> As has already been shown, the Kantian concept of an alliance of peoples formed in a lasting way and capable of respecting the sovereignty of states is not consistent. Cosmopolitan law must be institutionalised in such a way that it binds governments in particular. The community of peoples must at least be able to guarantee legally appropriate behaviour on the part of its members, on pain of sanctions. Only in this way can the system of sovereign states in a constant attitude of self-assertion, unstable and based on mutual threats, be transformed into a federation with common institutions that assume state functions, i.e. that regulate the relationship of its members with each other and monitor compliance with these rules.[24] .

He adds: "The weak point in the global defence of human rights is the lack of an executive power that can ensure that the Universal Declaration of Human Rights is effectively observed, including by intervening in the sovereign power of national states if necessary." [25] Habermas therefore proposes a reform of international institutions, particularly the UN:

> The reformulation of the Kantian idea of a cosmopolitan pacification of the natural condition between states that is appropriate to today's times is inspiring energetic efforts in favour of reforming the United Nations and, in general, expanding the forces capable of acting at a supranational level in different regions of the planet. [...] Suggestions for reforming the United Nations focus on three points: the establishment of a world parliament, the expansion of the world legal structure and the reorganisation of the Security Council[26] .

At the same time, Habermas is opposed to Kant, to a world state or government that would gradually absorb all States, but proposes a coexistence between national states and inter- and supra-national institutions that have the power to restrict and intervene in the sovereignty of national states in situations of serious human rights violations.

Habermas' proposal has been defined by various interpreters, including Fréderic Vandenberghen, as "global governance without world government", which articulates three types of *governance* in international relations:

> "World society can best be described as a tripartite governance system:
> 1) In the absence of a world government, we can find **the highest level of** the world system in a single organisation: the United Nations. The UN is not a state, but a *supranational* actor that is made up of all the existing states of the world and authorised by them to intervene in well-defined issues of global interest, above all, such as war, peace and human rights.
> 2) **At the intermediate level**, we find a jumble of governmental and non-governmental networks of all kinds taking part in global public policy. These include

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23 HABERMAS, J. The Kantian idea of Perpetual Peace at a historical distance of 200 years. In: *The inclusion of the other.* São Paulo: Loyola 2002, pp. 185-228.
24 IDEM, p. 201.
25 IDEM, p. 205.
26 IDEM, p. 210

> With intergovernmental bodies, corporate actors, non-governmental organisations, activist networks and epistemic communities, global governance is a multi-level, multi-stratified complex and a system of multiple actors. [...] These intermediary bodies are not necessarily despotic, but on the other hand, they are technocratic and deal with political directions, which makes them suffer from a democratic deficit.
> 3) Finally, **at the lowest level**, we find the world's nation-states with their parliaments, ministries and other legal apparatuses that shape domestic policy, administer the national territory and defend their interests against other states. In the global context, the lowest level of the nation state may lose some of its regulatory capacity to the higher levels of governance, but it remains the only actor that is democratically legitimised and legally appointed by its electorate to govern [27]"

This cosmopolitan proposal presupposes that, with the intensification of the globalisation process, the indispensable and necessary conditions for the realisation of the project are being created, conditions that were not fully realised at the time of Kant. In this sense, for Habermas, we are living in a historical moment of transition from the international law of states to cosmopolitan law.

3. The conditions for the cosmopolitan project.

Among the new conditions that would make the cosmopolitan project viable, we can point to the four main ones.

The **first** condition is the ever deeper ties that bind the world together: economic networks, communications, commercial and financial flows, migrations of peoples, the spread of information and Western models of behaviour around the world. This process began in the 15th and 16th centuries with the great geographical discoveries that produced a world history and accelerated in the 20th century.
XX. With the two world wars, the history of Europe became the history of the world and, in the second half of the last century, especially after the end of communism and the acceleration of global integration processes, we had an increasingly interrelated world economy [28].

A **second** aspect is the acceleration of the globalisation process, which has led to an increase in risk situations worldwide. We live, as Ulrich Beck says, in a risk society (*Risikogesellschaf*)[29]. There are risks caused by man's aggression towards nature, such as climate change caused by the destruction of the environment and global warming on a planetary scale, an ecological catastrophe that is jeopardising life on earth; and the covid-19 pandemic, the most recent and astonishing example of a calamity that affects all of humanity.

And there are risks caused by man's violence against man, a set of forms of political violence at a global level, such as wars, including atomic wars (which continue like a sword of Damocles over civilisation), terrorism and organised crime on an international scale. And then there are the risks posed by the capitalist system, which generates ever-increasing social inequalities and financial market instability that could lead to a generalised economic collapse with far-reaching effects.

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[27] VANDENBERGHE, Fréderic. A State for Cosmopolitanism. In: *Habermasian dialogues*. Organised by Clóvis Ricardo Montenegro de Lima and Maria Nélida Gonzalez de Gómez. Rio de Janeiro: IBICT, 2010. A similar tripartition can also be found in the essay in the same collection by *Davi Jose de Souza da Silva*. *International Relations, Cosmopolitanism and Human Rights in the Thought of Jürgen Habermas.* IDEM, p. 193-218.
28 See: ZOLO, D. *Globalisation. A map of the problems*. São Paulo: Conceito, 2010. BAUMAN, Z., *Globalisation: The Human Consequences*, Columbia University Press, New York 1998. HELD, D.-MCGREW, A., *Globalism and anti-globalism.* Bologna: Il Mulino, 2002. HIRST, P.-THOMPSON, G., *Globalisation in Question*, Vozes, Petrópolis 1998.
29 BECK, Ulrich. *La società globale di rischio*, Rome: Carocci, 2001.

as the 2008 crisis did. All of these phenomena cause the migration of tens of millions of people fleeing wars, poverty and climate change.

This makes it obvious that nation states are unable to find solutions to problems that run "above" and "beside" their borders. The modern state finds its raison d'être in the delimitation of a territory over which it can establish its dominion with borders that it can control and administer. With the crisis and, in some cases, the abolition of borders, the nation state, which until recently was all-powerful, is also in decline.

Ferrajoli writes very aptly about this phenomenon:

> It is totally implausible that almost 8 billion people, 196 sovereign states, 10 of which have nuclear weapons, a voracious and predatory capitalism and an ecologically unsustainable industrial system can survive over a long period of time without devastating the planet to the point of uninhabitability, the growth of inequalities and poverty, as well as racism, fundamentalism, totalitarianism and criminality. Faced with these global challenges to legal and political reason, we have to recognise that national states are powerless and inadequate[30] .

A **third** condition for the realisation of the cosmopolitan project is the formation of a global civil society and a global citizen public opinion, as Habermas states (taking up and expanding the Kantian idea of public opinion that Kant reserved for philosophers):

> There is not yet a global public opinion, nor a public opinion with a European reach, which is so urgently needed. But the central role played by non-governmental organisations such as Green Peace or Amnesty International [...] is a clear sign that certain actors are gaining increasing influence in the press, as forces that stand up to the states, emerging from something similar to an international civil society, integrated into a network[31] .

This *Global Civil Society* is made up of a network organised vertically (but not hierarchically) from the neighbourhood to the United Nations and horizontally in a capillary territorial presence within and between nations, in a process that is both local and global, from the perspective of the "alternative globalisation" of rights, or counter-hegemonic according to Boaventura de Sousa Santos[32]. This is the other side of globalisation, the constitution of a network of governmental and non-governmental entities that denounce the evils of globalisation and seek theoretical and practical alternatives.[33].

The formation of this global civil society is not enough if the political institutions of globalisation cannot be created and strengthened. The problems raised by globalisation require a global response that cannot be found within the narrow confines of national states, but which require global institutions that can address the shortcomings of states. If this does not signal the end of national states, it does,

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[30] FERRAJOLI, L. *Perché una costituzione della Terra,* op. cit.

31 HABERMAS, J., *The Kantian Idea of Perpetual Peace,* op. cit.

[32] SANTOS, Boaventura de Sousa. *Renewing critical theory and reinventing social emancipation*. São Paulo: Boitempo, 2007.

33 The 1998 "Yearbook of International Organisations" estimated the existence of around 5,580 International Non-Governmental Organisations (INGOs), using restrictive criteria, and more than 15,000 using broader criteria, present mainly, but not exclusively, in the West. See also: the *Global Civil Society Yearbooks* reports. Oxford: Oxford University Press, organised by the *Centre for the Study of Global Governance* at the London School of Economics, directed by Mary Kaldor. Sito: www.lse.ac.uk/Depts/global.

however, the need for international politics to prevail over domestic politics, inspired by the principle of subsidiarity [34].

In fact, the vast majority of international organisations, both governmental, such as the IMF and the World Bank, and non-governmental, for-profit organisations, such as multinational companies, do not operate according to a "cosmopolitan" logic, but according to a market and profit logic that only accentuates the economic and social inequalities caused by globalisation. What is needed, say the globalists, is a reorientation of the current organisations and the creation of new international bodies capable of achieving the stated objectives and thus guaranteeing a world *governance* that reduces the enormous social inequalities and creates a more economically and socially just world.

Finally, say the globalists, the constant process of planetary integration can only succeed if a dialogue is established between civilisations and not a "clash of civilisations"[35]. To this end, it is necessary, while respecting the traditions and identities of each culture and people, to find a minimum *consensus* (an *overlapping consensus*, Rawls would say) as a premise for peaceful global coexistence. In this sense, human rights can be a point of intersection and consensus between different philosophical doctrines, religious beliefs and cultural customs, and can be the discussion ground for the constitution of an intercultural dialogue.

In this respect, Habermas' proposal differs from others, such as those of Hans Küng[36] and Antonio Cassese[37]for example, who define human rights as a new "decalogue", a new "secular religion" or a new world *ethos*. Habermas warns of the importance of keeping the right distinct from morality in Kantian terms: human rights may have ethical, political, ideological or religious motivations, but they are still rights. Habermas states that:

> Fundamental rights are invested with such a desire for universal validity because they can *only* be justified from a moral point of view. [...] But an *immediate* moralisation of law and politics would really break down the defence zones that, for good reasons including moral ones, we want to see guaranteed for the rights of individuals."[38] .

Habermas defines the identification between law and morality or the moralisation of law as "human rights fundamentalism".

> The correct response to the danger of an unmediated moralisation of the politics of the expansion and exercise of power, therefore, "is not to exempt politics from a moral dimension, but to transform morality, by democratic means, into a positivised system of law, endowed with legal procedures for its application and imposition". Human rights fundamentalism cannot be avoided by renouncing a human rights policy, but only by cosmopolitanising the *natural condition* between states into a *legal condition* between them. [39]

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34 FERRARESE, M.R., Le *istituzioni della globalizzazione*, Bologna, il Mulino, 2000. The 1998 "Yearbook of International Organisations" estimated the existence of around 258 International Governmental Organisations (IGOs), using restrictive criteria, and more than 1,800 using broader criteria, present on all continents.

35 HUNTINGTON, S. P., *O Choque de Civilizações e a recomposição da ordem mundial*. Rio de Janeiro: Ed. Objetiva, 1997.

36 KÜNG, H. *A global ethic for world politics and economics*. Petrópolis: Vozes, 1999

37 CASSESE, A., *I diritti umani oggi*, Rome-Bari: Laterza, 2005. AA.VV. *Ethos mondiale e globalizzazione*, Genova: Il Melangolo 2005.

38 HABERMAS, J. *Perpetual Peace*... op. cit.

39 IDEM, p. 226.

The criminalisation of the adversary or the affirmation of a "civilising mission" aimed at spreading the values of democracy and Western human rights against "rogue states" or "the axis of evil" are examples of this short-circuit between law and morality, typical of the instrumental and ideological use of human rights for the purposes of domination.

In a world where there is a pluralism or polytheism of values, both internally and externally to societies, it is impossible to reach an ethical consensus, but only a legal consensus. And the function of law, as a normative dimension of social interaction, distinct from both morality and politics in the strict sense, is precisely to allow a ground for consensus between different moral, religious and political values.

4. Danilo Zolo's criticisms of Habermasian cosmopolitanism[40]

Danilo Zolo, one of the most important Italian philosophers of law and politics[41]recognises the novelty of globalisation, the risks it entails and the problems that go beyond the borders of states and therefore require an international response, but he doesn't believe in the solutions proposed by what he ironically calls *western globalists.* He says that the process of globalisation is not really a process of economic interdependence, but is above all a process of homogenisation and westernisation of the world, and specifically the expansion of the US model of life and society over the rest of the world.

It reaffirms the centrality of the role of national states as the main actors, both internally and internationally, and that the project of a world state is not only illusory, but also undesirable.

Domestically, because the further away political bodies are from citizens, the more difficult it is for them to guarantee basic rights; internationally, because it is illusory to think of the possibility of a World Government or a World State, given that this model presupposes that the major world powers, in particular the United States, voluntarily give up their economic, social, political and military hegemony in favour of other less powerful countries. The monopoly of legitimate force by a world state, besides being highly unlikely, would be dangerous and could lead to totalitarian successes if it were realised.[42].

As counter-evidence to this, it shows that, in fact, the international institutions that the *western globalists* point to as a germ of the future world state are totally inadequate for such tasks: just think of the UN and the reform projects that have failed miserably so far[43]. The UN today only serves as a diplomatic forum, but it can't fulfil its main task, which would be to guarantee peace, because the great powers don't want to delegate the real powers, the strong powers that govern the world, to the UN. The UN has thus become an organisation that serves as an instrument for the ideological legitimisation of the hegemonic and imperialist designs of the major Western powers: see the *ex post facto* legitimisation of the invasion of Iraq, carried out in the open.

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40 ZOLO, D. Dal diritto internazionale al diritto cosmopolitico. A discussion with Jürgen Habermas, in IDEM, *I signori della pace.* op. cit.

[41] See the collective honour: *In mare aperto. Thinking about law and politics with Danilo Zolo*. *JURA GENTIUM*, Vol. XVIII, 2021. Available at: https://www.juragentium.org/about/index.html

[42] ZOLO, D. *Humanitarian fundamentalism*. JURA GENTIUM. Available at: https://www.juragentium.org/forum/ignatief/it/zolo.htm.

43 BARATA Maria João. *Danilo Zolo's Realist Critique of Cosmopolitan Institutional Pacifism.* Interactions number 15. pp. 7-24, 2009.

violation of international law, without the authorisation of the Security Council and that the presence of the UN flag after the invasion ends up legitimising[44].

Zolo denies the existence of a *Global Civil Society*, and says that this is more a wish of *globalist westerns* than a reality. What does exist, on the contrary, is that in the face of the West's cultural, economic and military invasion, there is a reaction to globalisation in the name of local particularisms: a response that ranges from Islamic fundamentalism to Asian values.[45].

Zolo also questions the universality of human rights[46] , claiming that they belong to Western history, but are not part of the history and culture of other peoples who have not gone through the same historical process, and that they cannot therefore be exported or, even less so, imposed by force, or they will become mere ideological justifications for the policies of the great Western powers. Recalling Schmitt's famous statement: "Whoever says humanity is trying to deceive you", they claim that the rhetoric of human rights and the appeal to universal values hides the defence of unconcealed interests[47].

Finally, Zolo draws attention to the phenomenon of war, which, despite Kantian (and Habermasian) dreams of perpetual peace, not only continues to exist, but is being transformed into a "global cosmopolitan *war*" that is underway with the resurgence of the doctrine of just *war* that had been eliminated from the *jus publicum europaeum* with the crisis of medieval universalism and replaced by the doctrine of "*guerre en forme*". [48].

Zolo cites Carl Schmitt's theory in *The Nomos of the Earth*, according to which, in the absence of a superior judge recognised by the parties, each sovereign state had the right to wage war, and the enemy was no longer considered a *perfidus hostis*, a criminal to be punished and destroyed if necessary, but a *justus hostis*.[49]

Zolo considers Michael Walzer's book *Just and Unjust Wars* to be the benchmark for the contemporary resurgence of the just war doctrine (which is not provided for in the UN Charter, which only admits wars of self-defence).[50]. The just war doctrine serves as the ideological justification for the so-called "right of humanitarian intervention", which legitimises the invasion of state sovereignty in the event of human rights violations.[51]. The defence of human rights and democracy

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[44] ZOLO, D. *L'intervento umanitario armato fra etica e diritto internazionale*. JURA GENTIUM. Available at: https://www.juragentium.org/topics/wlgo/it/kosovo.htm.

45 These themes are extensively developed in: ZOLO, D., *Cosmopolis. The prospect of world government*, Milan: Feltrinelli, 1995.

[46] See: ZOLO, D. *Towards global chance*? Human rights, fear, war. Organised by Maria Luiza Alencar and Giuseppe Tosi. São Paulo: Conceito, 2011, in particular the chapter: "Universality of human rights?", p. 23-88. Available at: http://www.cchla.ufpb.br/ncdh/?page_id=1171

47 ZOLO, D., *Chi dice umanità. Guerra, diritto e ordine globale*, Torino: Einaudi, 2000. IDEM, *Use of force and international law after 11 September 2001*, in LYRA. R. P. *Direitos Humanos: os desafios do século XXI. Uma abordagem interdisciplinar*, Brasília: Brasília Jurídica 2002, pp. 47-57.

[48] ZOLO, *Cosmopolis*, op. cit., pp. 46-48 and 97-102.

49 SCHMITT, Carl. *O nomos da terra no direito das gentes do jus publicum europæum*. Rio de Janeiro: Contraponto: Editora PUC-RIO, 2014 For a critical reading of this thesis see: TOSI, G. War and Peace in International Relations According to Norberto Bobbio (and Carl Schmitt). In: SALATINI, R. - BARREIRA, C.M. *Democracy and Human Rights in the Thought of Norberto Bobbio*. Marília: UNESP, 2018.

50 WALZER, M., *Just and Unjust* Wars. *A moral argument with historical examples*. São Paulo: Martins Fontes. 1993. Walzer's positions are very close to those of John Rawls, as he explicitly recognises. See: RAWLS, J. *The Right of Peoples. Followed by "The Idea of Public Reason Revised*". São Paulo: Martins Fontes, 2001 (Part III. Non-ideal theory).

51 In 2002, a group of sixty US intellectuals, including Walzer, published a manifesto entitled: *What we are fighting for. A letter from America*", in which they justified their interventions

is thus justified as an instrument for intervening in the sovereignty of states when it is in the interests of the great powers. This is a temptation from which cosmopolitan thinkers such as Bobbio, who defended the first Gulf War, and Habermas, who defended NATO's intervention in the territories of the former Yugoslavia, are not exempt.[52] and Habermas, who defended NATO's intervention in the territories of the former Yugoslavia[53].

If Zolo's range of realist criticisms is very broad, it is more difficult to find alternative proposals, not least because realism is not exactly a political doctrine like liberalism or socialism, but a view, a way of interpreting political doctrines, and there are different realisms, both historically and today.

In the realist version of American neo-conservatives, with the victory of the West in World War III, the "end of history" had come[54] and the time had come for the American Empire to lead the West in exercising its economic, political and military superiority over the rest of the world and thus guarantee the "new international order". This is a Hobbesian way of thinking about *domestic analogy*, not a Kantian one. The solution to overcoming the state of nature between nations would be the domination of one sovereign state over the others, a state that becomes, like the Hobbesian sovereign, *legibus solutus*: it dictates the laws, but they don't apply to itself; very common behaviour in US politics in recent decades, as the country demands that the whole world respect international treaties, but refuses to sign most of them and to respect the arbitration of international courts.

Other defenders of the United States' global dominance propose a doctrine based more on the idea of global hegemony than empire, such as Joseph S. Nye Júnior, who was already Undersecretary of Defence in the Clinton administration, who affirms the paradox of American power: "Without the United States, no crisis can be solved, but the United States alone cannot solve any crisis either". For this reason, Nye proposes a "Gramscian" solution for US global hegemony if it is to continue to last: it should be based more on multilateral collaboration and *soft power*, i.e. the economic, political, cultural and social influence of the US model, rather than the *hard power* of weapons, which should be used when necessary.[55].

Zolo's realism is radically different: it is anti-imperialist and democratic. Taking inspiration from Hedley Bull, the Italian philosopher says that, in a complex society like the one we live in today, a certain anarchism in international relations is preferable to the monopoly of force by a single superpower[56].

An anarchism in which the main subjects of international law would continue to be sovereign states, because: "It is an illusion to think that the protection of fundamental freedoms can be guaranteed at international level if this protection is not, first and foremost, guaranteed internally by the liberal and democratic institutions of a State

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of the United States in Afghanistan. Zolo criticises this theory in: "The doctrine of *justum bellum* in Michael Walzer's interpretation". In ZOLO, D. *Cosmópolis*, op. cit.

[52] Zolo publicly polemicised with Bobbio over the First Gulf War. See ZOLO, D. Lights and shadows of Norberto Bobbio's legal pacifism. In: *Norberto Bobbio: Democracy, Human Rights, War and Peace.* Giuseppe Tosi, organiser. João Pessoa: Editora da UFPB, Vol. II, 2013, p. 335-362. Available at: http://www.cchla.ufpb.br/ncdh/?page_id=1171

53 But Habermas strongly opposed the invasion of Afghanistan and Iraq, See: HABERMAS, J. *O Ocidente dividido*. Rio de Janeiro: Tempo Brasileiro, 2006.

54 FUKUYAMA, F. *O fim da história e o último homem*, transl. Aulyde Soares Rodrigues, Rocco, Rio de Janeiro, 1992. For a critical view of this famous book see: ANDERSON, P., *The end of history - from Hegel to Fukuyama*. Trad. Álvaro Cabral. Rio de Janeiro: Jorge Zahar Editor, 1992.

55 NYE, J.S. *Il paradosso del potere americano. Perché l'unica superpotenza non può più agire da sola,* Torino: Einaudi, 2002.

56 See: BULL, H. *The anarchical society*, London: Macmillan, 1977.

of law". These states, through regional or international agreements, would resolve disputes on an ad hoc basis without ceding sovereignty to institutions that concentrate power, maintaining decentralised and diffuse power[57] .

At the same time, however, Zolo admits to a certain kind of "supranational" power:

> In this sense, I propose the expression "minimal supranational law": according to a federalist logic applied to the relationship between the normative competences of national states and the normative competences of supranational bodies, such a law would leave ample room for the functions of *domestic jurisdiction*, without seeking to replace or suffocate them with supranational normative and judicial bodies. In other words, the "minimum political order" - precisely in order to remain such, i.e. minimum - should be based on a "polycentric regularisation" of international law, and not on a hierarchical structure that would risk provoking a revolt from the "peripheries"[58] .

And he concludes that:

> "Minimum supranational law" shouldn't mean the international community's inertia in the face of the countless problems that have taken on a global dimension today - starting with the problem of peace - and which the states have little or no instrument to deal with. In any case, in my opinion, it is important to maintain the distinction between the demand for a legal order and close political collaboration between international political subjects, and the idea that the centralisation of power in supranational bodies is a valid response to the problems posed by the processes of globalisation"[59]

A moderately cosmopolitan proposal, since it admits not only inter-national relations, but supra-national ones, but "minimal", or "weak" and not very well specified. A rather disappointing conclusion in this *pars construens*, after a rather radical *pars destruens*; which is a characteristic of Zolo's thinking, much more at home in criticism than in construction, in negation than in affirmation.

5. Between cosmopolitanism and realism: polyarchy or regionalisation.

It's hard to say which theory would best interpret the situation of international relations today.

From a cosmopolitan point of view, human rights would constitute the "universal code", a "pan-human" law, a "world super-constitution", distinct from and superior to international law. According to Bobbio, the 1948 UN Universal Declaration of Human Rights would fulfil the Kantian hope of the moral and legal progress of humanity, whose *signum prognosticum* and *rememorativum* would be precisely the existence of this set of universal rights that would make the cosmopolitan point of view (*weltbürgerlich*) advocated by Kant a reality.[60]. According to Habermas, the conditions would be created for a *Weltinnenpolitik* (internal world politics).

But the universalist pretensions of the cosmopolitans are more present in documents and declarations than in reality. The systematic and massive violations of human rights are increasing as fast as the treaties are signed and are as universal as the declarations that proclaim them. It would therefore seem that

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57 ZOLO, D. Per una filosofia moderna e realistica del diritto internazionale, in IDEM, *I signori della pace*, op. cit.
58 IDEM, p. 146 (my translation).
59 IDEM, p. 147.
60 BOBBIO, N. *The Age of Rights*, op. cit.

human rights would be nothing more than empty rhetoric or a mere ideological justification for the power games of the great powers. The UN's own inability to prevent the US invasion and occupation of Iraq, which was carried out in defiance of the rules of international law and specifically the UN Charter, and the division caused in the European Union itself over the war, are emblematic examples of an impasse between two major and contrasting conceptions of international relations that are currently coexisting, without one model being able to prevail over the other.

In fact, it would be naive to say that the conditions for the realisation of the cosmopolitan project are taking place satisfactorily on the international political scene, nor that cosmopolitanism is dominant in international political relations and supranational global political institutions. In fact, everything indicates that the role of national states as subjects of international law has not diminished and that the "dialectic" between peoples, i.e. war, continues to prevail in international law in various situations (*Ukraine docet!*).

At the same time, it can be seen that the United States' claim to impose a *pax americana* along the lines of the *pax romana* is found more in the documents and desires of the neo and theo conservatives in the United States than in the actual reality of things. The world is too complex and multilateral for one power, economically and militarily superior and powerful as it is, to control it alone by imposing a unilateral order. The difficulty the United States and its allies have in maintaining control of two poor countries prostrated by decades of war, such as Afghanistan and Iraq, is a sign of the weakness of this hegemonic imperial project, to the point where some analysts are already talking about the "decline of the American Empire", or the "terminal crisis" of US hegemony[61].

If a cosmopolitan vision tends to confuse desires with reality, a purely "realistic" vision of international relations cannot cope with all the complex phenomena that globalisation has brought about.

However, in this undefined scenario, we can perhaps point to some paths and clues. If we eliminate the most extreme positions on the political spectrum, pure cosmopolitanism and pure imperialism, we can find more points of contact between cosmopolitanism and realism in theory and practice than we can imagine. Perhaps Zolo's proposal of "chaos", "ordered anarchy" or "polyarchy" could be more appropriate to describe the current situation in international relations, where there is a dispute between various centres of diffuse power that no one can fully control.

Zolo's proposals, if we look at them more closely, despite their theoretical differences and radically different assumptions, from a practical point of view are not so far removed from Habermas', because they are both opposed (as was Kant) to a world state, i.e. the concentration of power in a single central body that would have a monopoly on force, and they continue to give a significant role to (democratic!) national states, which are not very different from the "anarchy or an orderly confusion" of international actors at various levels.), articulating various levels: national, international and supranational; which is not very different from what Zolo defines as "anarchy or an ordered confusion" of international actors at the various levels, each with their own attributions.

Another point of possible convergence is that both exclude an absolute conception of sovereignty, which puts (supposed) national interests first,

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61 WALLERSTEIN, I., 2003: *Decline of American Power: The U.S. in a Chaotic World*. New York: New Press. ARRIGHI, G. - SILVER, B., *Chaos and Governability in the Modern World System*, Rio de Janeiro, Editora UFRJ, 2001.

against the interests of other nations, i.e. a return to the "state of nature" between peoples, from which Kant's cosmopolitan reasoning was based.

6. The European Union: an example of cosmopolitanism.

Although it speaks of World Government, the Kantian "philosophical project" of perpetual peace applies more to a United Europe than to the United Nations system, which, as Danilo Zolo says, is more like a new *Holy Alliance of* the powers that control the Security Council than the Federation of free states that Kant imagined.[62].

We could even say that the European Union is the almost literal realisation of the Kantian dream of "Towards Perpetual Peace", since the three "definitive articles for the establishment of perpetual peace among nations" could have (and perhaps have) served as a guide for the formation of the European Union.

The **first article** states that each state must have a republican constitution,

> **FIRST DEFINITIVE ARTICLE FOR PERPETUAL PEACE**
> *The civil constitution of every state must be republican*
> A *republican* constitution is one established in accordance with the principles:
> 1) of the *freedom of* the members of a society (as men), 2) of the *dependence of* all on a single common law (as subjects) and 3) of conformity with the law of the *equality of* all subjects (as citizens): this is the only one that derives from the idea of the original contract and on which all the legal norms of a people must be based[63] .

Kant doesn't say that the constitution should be democratic, but republican, because, as is well known, for Kant democracy is necessarily a despotism:

> Of the three forms of state [autocracy, aristocracy and democracy], democracy is, in the proper sense of the word, necessarily a *despotism*, because it founds an executive power in which everyone decides on and, in any case, also against *one* (who, therefore, does not give his consent); with which everyone, without being everyone, decides. This is a contradiction of the general will with itself and with freedom[64] .

Kant calls democracy a despotism, because the idea of the general will (from Rousseau) excluded representation and the division of powers; and for him "Every form of government that is not *representative* is, in property, a *non-form*, since the *legislator* cannot at the same time be the *executor of* his will".[65].

Despite this distinction, which is an expression of the liberals' fear of the tyranny of the majority, today we can understand a democratic constitution as a republican constitution. In fact, in order to participate in the European Union, the fundamental principles of the democratic rule of law must be respected and practised (which creates problems for Islamic countries like Turkey to enter or illiberal countries like Hungary to remain).

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[62] Kant's project has two antecedents that refer to Europe: SAINT-PIERRE, Charles Irinée Castel. *Project to make peace in Europe perpetual*. Brasília: UNB, 2003; and ROUSSEAU, Jean-Jacques. *Extract and Judgement of Abbé de Saint-Pierre's Peace Project*. In: Rousseau and International Relations. Sérgio Batg. Brasília: Official State Press, 2003.
[63] KANT, Immanuel. *Towards Perpetual Peace* - Introductory study by Joám Evans Pim. - Translation by Bárbara Kristensen. - Rianxo: Galician Institute for International Security and Peace Studies, 2006, p. 67.
[64] IDEM, p. 70.
[65] IDEM, p. 70.

The **second article** preaches the need for a federation of republican states, created by the free and spontaneous will of sovereign states, without the hegemony of a dominant country;

> **SECOND DEFINITIVE ARTICLE FOR PERPETUAL PEACE**
> *The Law of Nations must be based on a federation of free states*
> Peoples can consider themselves, as states, as individuals who, in their natural state (i.e. independent of external laws) harm each other by their mere coexistence and each, in order to look after their security, can and should demand that the other enter into a constitution with them, similar to the civil constitution, in which each can be guaranteed their right. This would be a federation of peoples which, however, should not be a state of peoples[66]

The aim of this Federation would be to abolish wars "forever": "There must therefore be a federation of a special kind that can be called a federation of peace (*foedus pacificum*), which would be distinguished from the *pact* of peace (*pactum pacis*), since the latter would seek to end a war and the other would seek to end all wars forever."

At first (1793), Kant believed that the "only remedy" for the state of war between nations would be the creation of a Universal State of Peoples [67] Later (1795/96), he began to advocate not a Universal State of Peoples, but a Universal Federation of Free States:

> This federation does not require any power on the part of the state, because it only wants to maintain and guarantee the freedom of a state for itself and, at the same time, that of other federated states, without them having to submit to public laws and their coercion for this reason (like men in a state of nature). It is possible to represent the possibility of carrying forward this idea (objective reality) of *federation*, which should gradually extend to all states, thus leading to perpetual peace. This is because if *fortune* allows a strong and illustrated people to form a republic (which, by its very nature, must mean perpetual peace), it can be the centre of the federative association so that other states can join it, thus ensuring the state of freedom of the states according to the idea of the Law of Nations and gradually extending it through other unions[68] .

In a passage from the same work, Kant justifies this change of focus by saying that the idea of a world state would be the best in theory, but it might seem unrealistic and it is therefore preferable to adopt the idea of a free federation opposed to war as its substitute:

> States with reciprocal relations with each other have no other way, according to reason, of getting out of the lawless situation - which leads to war - than to consent to coercive public laws (in the same way that individuals surrender their wild freedom - without laws), and to form a *state of peoples* (*civitas gentium*) which (logically always progressing) would finally encompass all the peoples of the earth. However, if, because of their idea of the Law of Nations, they don't want this solution, with the result that what *is* correct *in thesi* they refuse *in hypothesi*, in this case the *influx of* instincts of injustice and enmity can only be stopped by the *negative* substitute of a permanent and ever-expanding *federation*, rather than by the positive idea of a *world republic* and despite the constant threat of those instincts flaring up[69] .

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[66] IDEM, p. 73

67 See: KANT, I., On the common expression: this may be correct in theory, but it is worthless in practice, (1793), In. *A Paz Perpétua e outros opúsculos*, Lisbon: Edições 70, 1990, pp. 58-102 ("On the relationship of theory to practice in the law of nations, considered from a universal, i.e. cosmopolitan, philanthropic point of view").

68 IDEM, p. 135/ p. 76.

69 IDEM, p. 136. /p. 77

The European Union, although not exactly a Federation, is a Union of States that join freely, through an accession made by the governments and referenced by the citizens, and that can freely leave it, as happened with *Brexit*.

The **third article** preaches the need for relations between the states of the Federation to be regulated by cosmopolitan law;

> **THIRD DEFINITIVE ARTICLE FOR PERPETUAL PEACE**
> *Cosmopolitan law* must be limited to the conditions of *universal hospitality*.
> This article, as in the previous ones, is about *law*, not philanthropy, and *hospitality* here means the right of a foreigner not to be treated hostilely because he is in another person's territory. The other can despise the foreigner, if it can be done without ruining him, but as long as the foreigner behaves in a friendly manner in his post, the other cannot fight him hostilely.

Kant goes on to say that when this right is respected: "In this way, far-flung parts of the world can establish peaceful relations, relations that will eventually become legal and public, and can thus bring humankind closer to a cosmopolitan constitution."

But this right is abused when European powers occupy other people's territories as if they belonged to no-one (*res nullius*), in one of the rare criticisms of colonialism by a European thinker:

> If we compare the *unhospitable* behaviour of the civilised states of our continent, particularly the merchants, we are amazed at the injustice they show when they *visit* foreign countries and peoples (for them, it means the same as *conquering them*). America, the black countries, the spice islands, the Cape, etc., were for them, when they discovered them, countries that belonged to no-one, because they didn't consider their inhabitants at all.

The European Union does not formally have a constitution[70] because the constituent process was blocked by the non-ratification of all 27 member countries, but it does have treaties and supra-state norms that limit the powers of the states and create a Community (supra-national) law that can be considered a European Constitution.[71].

In Kantian logic, the positive ideal (*in thesis*) would be the creation of the United States of Europe, but faced with the difficulties of this proposal, as its "negative substitute the creation of a *federation* antagonistic to war, permanent and in continuous expansion, although with the constant danger of its outbreak".

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[70] On the European Constitution see: HABERMAS, Jürgen. *An Essay on the Constitution of Europe*. Foreword by José Joaquim Gomes Canotilho. Lisbon: Edições 70, 2012, in which Habermas proposes a profound reformulation of the European Union in the sense of greater democratisation and internal participation by citizens and the strengthening of supranational integration mechanisms.

71 See: SCHROEDER, Wolfang. *A Kantian constitution for Europe?* Breve analisi del trattato che costituisce una costituzione per l'Europa. In: AA.VV. *Kant and the idea of Europe. Atti del Convegno Internazionale di Studi*, Genova 6-8 maggio 2004, Genova: Il Melangolo, 2005, p.338-354. The process of creating a European Constitution began with the "Treaty adopting a Constitution for Europe", signed by 25 countries in Rome in 2004; but it was only ratified by 18 countries. As a result, the constitution-making process was abandoned and a revision of the existing Treaties was opted for, taking on board some of the main provisions of the failed Constitution, which resulted in what is known as the Lisbon Treaty (2007). This treaty also included the *Charter of Fundamental Rights* of *the European Union*, known as the Nice Charter, first proclaimed by the EU in 2000 in the city of Nice, later reformed in 2007 in Strasbourg and signed by the European Parliament, Council and Commission.

The European Union is not a United States of Europe, nor a Confederation, nor a Federation, but something that is not easy to understand in its complex mechanisms. We can define it as a *more-level system of governance*, in some cases inter-state, in others supra-state in the executive, legislative and judicial spheres.

This process of European integration, with all its flaws, complexity and ambiguities, is successful and has guaranteed the longest period of peace and social, political and economic stability in Europe in its entire millennial history (more than seventy years); and it will be able to consolidate itself to the extent that the European Union is able to maintain the governments' commitment to democracy internally and strengthen integration, and externally from a policy characterised by multilateralism and cooperation in a cosmopolitan perspective.

As long as the authoritarian, populist and nationalist centrifugal forces that act in the name of regaining the sovereignty *of* states (*sovereigntism*) don't prevail, which would once again lead to the permanent conflict that has characterised its thousand-year history; which is still a possibility, albeit a remote one. Today it is very difficult to imagine a war between European countries, but this has been the "natural" condition of Europe for centuries![72]

As Luigi Ferrajoli, today's greatest Italian legal philosopher and worthy heir to Bobbiano's cosmopolitanism, puts it:

> One thing is certain. Today, either we move forward with the European and then global constituent process and promote a general process of political integration based on guaranteeing peace and the vital rights of all, or we go back, but we go back in a brutal and radical way. Either we achieve constitutional integration and the political unification of Europe, perhaps by means of a European constituent assembly; or the Union will break up and our economies and democracies will collapse, thus favouring the many populisms that are growing in all European countries[73] .

The Ventotene manifesto, quoted at the beginning of this essay, written in 1941 in the middle of the Second World War, hits the nail on the head: there will be no peace in Europe as long as there is absolute state sovereignty! And it was precisely the overcoming of the absolute sovereignty of states that put an end (forever?) to war and created a Europe that was both united and cosmopolitan[74]

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[72] As I write this, the media are reporting that 12 European countries are erecting walls on their borders and asking for the support of the European Commission, and that the Polish Constitutional Court has rejected the supremacy of the European Court over national courts, a fundamental principle of the EU treaties, and are receiving support from other governments such as Hungary and, in Italy, from right-wing parties such as Lega and Fratelli d'Italia. These are centrifugal tendencies that, if not contained, could be the beginning of the dissolution of the EU. NOTE: The war in Ukraine, which is in full swing (April 2022), belies this prospect: although these are not EU states, this war is taking place in the heart of Europe! [73] FERRAJOLI, L. *Costituzionalismo oltre lo Stato*, op. cit. (Danilo Zolo, who was a close friend of Ferrajoli's, is said to have disagreed with his friend's idealism. See Ferrajoli's beautiful tribute to Zolo: "I will say straight away that Zolo is one of the greatest political philosophers of our time and certainly one of the best known and loved Italian philosophers on the international stage". FERRAJOLI, L. *Realismo critico e anti-normativismo nel pensiero di Danilo Zolo: una tensione irrisolta*. In: *In mare aperto. Thinking about law and politics with Danilo Zolo*. *JURA GENTIUM*, Vol. XVIII, 2021. Available at: https://www.juragentium.org/about/index.html

[74] When I wrote this text in November 2021, Russia's invasion of Ukraine had not yet taken place, nor had the war between Israel and Hamas, with the consequent "side effect" of the mass destruction of Palestinians in the Gaza Strip. Less than three years have passed and we seem to be in a different era: the international political chess scene has deteriorated rapidly with the return of wars, the ensuing arms race and the strengthening of centrifugal forces demanding less sovereignty

What has been happening to some extent in recent decades, with the creation of regional blocs, is a process of progressive delegation of powers by national states to inter- and supranational organisations, through the principle of subsidiarity. The theoretical basis for this process can be found, once again, in the Kantian intuition that the ever more disastrous consequences of wars, the increase in planetary risks, the existence of profound ecological and social imbalances that could endanger the very survival of the human species, constitute a powerful argument in favour of cooperation between nations, since, as the German philosopher said, the earth is round and men must necessarily live together.

7. In conclusion

The process of globalisation of international relations seems to be irreversible and can be tackled in two ways:

a. Leaving their regulation to the "invisible hand" of the market and, when this proves insufficient, handing them over to the iron glove of armed intervention by the armies of the richest and most powerful nations to defend their "vital interests" anywhere in the world, in a logic of power and the clash of interests, which leads to conflicts and wars that are ultimately seen as inevitable and even beneficial for the "progress" of humanity. This process can lead humanity to the perpetual peace that appeared ironically in the tavern insignia described by Kant and which inspired the title of his treatise, namely the peace of cemeteries[75]. Recent events are moving in this direction!

b. Promoting an alternative network of international and supranational institutions - from both the state sphere and civil society - with the strength to tackle the problems that the market creates and states cannot solve, thus enabling a better distribution of wealth at international level and removing the deepest roots of violence and war. From this perspective, national states would not disappear, but would continue to have their own role in guaranteeing the rights and local identities of their citizens, but would delegate to supranational organisations, on the basis of the principle of subsidiarity, the solutions to conflicts and problems that go beyond their borders and on the basis of recognising not only national but cosmopolitan citizenship.

From the point of view of philosophy, this seems to be the only rational proposal, almost a "requirement" of reason in an age of globalisation, a true "categorical imperative" of a thought that wants to be at the height of its age and its problems, without renouncing a universalist justification of its foundations. However, we don't know if reason will prevail in history, we no longer have the religious belief in Providence, nor the Enlightenment confidence in an end "hidden in nature", nor the historicist belief that "reason governs history". Perhaps a catastrophe is needed: a serious crisis in the global financial system[76]an ecological collapse[77]an "atomic" terrorist attack[78]an

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and more sovereignty for national states. At the same time, the tendency of several states towards authoritarianism and the weakening of liberal democracy is increasing, as is the advance of far-right authoritarian populism, which is taking hold internationally. There is no room for optimism!

[75] I worked on Kant and Hegel's position on war in the essay: "*We have not restarted the Trojan War* (in press)

[76] The global financial collapse already happened in 2008 and its consequences are still being felt....

[77] Global warming is growing rapidly, with natural phenomena becoming ever more aggressive and violent.

[78] Frighteningly, in the war in Ukraine, the Russian government is starting to talk about "tactical atomic weapons" and the British defence minister says we should be on alert for the possibility of a world war in the next few years.

global pandemic even more dangerous than COVID-19 or something similar so that humanity can take the path that reason tells it to, before it's too late!

In the meantime, our task is to continue fighting for the principles of "reasonable" (if not rational) human coexistence to prevail. In this sense, the real distinction is not between realists and cosmopolitans, but between those who defend the *status quo*, the injustices and inequalities created by the globalisation process and those who propose a more equitable and fair international society for the greatest number of people and peoples. And I believe that this is what all of us who are here at this seminar, whether we are realists or cosmopolitans, want and hope for.