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Beyond the West and the Rest: the Foundations of Cosmopolitanism and the Future of International Law

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Summary

For the past thirty years, the phrase "Beyond the West and the Rest" has often been used in the debates on international relations. The conference starts by recalling a few obvious facts about International Law and the West: and then proceeds to show that international law underwent a dramatic change in the course of the 20th century. It then goes on to argue that though international law has changed deeply, its main tenets remain Western, before introducing some of the ethical changes that should be adopted to complete the transition from the current situation to a cosmopolitan world – which is a world structured not according to the classical dualist perspective of "Us and the Other" but rather in a monistic perspective of "Us-Into-the-World".

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For the past thirty years, the phrase "Beyond the West and the Rest" has often been used in the debates on international relations, and can, for instance, be found in Samuel Huntington's famous book: "the Clash of Civilization". It seems hard to trace who initially drafted it, but one of its recent appearances is in a book by the historian Niall Ferguson, published in 2011 and called "Civilization: the West and the Rest".

The book is about how the West came to dominate the rest of the world from the 17th century. According to Ferguson, it is certainly *not* Eurocentric or even imperialist to assert that the rise of Western civilization proved to be the most important historical phenomenon of the second half of the second century. It is just factually obvious. Ferguson then tries to identify what he calls the six "killer applications" that enabled this domination and questions whether these six killer apps are still working today? There are clear signs, he concludes, that this is not the case and that the world is changing very quickly. Whether we are facing a "clash of civilization" like Huntington predicted, or whether we are heading towards a "crash of civilisation", as Ferguson seems to foresee, we must be prepared for a radical change in our outlook. This is indeed the time to look at the world map from a different angle – as proposed by the organisers of this conference – the question remains in which direction exactly. For this reason, I find the theme of this conference particularly welcome.

I have been convinced for years now that the way we conceive international law is deeply problematic, as it does not allow us to understand the present and think the future. The concept of sovereignty in particular – and all the concepts flowing from it – is structuring our imaginary when it comes to international law, international society, and the way we understand the place of humanity on earth. If we want to face the immense challenge that is before us, we need to de-center our perspectives, decolonize our imagination, de-westernize our doctrine – which does not mean, as you will see, completely leaving behind what I consider to be the *acquis* of the Enlightment.

Beyond the West and the Rest is thus a proposal that I fully embrace, as a program of research and as a political agenda for the century.

I would like to start this conference by first recalling a few obvious facts about International Law and the West: why, in its origins and concepts, International Law was used as a tool for Western domination between the 17th and 20th centuries.

Secondly, I would like to acknowledge that international law underwent a dramatic change in the course of the 20th century. It would be wrong to assert that international law simply remained the same. But what is the nature of this change? I argue that international law has embarked on a cosmopolitan process, and I will explain what I mean by that.

Thirdly**,** I will argue that though international law has changed deeply, its main tenets remain Western and I will try to explain why the "West and the Rest" is somehow inherent to International Law.

And finally, fourthly, I will introduce some of the ethical changes that should be adopted so as to change our way of thinking and seeing things, in order to complete the transition from the current situation to a cosmopolitan world – which is a world structured not according to the classical dualist perspective of "Us and the Other" but rather in a monistic perspective of "Us-Into-the-World".

1. International law as a tool for Western domination over the "Rest"

Let me start by recalling some facts that many of you already know. International Law as it developed from the 16th century onwards not only accompanied the expansion of the West, but also justified and facilitated the colonial and the imperial project of the Western states.

During the Spanish conquests, even Francisco Vitoria, often seen as a defender of the Indians, already justified the establishment of the colonial settlers and their exploitation of the land against the will of the indigenous peoples through *jus communicationis* and free trade. Later, the doctrine of *terra nullius* justified land seizures by the Western powers based on the idea that, since the peoples who were found of these lands were not governed by a state, there was no sovereignty and therefore the land belonged to the first taker.

Universal law at the origins of international law meant that those Others who did not live as Christians had to convert to Christianity; similarly, later on, in order to bring them out of the state of nature, the structures of modern state had to be developed so as to administer the lands and the peoples.

As the colonial enterprise progressed throughout the 16th century to the 19th century, the European states grew more powerful and structured their relations on the basis of a new "European public law" aimed at regulating their relations of war and peace, while allowing free competition in the conquest of the rest of the world.

Classical "modern" international law, the birth of which is often situated during the Conference of Westphalia, consolidated this dichotomy between the world of equal sovereign states, ruled by the principle of non-intervention, on the one hand, and the 'barbarian' or "half-civilized" world, into which intervention was "of course" allowed to benefit the local populations in need of education.

This "sacred mission of civilisation" was recognized by the League of Nations through the system of mandates, and then again in the Charter of the United Nations, with the system of trusteeship and the recognition of the existence of "non-self-governing territories" "whose peoples have not yet attained a full measure of self-government".

It is unnecessary to insist any further on these perspectives related to "modern" international law which are well-known - thanks to the critical readings of international lawyers and in particular the so-called "Third-World Approaches to International Law" – the TWAILs.

What I would like to underline is the structure of modern international law as it has been developed in this context. And I will list six points here.

1.1. State of nature and civil state

Firstly, the structure of international law is based on the dichotomy between the state of nature and the "civil state". And history is always interpreted as a transitory process from the state of nature to civil state, which is not only a moral duty but also part of the law of nature – in other words; this is the natural process of how the world unfolds. Thus, the civilization that is the modern state is, from a Western point of view, to become universal and to govern all peoples and territories.

1.2. The Us-Other relation

Secondly, the question of the relation with the other is dominated by the distinction between the civilized Us and the uncivilized-to-be-civilized "Other" (for it is their destiny, their

historical vocation). The history of the relation of Us with the Other is the history of a transformation of the Other into a "one-of-us".

1.3. The Sovereign state as a Solipsist Subject

Thirdly, modern international law is mainly about seizure, and sovereignty is about domination. The creation of modern states themselves, as Carl Schmitt describes it, is a process of *land-appropriation*.[1] Emmanuel Lévinas speaks on his part of *seizure of the being*, a negation of the plurality and otherness of the Other.[2]

The sovereign modern state is a solipsist subject. By that I mean a subject that constitutes the world *in and from* itself: conquered space is part of its "territory" and conquered peoples are part of its "population" as "constitutive elements" of the state. International sovereignty excludes while it includes: states *recognize* some states and do not recognize other states. In this process, their interiority (population, territory) remains beyond the reach of international law: the national from another state is not a human being but a non-national, subject to killing in times of war, that is, in times of conflict between two states. States recognize each other but ignore human beings, downgraded to the rank of "objects" of international law.

1.4. Concentric Circles

Fourthly, the model of socialization of the solipsist subject follows concentric circles: the subject is at the centre and the others are around it, aligned in a multiplicity of concentric circles starting from the close family and then widening to the neighbourhood, the town, the region, the country, the continent, and the rest. All those circles create "spheres" of sociability, and also priorities in terms of moral and legal duties. The formation of "nation-states" in the 18th and 19th century has created an even stronger separation – we could call it the "circle of steel" – between the circle that contains the "nation" - and the larger circles containing the "non-national" others.

1.5. Patriarchal Model

And finally, *fifthly*, the division between the "internal sphere" of the nation-state and the "external sphere" of international relations reproduces the classical divide between the private sphere and the public sphere, also corresponding to a deeply patriarchal conception of social life. It is well know that the private sphere is the sphere in which the male *dominus* exercises absolute authority over his family, which is his wife and children. This is a purely vertical order and not only the members of the family have an obligation to obey, but the *dominus* has a right of non-interference of society in the internal affairs of his *dominion*. Conversely the "public sphere" is the sphere of democracy and equality where males discuss on an equal footing public affairs, that is to say, the "noble" issues. In the public sphere, authority is consented among major/capable subjects, whereas in the private sphere authority is imposed on minor/incapable subjects. "Reason" itself is only to be found in the male subject deliberating in the public sphere, whereas the female and the children have no reason and thus have to be concealed in the house and commanded.

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[1] Carl Schmitt, *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum*, Telos Press Publishing, 2006, particular Part I, Chapter V : « The Land-Appropriation as a Constitutive Process of International Law », translated in French as « La prise de terres comme événement constituant du droit des gens ».

[2] Emmanuel Levinas, *Totalité et infini. Essai sur l'extériorité*, M. Nijhoff, 1971, Le Livre de poche, 1990 spéc. « Conclusions », 11. *La liberté investie*, p. 337.

These five points summarise how international law was constituted in the West, in parallel with the modern state, as a modern concept, That said, it would be incorrect to say that today's international law has not changed and has not in any way moved from its Western origins.

2. Everything has changed: the Cosmopolitan Process

International Law in the 20th century went through a deep process of transformation – and I wish to argue, a cosmopolitan process.

What do I mean by a "cosmopolitan process"?

To understand this, it is important keep in mind that there has always been two separate theoretical traditions in the history of the doctrines of international law: that of the 'law of nations'/droit des gens, which led to the theory of international law formalized by Emer de Vattel and that of the projects of perpetual peace, or cosmopolitanism, from Henri IV's Grand Design to Kant's project for perpetual peace[3].

The tradition of the 'law of nations' was not intended to prohibit war, which was considered as a normal means of enforcement or as a sanction that the state could use in case of violation of its rights. In their way, the 'law of nations'' theorists pursued a form of utopia with the idea of domesticating power and violence through law, within a system based solely on the (good) will of the states themselves. This implied making sovereignty a legal and not a political concept. Sovereignty rather than arbitrary power of command was supposed to become the capacity to consent to be bound by freely accepted obligations.[4]

The cosmopolitan theorists had a more radical goal. They wanted to put an end to all wars and therefore establish a general state of peace, which implied eliminating the causes of war and introducing a public body of law that would be valid and applicable in relations between states, and not dependent on their consent.

From the 17th to the 19th century, the doctrine of the "law of nations" completely dominated the scene, which is why "classical international law" of this time is also often called a "vatellian" theory, in reference to Emer de Vattel. But from the Congresses for Peace in 1899 and 1907 and even more so from 1919, when international law started to integrate the cosmopolitan tradition in positive law.

From 1919 onwards, international law no longer aimed only at regulating relations between European sovereigns and facilitating their conquest of other parts of the world, but also at reaching perpetual peace – that is a cosmopolitan state of affairs, a state of the world where most of the causes of war would be eliminated.

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[3] See Daniele Archibugi, Mariano Croce, Andrea Salvatore, 'Droit des gens ou paix perpétuelle? Deux théories internationales fondatrices sur l'usage de la force', translation by Louis Lourme, *in* Olivier de Frouville (ed.), *Le cosmopolitisme juridique*, Paris, Pedone, 2013, pp. 71-97.

[4] 'The Court declines to see in the conclusion of any Treaty by which a State undertakes to perform or refrain from performing a particular act of abandonment of its sovereignty. No doubt any convention creating an obligation of this kind places a restriction upon the exercise of the sovereign rights of the State, in the sense that it requires them to be exercised in a certain way. But the right of entering into international engagements is an attribute of State sovereignty.' Permanent Court of International Justice, *Case of the S.S. 'Wimbledon'*, August 17th, 1923, Series A nº 1, p. 25.

From then on international law became about peace building, in the sense of creating the social conditions of peace: fighting ignorance, poverty, social injustice, eliminating tyranny and more broadly all the causes of legitimate resentment of the people.

Thus the program of international law became global in the sense that it transcends the division between the international sphere and the domestic sphere. If the program of international law is the elimination of poverty, for instance, it means that international law has to set the conditions for it to be respected by all states in order to reach this goal through global, regional and domestic policies. This is not about contract law anymore, but about general legislation applicable not only to states but also to individuals and moral persons such as commercial companies.

Another major condition for peace appears to be democracy – if general legislation is to be elaborated by international organisations rather than by parliaments, similar conditions to ensure its legitimacy should apply. More broadly, human rights that are safeguards against arbitrary power, and allow all citizens to participate in the formation of the law, should be protected beyond the state. This cosmopolitan transformation of international law came with two other major transformations in world's situation:

The *first transformation* came out of the decolonization process. The notable fact about this process is that that peoples that got rid of colonial power did not choose to create their own political organisation. Instead, they decided to join the club of European colonial powers, by claiming the status of equally sovereign states in international law. Decolonisation saw the universalization both of the nation state and, as a consequence, of the scope of what used to be European public law, which became the law of the international community of states as a whole.

The *second major transformation* has been economic globalization. The expansion of capitalism on a global scale began as early as the eighteenth century, but was slowed down by the rise of an alternative socialist model represented by the USSR and its allies. But, as it is well known, the fall of the Eastern bloc gave way to the triumph of capitalism and the globalisation of markets. From the 1990s, international economic law broadened its scope to the world – and extended its tenets to all economies – with the unprecedented consequence that the global economy, as a process, took over and superseded all political processes. Today, NO national government is in a position to counter the markets' logic, but all governments, with only a few exceptions (like North Korea), are willing to play the game of market economy with the global markets.

Therefore, it would be a total mistake to consider international law as if it had been unchanged and as if it were, still, a mere tool for the Western powers to conquer the world. This is not how things are. Today's blunt assertions that international law must be "decolonized" are thus missing the point. Formally, international law can no longer be suspected of being "colonial." States representing peoples who had been submitted to colonial powers are now equally independent of the others. They are full subjects under international law, with the ability to conclude treaties, form international organisations, and participate in international law making or having their disputes settled by international tribunals.

So what is the issue with international law today? Why can't we say we are "beyond the West and the Rest"? The fact is that having a community of equal sovereign states does not mean we have created a cosmopolitan society.

3. Nothing has changed: the inherence of "the West and the Rest"

International Law has been "decolonised" if we consider that it is not the "property" of the Western states alone. But we still cannot say that we have reached the state of "beyond the west and the rest"? And there are at least *six reasons* that we can mention to support this.

3.1. The main concepts of International Law come from the West

First reason: even if international law now has a universal scope, it is based on concepts, and theories forged by the Western philosophical tradition. The universalization of international law is the universalization of the modern state and its structure, both internally and externally. All territories and peoples are now at least formally governed by the same type of political-administrative complex that we call a state. All states have a ministry of foreign affairs. All states appear with the same decorum, all use the same terminology and rhetorical arguments taken from Vattel's international law.

Although some of the rules and some of the goals have changed, the foundations remain the same.

Sovereignty of course, remains a pillar of the construction of contemporary international law, with its internal and external dimensions. The idea that there is a strict separation between an "international sphere" – which is the world of states – and the "domestic spheres" – which is the world of the individuals - is still solidly entrenched in the way we see, read, and understand the world. Not only is this the structure of the legal order(s) it is also our mental structure. For example, domestic legal orders generally recognize that the validity of norms of international law is based on domestic law, which is a typical solipsistic way of looking at things, i.e. the world is constituted *in* and *from* myself: international law is only valid to the extent that it draws its validity from *my* law. In other words, we are mentally trained to think of the "international" as a separate world, both as a physical reality and as a legal phenomenon. This is not to deny that a "global" approach is progressing in the way we think of global issues and how to solve them. But there is still a long way to go and we do not have much time.

3.2. Our representations of the world are still impregnated with colonial preconceptions

The second reason why we cannot say that we have reached the status of "beyond the West and the rest" is because our representations of the world are still deeply impregnated with pre-conceptions inherited from the West's colonial / imperialistic past. In other words, if norms of international law are well beyond "the west and the rest", the psychological approach to these norms remains often unchanged. In particular, views that the West is civilized and the "rest" is "uncivilised, barbarous, chaotic, … remains a common view. This has an influence on the way Western countries and peoples – but also peoples from the Global South – see their roles. Various figures can be mentioned in this regard:

- The *figure of the big stick* – that is the one who is in charge of main**tai**ning order and discipline, especially when facing a somehow chaotic situation. It is still commonly viewed that the West – and especially the United States of America – has the task of maintaining or establishing "law and order" in the rest of the world, including through military intervention, if necessary.

- *The figure of the good Samaritan*, who helps the unfortunate other. The West still sees itself and is often seen as the one who has a moral duty to exercise charity towards the rest, by

providing funds for development and humanitarian assistance, including against the will or contrary to the wishes of those who are assisted.

- *The figure of the good apostle*: Western countries are willing and or are seen to be willing to *convert* the rest to the orthodox doctrine of democracy, the rule of law, human rights and free trade. Of course, the West thinks this is for the common good. But the rest often keeps its own view on how a state should work and how power should be exercised.

3.3. International law remains strongly patriarchal and gendered

A third reason why we haven't reached the status of "Beyond the West and the Rest" is that international law remains strongly patriarchal and gendered. And this is to be expected, as patriarchy, as I argued before, is contained in the very structure of sovereignty as a division between the international sphere – conceived as the public sphere – and the domestic sphere – seen as the private sphere. It would be false to say that patriarchy is exclusive to Western culture. But the universalization of the modern state and of international law has somehow had the effect of entrenching and comforting patriarchy in the rest of the world.

The Feminist critiques of international law like Hilary Charlesworth or Christine Chinkin are right to argue that the state is a male person. And the Chilean women of Las Tesis, formed after the violent crackdown on peaceful protests in 2018-2019, were right to sing and dance that "el estado opresor es un macho violador".

The state is the capable person at the international plane; *he* is the warrior but also the taker, the one who takes possession of the body of others through military conquest, invasion so as to make the world his own. The main goal of the solipsist self is to confirm and strengthen its solipsist perspective and thus dominant position over the world and the others through a destructive dynamic. The sovereign state is a rapist.

Thus, the focus of international relations is on the power struggle between these warriors. States like to compare their powers, and seek to have more power in comparison to other states: they want to have the biggest … army, the strongest economy, the most influential culture. States are making a spectacle of themselves with childish games each time they compare their respective powers in international debates and negotiations. Sadly these games are the cause of thousands of deaths, massacres, famines and injustices all over the world.

3.4. Obstacles to the creation of a dialogic relation with the Other

The fourth reason is we cannot say that we have reached the state of "beyond the West and the Rest", because the structure of sovereignty still makes it difficult for us to establish a dialogic and equal relation with the remote Other. As I said, Sovereignty works as a principle of inclusion/exclusion that is hard to overcome: the subjects are inside and the others are "outside". Sovereignty means protection for those who are inside through the force of law. But conversely, sovereignty means indifference or even hostility for all those outside, who must be subdued by the law of force. The Other-Foreigner is a "stranger", is "strange" and should be kept away. The figure of the migrant is, of course, a case in point. Very often under domestic laws, the migrant is the one to whom we are legally bound not to help. The criminalisation of the assistance to migrants in Europe is an obvious expression of the functioning of sovereignty : it prohibits us from expressing our solidarity with the Other who is not a subject and who is treated through the use of arbitrary force.

More broadly the fact that states are equalized with nations creates large groups of peoples who are fundamentally "strangers", at best suspicious, at worst hostile to each other. Because of the size of the states, this relationship of enmity reaches catastrophic scales in case of

armed violence: the two world wars are wars between sovereign states, not wars between peoples.

Even more disturbing sovereignty also excludes within the community of subjects: the Other is also the one on the margins of society, ethnic or sexual minorities, peoples on the move, peoples living in the street, those living behind bars. These are logically inside as subjects, but they are ousted because they do not conform to the figure of the subject to be protected: they are therefore deprived of their rights, can be discriminated against or even killed. *Genocide* is a state-crime, and in order to be carried out demands a state-like power and a state-like administration. It aims at eliminating the Other inside to keep the house clean and tidy.

International human rights and international criminal law are international norms that tend to counter this narrative and the effects of Sovereignty; they can be activated to defend the rights of the Other outside (the migrant) or inside (minorities). In this sense they are tools of resistance against how the world is structured, but they still do not structure the world.

3.5. International Economic Law and Sovereignty have served the globalisation of markets

The fifth reason why we are unable to go "beyond the West and the Rest" is that international economic law and sovereignty have been used to support the globalisation of markets. Capitalism as an economic model follows the same logic of *seizure of the being* as sovereignty: it sees the world and peoples as a resource to be incorporated for the sake of its growth – and growth only for growth's sake. It is a complete mistake – unfortunately too widely shared – to consider that the project of sovereignty is able to counter the infinite expansion of markets. It is also a serious mistake to think that, in the field of political philosophy, cosmopolitanism would be somehow the counterpart of neoliberalism. In fact, the project of sovereignty serves the purpose of the globalisation of markets because it prevents the creation of a global governance of the economy. The global economy and economic international institutions can continue to claim not to be submitted to general international law and the law of the United Nations. The World Bank, for instance, continues to claim that it is not bound by international human rights law and by international environmental law because its mandate is strictly economic in nature. Meanwhile, international economic law creates a borderless world for capital and markets.

3.6. International law prevents us from thinking of ourselves as being part of "nature"

Finally, the sixth reason why we haven't reached the stage of "beyond the West and the Rest", is that we find it difficult, in the current structure, to consider ourselves as part of "nature", which can also be called the biosphere. Sovereignty is a deeply subjectivist scheme, with the consequence that the relationship with nature is always thought as a relationship of subject and object. It ensues that, as Descartes said, man make himself 'as masters and owners of nature'.[5] And therefore nature is merely our 'environment'. It is what literally 'environs' the subject.[6] And the relation we have established with this environment is strictly instrumental: we see nature as a resource, as something to be used to increase our power and intensify our existence. For the solipsist subject, nature, animals, plants and rivers have no existence by themselves: they are either already incorporated or still to be incorporated to me to serve my

[5] René Descartes, *Discours de la méthode*, dans *Œuvres philosophiques, I, 1618-1637*, Paris, Classiques Garnier, 2010, p. 634.

[6] Gérard Mairet, *Nature et souveraineté*, Paris, Presses de Sciences Po, 2012, p. 18 [Mairet].

purpose, and the intensification of my existence. The 'right to a healthy environment' if it is actually fully recognised and put into application as a human right, will simply slow down the destruction of nature but will not be able to prevent it, because it is still based on the assumption that nature has not existence except through its relation with humans.

So it is clear that even though international law has gone through a cosmopolitan process, we have not reached the state of "beyond the West and the rest". And this cannot happen, this will not happen until we decide to get rid of a certain number of concepts and ideas in order to make the final turn that will transform international law into cosmopolitan law.

4. Beyond the West and the rest: accomplishing cosmopolitan law

As we have seen, cosmopolitan law and world citizenship are already, in part, a reality. But major transformations have yet to take place before we can say we have gone "beyond the west and the rest" and have reached a cosmopolitan world. Of course, if we think of the cosmopolitan agenda, we think of institutional and legal reforms – and there are a number of them that I advocate, such as the abolition of the veto at the Security Council, the creation of a robust and fair status for civil society participation in international organisations or a UN Court of Human Rights. But here, I would like to focus on another dimension of the cosmopolitan agenda, which is rather the ethical and ideational reform that we must achieve if we want to move decisively beyond "the West and the Rest".

We will not overcome the divide between the West and the rest, Us and the Others, if we do no work on the way we perceive the world - and this can only be done through culture and children's education. I think we should work on three relations in particular:

4.1. The relation with the Other

Firstly, we must learn to consider the other not as a stranger, as a strange person, but as a human being. As such the Other is another self, but is also the one-who-is-not-me, who is characterized in their absolute otherness, and must therefore be respected. We must educate ourselves against our solipsist inclination and the solipsist inclination of the sovereign state, which tends to appropriate the Other through seizure so that they become another self, an *alter ego*.

We must learn to adopt a cosmopolitan attitude towards the stranger – that is to be in a listening position rather than a judgmental one. We must train ourselves – and this is a hard exercise – to think of the margins as if they were in the centre, to mentally move the margins toward the centre. We must practice towards the Other what Kant called the "cosmopolitan right", that is the right of visitation as a mark of respect for the infinity of other people's difference.

International Human Rights law is the legal tool that can help us bring this cosmopolitan education to life, by recognizing that others have equal rights despite being "others". But domestic laws will act as a constant obstacle, being thought out and tailored according to the structure of sovereignty. Part of the education must therefore be the need to criticize and resist to laws of the state that prevent or prohibit us from seeing the Other as an equal person – the laws of sovereignty that take part in the inclusion or exclusion process. This should be done through the civil disobedience of groups of citizens of the world, i.e. transnational or rather non-national cosmopolitan networks of citizens acting non-violently against the same exclusionary laws in different countries.

4.2. The relation to the state

Secondly, we need to rethink our relation to the state. We need to train ourselves to be less mentally statists and more cosmopolitans. We should start by always considering ourselves as both citizen of our state and citizens of the world, like Marcus Aurelius: "My city and country, so far as I am Antoninus, is Rome, but so far as I am a man, it is the world."

On this basis we should demand our right to participation for all decisions that affect us personally or as members of a community, but also in all decisions and rules that affect humanity or the biosphere as a whole. We should consider autonomy as a principle applicable beyond national polity.

National politics today has become meaningless on a number of global issues. This also appears clearly in the face of climate change, when, for example, President Bolsonaro of Brazil opposes national sovereignty against the demands he receives to take action to stop the destruction of the Amazon rainforest. I claim the right, as a citizen of the world, to participate in decisions about the amazon rainforest – which cannot be considered the dominion of one state.

Similarly, I personally recently claimed my right to participate – at least symbolically – in the US presidential election and to vote for Joe Biden, as Donald Trump's re-election would have had major global consequences and would probably have brought the world to the brink of disaster. I called the US presidential election a "cosmopolitan election" for the following reason: it is a national election, within a national polity, but with global consequences, which justify the participation of global citizens.

Moreover, sovereignty is majesty. We need to stop being dazzled by the state's majesty, its signs of grandeur, the golden walls of its palace and the luxury of its lifestyle. Very often, even in our democracies, we still see the Leviathan in the place of the state: a great super man, whom we fear and beg for protection. And all too often we tend to think of the prince, the president, the prime minister as an incarnation of the state, like the Leviathan himself, as the protective image of the father.

4.3. The relation with "nature"

And thirdly, we need to rethink our relation with "nature". As long as sovereignty remains the foundation of our conception of the state and international law, we will continue to perceive ourselves as distinct from nature.

We are in fact both part and distinct from nature. We are fully autonomous in the sense that our dignity lies in making decisions that may go "against nature", that is against what we understand to be "the order of things".

But at the same time we must take into consideration and respect the fact that nature has its own rules, its own program, which is independent of our will, and very often beyond our understanding. We need to cultivate modesty, respect and caution in the face of the biosphere of which we are part, and which is also our only home in the universe.

Of course, this list is not exhaustive– but what I would like to emphasize here is that not only legal and institutional changes are needed, but also cultural changes – in the way we see things, in the words we use. Our imagination of how power is exercised among humans will not change without changing the laws, but the laws will not be changed if we do not have a clearer vision of what we need to change. I submit that the bulk of the matter is the shift from the dualism of "Us and the Other" to a new perspective where we would conceive Us as being

in the world, with Others –the group of "Others" being expanded beyond humanity to the biosphere.

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A few words of conclusion: we want to go beyond "the West and Rest". Why do we want to do this? Not because we think that the West is particularly evil. But because we want to avoid the domination of one part of humanity over the Rest. And also because we feel that the legacy of the West has bright sides but also dark sides. This is not about throwing the baby out with the bathwater. We have to recognize that there is an *acquis* of the Western experience, of Western Modernity that has become universal and that we want to preserve and even extend further for good reasons. We should be willing to keep this key idea of autonomy, because only by realizing this idea, by making it more intense, can we hope to create the conditions in which there will be no domination from one part of the world over the other parts of the world.

The cosmopolitan transition that we are aiming for is not about completing "the West and the Rest" in order to face a situation where we will have, for instance, "the East and the Rest".

It is not about returning to a kind of holistic thinking: there is no way back. We need to reinvent words and concepts to invent our future. To do so, we must actively counter nationalistic trends in every country and express ourselves as cosmopolitans across borders, create transnational networks of cosmopolitans to rethink our economic models, get involved in global issues and discussions and realize how glocal they are, claim the right to intervene and have a say in the political affairs of other states, but also in issues dealt with at the level of international organisations. In other words: Cosmopolitans of all countries unite!