

# The Cosmopolitan State: Redefining Power in the Global Age

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The discourse of globalization resembles an Indian god: it has many faces, is full of mystery, all-powerful and it confirms the attitude with which it is approached: fear or hope. However, my thesis points in another direction: globalization, in a socio-theoretical context, is tantamount to a revolution in the social sciences, forcing a change in perspective, a change of paradigms from the — as I would argue — predominant “methodological nationalism” to a “methodological cosmopolitanism” (Beck, 2006; Beck & Sznaider, 2006). I will first examine this thesis in general and then, as a second step, develop it in more detail using the example of a key topic, the concepts of power and state.

## What does “Globalization” Mean in the Context of the Social Sciences?

Every attempt to use the globalization discourse productively in the social sciences has to begin with the question: What does “globalization” mean? I define ‘globalization’ as a reflexive rather than a linear process, taking the global and the local (or the universal and the particular) not as opposites but as combined and mutually implicit principles. These processes are historically variable (tied to their contexts) and multidimensional. Their application goes further than mere “interconnectedness”, changing the relations between nation states and nation state societies (Held, McGrew, Goldblatt, & Perraton, 1999). Rather, they alter the quality of the social and the political *within* nation state societies. Here I refer to the “*internal* globalization” or even “cosmopolitanization” of nation state societies from within.

But what does “internal globalization” or “cosmopolitanization from within” mean? One can answer this question by referring to the theory of reflexive modernization (see Beck, Giddens, & Lash, 1994; Beck, Bonß, & Lau, 2001; Beck & Lau, 2005). One central operational thesis, basic indicator of reflexive modernization is the *pluralisation of borders*. This is supposed to be true for so fundamental dualisms like the borders between nature and

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society, knowledge and unawareness, subject and object, peace and war, life and death, We and the Other. If one focuses on globalization from within the pluralisation of borders means the pluralisation of nation-state borders or the implosion of the dualism between the national and the international: How far is there a multitude of non-identical borders emerging, within which themes and dimensions and with what effects (strategy opportunities of action for whom); for example:

- economic (e.g., asymmetry between mobility of capital and labour migration);
- cultural (e.g., transnational communication flows and life styles; private and public cross border networks, decision making structures; number and types of transnational marriages, births);
- political, state (e.g. post national citizenship);
- legal (e.g., *lex mercatoria*);
- global risks (e.g., climate crisis, BSE crisis, bio politics, genetically modified food);
- military, police (e.g., decision making structures of NATO or of a European police force); technological (e.g., the Internet and its consequences for location independent communication, community formation, social movements).

In terms of the “methodological nationalism”, which has so far been dominant in the social sciences, these borders coincide (deviations are considered exceptions) — the *axiom of the congruity of borders*. In the terms of a “methodological cosmopolitanism” these borders diverge. “Internal globalization” thus stands for dissonance in the drawing of borderlines — the *axiom of the incongruity of borders*. In other words: borders are no longer predetermined, they can be chosen (and interpreted), but simultaneously also have to be redrawn and legitimated anew. There is both: an increase in plausible ways of drawing new borders and a growing tendency to question existing borders.

When cultural, political, economic and legal borders are no longer congruent, contradictions open up between the various principles of exclusion. Globalization, understood as pluralisation of borders, produces, in other words a legitimization crisis of the national morality of exclusion. This emerges under two conditions: Firstly, insofar as the national social and political problem contexts become transnational (and are recognized as such), demanding transnational solutions in turn. Secondly, insofar as national and ethnic ties are pluralised, overlap and are de-essentialised within one and the same lived context. At this point questions as to the distribution of memberships open up: On which principles are the internal hierarchies (between minorities, the majority and migrants) of communities or states based? In addition, questions as to the distribution of civil rights: Who, and/or which principles decide who enjoys civil rights (legitimate presence, employment, social security, political participation) and what exactly do these rights entail? Further, questions as to the distribution of global responsibilities: Why do we have to recognize a special moral responsibility towards other people just because by accident they do have the same nationality. Why should they be free of any moral sensibility towards other people for the sole reason that they happened to be born on the other side of the national fence? What loses any legitimacy is the fundamentally dubious assumption that such responsibilities are absolute within a border while their absence is equally absolute outside this border.

This exclusion crisis sets off an avalanche of “cosmopolitan” questions: Can the reasons which a society gives for the exclusion of strangers be questioned by members of this society and strangers alike? Who questions, who decides, who justifies and who defines who “Who” is? For example, may “foreigners” participate in the process of discussion, definition and decision-making when it comes to the issue of civil rights? Or does this

decision ultimately lie solely with the members? May members claim a right to homogeneity in order to exclude others? The right of “ethnic self-determination”? The right of “religious homogeneity”? Of “racial homogeneity”? Of “ethnic cleansing”?

The cosmopolitan constellation evidently creates greater demands for legitimation, which are asserted both internally and externally, it opens up discussion to include groups which have previously been excluded, redistributes the onus of proof and excludes a series of principles as illegitimate or questions their legitimacy. The international controversy about the NATO intervention in Kosovo in 1999 brought this crisis of exclusion of the national to the fore in exemplary fashion: Was it a Western invasion of a sovereign state? Or did NATO establish a new priority of individual human rights over international law with unpredictable consequences?

Drawing on Yasemin Soysal’s (1994) study “Limits of Citizenship” and Aihwa Ong’s (1999) work on “Flexible Citizenship”, this crisis of exclusion of the national can also be elucidated by way of the transition from national to post-national political membership. Entitlements (with respect to residency and pension rights) are no longer exclusively tied to the nation state and national citizens’ rights, but also to global human rights, which are conferred on individuals — mediated by certain authorities and agencies (UN-resolution, NGOs, European legislation etc.). This, in turn, has numerous repercussions: Among others, the comparatively low rate of naturalisation in Germany can no longer be explained solely by the still comparatively restrictive regulations of German citizenships. Rather, national citizenship may be losing its importance altogether. Thus “transmigrants” have less and less interest in “assimilation”, particularly because all-inclusive welfare state systems no longer exclude them from central concerns in life — job, retirement pension.

“Border discrepancies” in this case means that there is a dissonant but normal pluralism of political membership on a global, European, national and communal level. The institutionalisation of these contradictions of the norm, however, opens up the field of action. Established borders become multifaceted negotiable borderlines. In other words: There are three areas — area of influence, area of responsibility, area of commitment — which must and can be subject to decision, and these decisions must be legitimated. This holds true not only for questions of civil rights and political membership, but also for questions of bio politics (genetic engineering, human genetics) and of criminality as well as for questions of employment law, environmental policies, BSE, genetically modified food, etc. All this occurs at various levels and leads to a pluralisation of strategic actors and strategic frontiers.

One decisive repercussion is this: In the course of such a pluralisation of borders and the resulting exclusion crises and conflicts, which assume new patterns and forms of development, the nation state axioms of the social sciences implode. A shift of paradigm from the prevalent “methodological nationalism” to a “methodological cosmopolitanism” becomes necessary.

### The Question of a “Cosmopolitan Social Science”<sup>1</sup>

In the understanding of the social sciences “society” generally stands for its plural, “societies”. This, however, implies that there are as many societies as nation states. The

<sup>1</sup> Tue “cosmopolitan” revival of the social sciences proposed here does not imply the “politicisation” of sociology, political theory, history, etc. but rather of increasing the social sciences’ awareness of transnational reality in empirical–analytical and methodological–organisational terms (Beck, 2006; for debate see British Journal of Sociology 2006, issue 1).

state is the creator, controller, and guarantor of society. Societies are thought as containers, which emerge and are sustained within the state's sphere of influence. This container-theory of nation state societies which defines and limits societies territorially, is deeply ingrained in the self-perception of sociology, in its categories and concepts, one could say, in the sociological imagination. The nation state gaze has become sociology's limit of perception. In this context, it is possible to speak of a "*methodological nationalism*", meaning explicit and implicit assumptions that the nation state is the container of social processes, and that the national provides the core order for the analysis of social, economic and political processes. It is exactly this nation state *a priori* of the social sciences, which is becoming fundamentally questionable in the course of the pluralisation of borders.

We thus have to query, for example, the assumed correspondence between national territory and the national as well as the related implication that the national and the non-national are two logically mutually exclusive conditions. In fact, however, this previously constitutive distinction collapses as a result of Globalization processes. What occurs within the territory of sovereign states is not necessarily to be read as a national process. And vice versa: what appears to be, is labelled as, or even understood as "national" — big companies, flows of capital and culture — can be localised outside national territories, e.g., in another country or in the digital space. This localisation of the global (or non-national) *within* national territories and of the national outside national territories undermines the key differentiation of the national and the non-national as being logically and empirically mutually exclusive conditions, which lies at the heart of so many methods or conceptual frameworks of the social sciences (Sassen, 2006).

A widespread and certainly justified worry within the empirically oriented social sciences is that an inclusion of globalization phenomena and questions creates the danger of a relapse of the social sciences into *metaphysics*. An *empirical* social science of globalization is not in sight and may even be impossible. The fear that globalization will lead to a revival of theoretical sociological theory *without* an empirical basis has been qualified by numerous studies (e.g., Held et al., 1999; Beisheim, Dreher, Walter, Zang, & Zürn, 1999; Sassen, 2006), but cannot be dismissed so easily in view of the over-theoretical nature of the debate.

The conceptual and methodological study of cosmopolitan sociology of the internal globalization of nation state societies should thus have the goal of creating a "*cosmopolitan index*". This should include the systematic treatment of questions such as the following (Beck-Gernsheim, 2004; Beisheim et al., 1999; Beck, 2000; Beck, 2006; Held et al., 1999):

How many people in Germany, Great Britain, France, etc. marry foreigners? Of which nationality? How many children grow up in a bi-national context?

How many languages are spoken? What do people most identify with — the place they live (local identity), their nation (national identity) or with the fate of the world as a whole (cosmopolitan identity)? Are these identifications mutually ex- or inclusive? In other words, how far and in which areas do local and cosmopolitan identities, for example, or national and cosmopolitan ones, interconnect or clash — and what are the repercussions? What percentage of the work force, with which qualifications and in which professions, can be perceived to be real or potential winners or losers of globalization, or perceive themselves as such?

How great is the exchange of cultural programs or products, how large is the share of [imported?] products on TV, on the radio, in the book-market, etc.? What do telephone habits look like within one country — the relation of domestic to international calls?

Similar data ought to be taken from the areas of tourism or travel in general. Great care has to be taken, however, not to oversimplify the interpretation of such indicators or variables as proof of a change of consciousness or behaviour pointing towards a “cosmopolitan society”. Rather, two further questions must be taken into account: How far do these trends really give rise to new cosmopolitan sensibilities or potentials? Or does the perceived internal globalization become a bogeyman in peoples’ minds? Or even: do both occur simultaneously, and if so, in which proportions? In other words, how do specific population groups or countries react in their self-perception, in public debates, in their organisations, from police force to universities, and, above all, in primary schools, to the pluralisation of borders and the cosmopolitan transformation of their lived relations? Is a subterranean, invisible change in national experience taking place? Is the national frame of reference and experience really being replaced by a cosmopolitan one? Are the two linked in contradiction or do they constitute an explosive opposition? Perhaps any relevant statement will inevitably relate only to specific topics (migration, the global ecological crisis)? How then, and with what time-lags is this creeping internal cosmopolitanization reflected in people’s minds, attitudes and actions? And how can this complex transnationalisation of lived, work and production relations be drawn together in terms of appropriate indicators of an empirically practicable “*cosmopolitan index*”? This, of course, has to be done and organized transnationally in transnational research networks, avoiding the embarrassing paradox of a “German etc. globalization” research.

It is, however, extremely difficult to break up forms of observation and conceptual systems centred on the nation state, even when they are confronted with problems of empirical validity and logical inconsistency. What is required, therefore, is an *epistemological break*: The predominant tools and methods of analysis are simply not adequate to address the rules of this new power game, the “drama” of transnational border pluralisations and conflicts, and to uncover and decode them at an empirical-theoretical level. Ultimately, the discourse of globalization casts doubt on the relation between our knowledge of the world on the one hand and social structures on the other. Social structures — or social reality and dynamics, to put it more carefully — are being transnationalised. An appropriate epistemological change of perception, corresponding to this ontological transformation, is required — that is, from a methodological nationalism to a methodological cosmopolitanism. This in turn necessitates a new differentiation in social and political analysis between the levels of *appearance* — national phenomena are possibly circularly misinterpreted, in the nation state framework of analysis — and the level of *essence*, i.e., they have to be analyzed and theoretically explained as transnational phenomena and dynamics in a cosmopolitan framework.

Use of the nation state paradigm can thus be or become very illusory and mistaken, leading us to believe that we are observing national phenomena when in fact we are dealing with transnational processes or processes entailing a new ambiguity: transnational dynamics are refracted in persisting nation state institutions and forms of consciousness. Results that are thus identified as “national” phenomena and strategies — even in the context of standard international comparative studies<sup>2</sup> — should in fact be identified, under conditions of border pluralisations, as consequences of mobile, transnational capital, culture and information flows, technologically determined changes in the human image, risks,

<sup>2</sup> Corresponding efforts in the area of economics, that is, the creation and practice of a “*transnational index*”, are already available.

transnational inequalities, etc., which, inflected by specific historical and political conditions, assume a variety of “national” appearances in different zones of an open global economy.

This paradigm shift is founded on and signalled by a dualism characterised by the opposing terms *international* and *transnational*. The dominant assumption is that this differentiation lends the world a new design. The national order was divisible into a clearly defined inside and outside, at the centre of which the nation state rules and keeps order. The internal realm of experience encompassed the central themes of work, politics, cultural identity and the resulting crises and class conflicts, perceived and processed against the backdrop of the collective unit of action provided by the nation. The international, located in the external sphere of experience, corresponded to the image of “multiculturalism”, in which the national self-perception is reflected and confirmed in the distinction from and exclusion of strangers. In this sense, the distinction national/international was always more than a differentiation; it was rather a constantly self-fulfilling prophecy: After all, it associates land with exclusive, potentially violent, identities and creates and renews images of sovereign territories. And as we know from history race and space together form a deadly discourse.

The opposing thesis of transnationality blows open this entire framework of meanings from the inside. Against the backdrop of the transnational, it suddenly emerges that national and international cannot be clearly differentiated, nor can they serve to separate homogenous entities from one another. National realms are de-nationalised, so that the national is no longer national and the international no longer international. In the course of transnationalisation the container of power that is the nation state is simultaneously broken open from the inside and the outside and a new view is established, a new perspective of space and time, new coordinates of the social and the political, as already mentioned: the world is designed anew, justifying a new epochal term, that of the second age of modernity. This paradigmatic opposition of internationality and transnationality does not however justify a logical or temporal exclusivity, rather an uneasy co-existence of transition, a new form of the simultaneity of the non-simultaneous. This should certainly not be seen as a negative zero sum game — i.e., what is lost in the national is gained in the transnational and vice versa.

The same goes for conflicts of gender, class, ethnicity, homosexuality, which though they have emerged from the national realm have long left it behind and in reality overlap and interconnect in the transnational. The cosmopolitanization of social movements is also evident — just as is the fact that these have become the bearers of global understanding, values, conflicts, entitlements, rights and duties.

“Globalization” taken to its conclusion — to summarise the argument thus far — means that the social sciences must be founded anew as *a science of transnational reality* — conceptually, theoretically, methodologically, and also organisationally. The key concepts of “modern society” — *household, family, class, democracy, power, state, economy, public sphere, politics*, etc. — must be removed from their fixed settings in methodological nationalism. They must be redefined or rethought in the framework of methodological cosmopolitanism. This has to be done elsewhere (Beck & Grande, 2007).

#### Paradigm Shift in the Social Sciences from the First to the Second Age of Modernity

	Methodological Nationalism	Methodological Cosmopolitanism
Borders	Congruency of borders: the national differentiation of inside and outside dominates all areas; political membership is predetermined and exclusive.	Incongruency of borders: inside and outside mingle according to area: borders have continually to be redrawn and justified; elective plural political memberships.

Economy	Differentiation of domestic economy and industry (family/market) <i>within</i> the order of the nation state; transition from agricultural societies with local markets and production methods unchanged for hundreds of years, where social cohesion was founded on religious rites to a national age of modernity, which is dominated by market economy, democracy and national culture are mutually determining and dominant.	Differentiation of nation state and global economy: de- or ex-territorialised reorganisation of the economy <i>without</i> the structuring framework of a global state; rise of a world-, market-, and ego-society, where capital and labour are mobile without limits, populations are largely urbanised, religions and ethnicities pluralised and social inequalities radicalised. Under these conditions “nationalism” becomes a “cure” that is worse than the illness.
State/politics	Apparently <i>a priori</i> fusion of space and identity: state = territorial state = nation state; sovereignty equated with autonomy: state independence, national self-determination and the solution of central national tasks (welfare, law, security) coincide.	Uncoupling of space and identity: de-spatialisation of state, politics and society — “cosmopolitan state”; differentiation of sovereignty and autonomy: national tasks have to be solved transnationally; the loss of autonomy can lead to a gain in sovereignty.
	Methodological Nationalism	Methodological Cosmopolitanism
Class/social inequalities	State-centred sociology: social inequalities are solely and exclusively addressed within the national framework — “consonant hierarchies”; unacknowledged notion of ethnicity; ethnic-national differentiation of mobility and Migration.	Sociology detached from state: social inequalities are addressed multidimensionally in world society: (a) global, (b) transnational, (c) intranational; “discrepant/dissonant hierarchies”; acknowledged notion of ethnicity; “migration” = world societal (upward) mobility.
Ethnicity/culture	Hegemony culture: dominant majority homogeneity premise; “minority problems”; hidden essentialism; non-differentiating universalism; race and space create a potentially fatal discourse; political goal: assimilation and integration.	Non-hierarchical pluralism: universal coexistence of cultural differences; quantitative and qualitative metamorphosis of majorities into minorities and vice versa; recognition of ethnic differences; de essentialised; new mixed forms (hybrids) and lived relations (“diaspora”); plural ethnic identities, the co-presence of “here” and “there”.
Ethics	Ethics of exclusion: the “absent Other”; dominance of the particular versus the universal.	Ethics of inclusive exclusion: the “present Other”; dominance of the universal versus the particular (“cosmopolitan nation”).
Globalization	“Interconnectedness”: external — “additive” — globalization; the national and the international constitute two seemingly logically mutually exclusive conditions; world society secondary; primary backdrop (socially and in the social sciences) national society(ies).	Internal globalization: “cosmopolitan index”; The distinction national/international implodes in the reference frame of transnationality; world society is the primary backdrop; sociological categories become “zombie-categories”.

### The Cosmopolitan State: Redefining Power in the Global Age

In the second half of this chapter I want to pick up only one topic out of the many — and ask: How do the concepts of “power” and “state” have to be redefined in the global age? (Beck, 2005) In order to answer this huge question (in five minutes) or to sketch out an

exemplary illustration one has to refer to the relationship of nation-state and global economy. I have eight theses:

*First thesis* The relationship between world economy and the state now resembles a *meta-power*, that is: the power to change the rules of the national and international power relation. The economy in particular has gained this meta-power because it has broken out of the cage of the territorially and nationally organised and dominated power conflict and has acquired new power moves in the digital space. So by “meta-power game” I mean playing for power while simultaneously changing the nation-state rules of power. It’s like playing chess and changing the rules of the game along the way. The pawn — the economy — suddenly becomes the knight (given new possibilities of mobility by information technology) and can thus checkmate the king — the state. But suddenly the state may also begin to “jump” and can thus checkmate the knight-economy in new ways, etc.

From what do capital strategies draw their new meta-power? The basic principle was summed up in the headline of an east European newspaper on the occasion of the visit of the German chancellor: “We Forgive the Crusaders and Await the Investors”. It is the precise opposite of the classic theory of power and authority which maximizes the power of transnational corporations: The threat is no longer of an invasion but of the non-invasion of investors, or the threat of their withdrawal. There is only one thing worse than being overrun by big multinationals: *not* being overrun by multinationals.

This kind of authority is no longer tied to the execution of orders, but rather to the possibility of going somewhere else — to other countries — to make better investments. It thus introduces the threat of *not* doing something, that is, of *not* investing in *this* country. The new global economic power of big business is thus, in this sense, not founded on violence as the ultimate rationale to force their will upon others; it is precisely this which makes it so much more mobile, that is, not tied to any specific location and consequently “globally disposable”.

While the power of states (according to the national rationale) grows by conquering foreign territories, the power of the global economy’s players grows precisely by doing or threatening to do the opposite, by being in a position to *leave* the relevant national territory, to *not* conquer foreign countries and territories. This in turn succeeds to the extent that transnational companies become extraterritorial factors. The power of the state is thus not undermined or broken by state power, i.e., military threat and conquest, but rather *detrterritorially*, *exterritorially*, by way of a new weightlessness of transnational trade and activity in the digital space. This deterritorial conception of power reverses the logic of the traditional understanding of power, violence, authority.

Not imperialism but non-imperialism, not invasion but the retreat of investors constitutes the nucleus of power of global economic power. The deterritorialised power of business need neither be politically obtained nor legitimated. Its implementation avoids the institutions of developed democracy such as parliament, the courts and government. *Deliberate no conquest* — this non-violent, invisible, intentional threat of withdrawal or inaction — is neither conditional upon consent nor even capable of achieving it. This meta-power is neither illegal nor legitimate; it is “translegal”, but it possesses the power to change the state rules of power in the national and international systems.

The analogy between the military rationale of power and the economic rationale of power is evident: Investment capital is the equivalent of fire power — with the big difference, the threat of not firing enlarges the power. Product development subsidized by the state is the equivalent of weapon innovation. Taxes can be defence strategies protecting

local and national markets against global invaders, investors. Offence is the best defence and that means: research and development, force-fed with government support and the taxpayers' money, increases the offensive power of global capital. And, of course, ideological warship has been replaced by the discourse on globalization.

On the one hand you can, as I did, explain the concept of global meta-power by reversing the classical concept of state power as, for example, Max Weber defines it. On the other hand the first and most important victory of globalization may be the globalization of the globalization discourse. And this *discursive* power of globalization, of deliberate non-conquest can be understood in Foucault's theory of power, which differs greatly from classical definitions of power that focus on power over others and which assume clear agency.

The power of not-investing capital is something, which exists everywhere. Globalization is not a choice. It is a nobody's rule. No one is in charge, no one started it, no one can stop it. It is a kind of organized irresponsibility. You keep looking for someone who is responsible, you can complaint to. But there is nobody on the other side of the phone, no email address. So the more the globalization discourse dominates through discursive identity construction all areas of life, including the self-definition of one's own life in terms of 'self-entrepreneurship', the more powerful capital strategies get. This does not mean, as I said before, that managers are ruling the world.

Two often unseen consequences of this meta-power of global economy are really remarkable. So far throughout history the rules of the game in world politics have been bloody and imperialistic. The new global meta-power is in its essence pacifistic (maybe not in its consequences). The power of global capitalism derives from potential non-conquest. Of course, global capital has to be localized somewhere and so it is imperialistic at the same time. But it is a kind of imperialism, which the invaded, even if they don't like it at all, vitally depend upon.

Second, perhaps and only in a special sense, "cosmopolitan corporations" and maybe even a "cosmopolitan capitalism" is in the making. Global corporations are using and developing the productivity of diversity. The mixing of races, ethnic groups and nationalities — at home and abroad — is becoming their central resource for creativity and at the same time a dominant employment policy of transnational corporations. The antidote against stagnation is hybridization. *Mélange* is the norm, at least inside of transnational governance and corporations. It is exactly the growing meta-power of capital, which sets companies free to diversify their workforces — often against national laws and national agencies. So global corporations are transnational societies en miniature.

As I said, the concept of meta-power implies changing the rules of the game by playing it. So the old territorial and the new deterritorialized power game are overlapping, contradicting and penetrating each other. What we are talking about, are very ambivalent processes and open-end scenarios. But, in fact, the old categories of state centred power and politics are becoming zombie-categories. They do not capture the new — the new wars (Kaldor), new actors, strategies, resources, goals, conflicts, paradoxes and ambivalent outcomes of the meta-power, both inside and between nations. After the nightmare of the twentieth century we have to expect the worse. But we have to recognize realistically too that through all the confusion and threats the rising power of capital changing the rules of state power, but doing this in a pacifistic way, without democratic legitimation and with "translegal" means at the same time.

*Second thesis* What does 'translegal' mean? The meta-power game derives its subjects, its dynamics of conflict, its forms of development and unpredictable consequences particularly

because in this way the boundary between politics and economics is broken up, strategically negotiated, redrawn and redefined. To pick up one example: The state monopoly of law making is being privatized. Legal changes are the order of the day in advanced capitalist societies as much as in former socialist ones and in the countries of Africa, Asia and Latin America, which are reshaping their legal norms and institutions under the regime of the International Monetary Fund and the World Bank. So the state no longer enjoys a monopoly over the production of law. A range of new actors — corporate law firms, arbitration bodies, *lex mercatoria*, international institutions and NGOs — are contributing to the diversity of forms of regulation, to the variety of settings of rule creation and to proliferation of methods of interpretation and application of norms and standards. Law is both: privatized *and* transnationalized. It is instrumental in structuring processes of transnationalisation just as it is being shaped through them. Thus property rights, patent law, environmental law and human rights are the key areas in which the boundaries between national and transnational contexts are blurred, disappear and are remixed.

Transnational co-operations and organisations thus become private “*as-if-states*”. They make collectively binding decisions, but at the same time they mutate into fictitious decision makers, virtual organizations. One essential consequence is: Old enterprises were regulated by the principles of market and hierarchy; their power and their decisions were economically determined and limited, so that the burden of legitimation was *removed*. But nowadays corporations as quasi-states also have to make political decisions, and they are at the same time fundamentally dependent on negotiation and trust, and thus become thoroughly *dependent* on legitimation. Furthermore: They become legitimation-dependent players *without* being able to draw on public-state-democratic sources of legitimation. As a result, there is a chronic need for trust on the part of the global players of the economy — world markets become extremely unstable. So there is an interesting paradox coming up, which can be used by NGOs: High power and low legitimation (economy) are confronted with low Power and high legitimation on the side of NGOs. They can utilize it to develop their specific “legitimation power”.

The as-if-statehood of transnational economic meta-power, the scope and binding force of the norms of world economy become evident not least from the fact that these norms are conceived *globally*, and thus, so to speak, include nation states as “local executive organs”. This is what Renata Ruggerio, the general director of the World Trade Organisation was referring to, when he said in 1997: “We are writing the constitution of a single global economy”. It is the neo-liberal project, which anticipates globally binding decisions. Accordingly, a universally valid and applicable “policy mix” is being propagated. According to this, political reforms are to be geared to the standard of economic goals — low inflation, balanced budget, the dismantling of trade barriers and currency controls, maximum freedom for capital, minimum regulation of the national labour market and a lean adaptable welfare state which pushes its citizens into work. These are *the* reform goals of globally active neoliberalism. In this way, economic power can remain “non-political”, because adjustment to the international economy — above the global finance markets — has become the internal compass of “ruling” politics.

So we are not living at the ‘end of politics’, but in a time of translegal meta-politics: the neoliberal regime represents a global reform policy. It envisions a borderless world, not for labour but for capital. This is becoming a self-fulfilling prophecy through the structural reform policies initiated by the IMF and World Bank. Neo-liberal futures are being contested on many grounds — I just want to pick up two less familiar criticisms: First the

distinction between mobility and migration, second the question whether the neo-liberal regime is capable of reproducing itself.

In the nation-state paradigm of first modernity, there is a razor-sharp distinction between ‘migration’ and ‘mobility’ — indeed, opposite values were typically assigned to the two. Population shifts within a national state meant mobility and were highly desired, especially in view of regional imbalances in the labour market. Part of the ideal of the ‘flexible worker’ is that he or she should go where the jobs are. The fact that this breaks up families, because wives and mothers are also economically active and must show ‘flexibility’, is constantly ignored by those who are apologists for both market and family.

Mobility between national states, on the other hand, is regarded as ‘migration’ and subjected to major restrictions. At the border posts, ‘desirable flexibility’ thus turns into ‘undesirable migration’, and people who do what is so much demanded within individual countries find themselves being criminalized. They are, ‘economic refugees’, ‘asylum-seekers’ or ‘illegal immigrants’, who put themselves in the hands of ‘human traffickers’ — a task discharged within each country by the official employment exchange. How can citizens who believe in universalistic values and rights become, within a transnational dimension, enemies of the very mobility for which they insistently call inside their own country? Why then does nobody talk about “capital migration” but only about “capital mobility”?

There are well grounded arguments that the neo-liberal regime is not capable of reproducing itself. Major elements of instability are:

- financial instabilities: the series of financial crises in Asia, South America, Russia or emerging markets;
- unemployment, fragile employment, ‘jobless growth’;
- inequality, poverty and exclusion within and between countries and their nexus to conflict, security risks and withdrawal of investors;
- global environmental and technological risks;
- the downward trend of corporate taxes and the instability to finance common goods, nationally and globally;
- finally tensions between capitalism and political freedom, the market and democracy.

For such challenges of the “world risk society” (Beck, 1999) deregulation, liberalization and privatization provide no remedy. In fact, for such hazards the neo-liberal regime is counterproductive: Without taxation, no infrastructure. Without taxation, no proper education, no affordable health-care. Without taxation no public sphere. Without a public sphere no legitimacy. Without legitimacy, no conflict management and no security. To close the circle: Without forums and forms of regulated (that is, recognized and non-violent) handling of conflicts, both nationally and globally, there will be no economy whatsoever.

*Third thesis* This reveals a central paradox of the neo-liberal model of state and politics: On the one hand, it is orientated to the ideal image of the *minimalist* state, whose responsibilities and autonomy are to be tailored to the enforcement of the norms of global economy. The state “as adjusted to the global market” has to be easily replaceable and completely exchangeable; has to compete with the largest possible number of similar states; is expected to have institutionally internalised the neo-liberal regime of the global market.

On the other hand, however, deregulating the market and privatizing public assets does not mean a weak state. What is in prospect is a *stronger* state, for example, in matters of surveillance and repression: chipping at *habeas corpus* or trial by jury, increasing prison sentences, stepping up border patrols and being prepared for terrorism as the weapon of the weak. That is, because legal orders adjusted to the global economy must in turn be sanctioned by the states and defended against societal resistance. Above all, a state is needed capable of making absolutely certain that mobility of capital is not matched by any comparable mobility of labour.

So another key paradox is: Globalization means reinventing borders, a tightening of border controls. Those new borders do not function like the old ones. They look like cheese from Switzerland: They incorporate wholes and uncertainties because of flows of information, capital, people, risks. But because of the enforcement of new borders on a transnational level, the political power and autonomy of governments must not be curtailed in any way, rather, states must be in a position convince their societies to accept the transnational rules of power. Indeed, states must even bestow post-hoc legitimation and decisions which will often have come about in a completely undemocratic manner, and which simultaneously effectively undermine the power of national politics and delegate the initiative to the global economy. To summarize this central paradox: In order to attain the goal of neoliberal restructuring of the world, the power of the state would have to be simultaneously minimised *and* maximised.

*Fourth thesis* Why do governments, parties and states find it so difficult to exploit this paradox for the revitalisation of democratic politics? As noted above, corporations with the advantages of mobility and a global network, are able to weaken individual states by playing them off against each other. This extension of the “translegal rule” works all the better the more the national perspective dominates the thinking and action of people and states. The methodological nationalism of daily life, politics and scholarship strengthens and consolidates the transnational power of big companies. The world of states is split up by the encouragement of national rivalries, egotism and competitiveness, preventing it from discovering and extending the mighty potential strength of co-operation between states and of finding institutional forms for it. On the principle of *dividere et impera*, this yet again enables the economic actors to play the individual states off against each other. In other words, *the national fixation of politics constitutes a decisive self-defeating mechanism* (the so far last example is the second Iraq war).

At this point it is useful to introduce a differentiation between *potential* power and *actual* power in order to examine the extent to which state strategies can counter the force of capital strategies. The actual power of states’ is paralyzed by the twin self-defeating mechanisms of neoliberalism and of nationalism. Potential state meta-power in turn is created by the sum of the strategies available to states and governments if they break with this mechanism, allowing the de-territorialised and de-nationalised states to open up new trans-national potentials of politics and control. Political answers to the newly emergent global economic geography can be found if conceptions and paths of a *despatialisation* of state, politics and identity are developed and pursued. What does ‘despatialisation’ of state mean? Governments are essentially acting in a transnational space as soon as they negotiate binding international legal agreements, or — as for example in the European Union — join together in new transnational cooperative executives, because the responsibilities they have taken impose an obligation on all concerned. This is how transnational forms of state cooperation create spaces of “shared, interactive, cooperative sovereignty” (Beck, 2005,

chapter 5). This strategy, however, has its price. Under the conditions of economic globalization states find themselves in a *nationality trap*: If they stick to the sovereignty postulate of nation-state politics, they both intensify the competition for investment between states *and* increase the risk of monopoly-formation on the world market, which in turn weakens the state players. If, on the other hand, they reduce inter-state competition by combining and imposing obligations on themselves, in order to strengthen their position against the global economy, they necessarily qualify their own national sovereignty. The national programming and narrowness of the state thus becomes a *hindrance* to transnational inventiveness and to the development of the political and of statehood in an age of economic globalization.

This paradox illustrates a central experience of the cosmopolitan constellation: The elements which used to be combined in the national paradigm — national independence, national self-determination and the solution of central national problems like (welfare, justice, security) now become separated and opposed. Governments have to surrender national independence, tie each others' hands, so to speak, in cooperative agreements, in order to drive forward the solution of central national tasks and to open up new opportunities of action not only internationally but also nationally, to achieve greater freedom of action with respect to the opposition and the public sphere.

*Fifth thesis* In order to break free from the *nationality trap* both in thought and action, it is vital to introduce a distinction between *autonomy* and *sovereignty*. Methodological nationalism is based on the equation of sovereignty and autonomy. From that point of view, economic dependence, cultural diversification, military, legal and technological co-operation between states automatically leads to loss of autonomy and hence loss of sovereignty. However, if sovereignty is equated with solving political problems — i.e., creating economic growth, prosperity, jobs, social security etc. — then increasing transnational state cooperation, that is, the loss of autonomy results in a *gain* in sovereignty: The political ability of governments to exercise control increases with interstate cooperation and the subsequent rise in living Standards which thus becomes possible, with their transnational legitimacy (human rights), with their technological and global economic strength. Sharing sovereignty does not reduce sovereignty but, on the opposite, increases it. Trade-offs of pooling sovereignty include security and stability, reduce anxiety and conflict, reduce military spending and economic and technological cooperation. Put differently, a loss of autonomy can mean cooperative and transnational solutions to urgent *national* problems — such as migration, falls in tax revenue, unemployment etc. — and *thus* a gain in sovereignty. So there is a “national interest” in de-nationalization, in sharing sovereignty in order to solve national problems.

This insight is central to a cosmopolitan social science: A reduction in (national) autonomy and a growth in (national) sovereignty by no means logically exclude one another, they are in fact even capable of mutually strengthening each other. Globalization implies both an increase in the sovereignty of players (for example through their potential to act across borders and distances and thus open up new options) while at the same time leading to a loss of autonomy of entire countries. The sovereignty of (collective and individual) players grows in proportion to the increase in their dependency. That is to say, the process of globalization goes hand in hand with a shift from *autonomy based on (national) exclusion to sovereignty based on (transnational) inclusion*. The logic of the zero sum game, as we know it from great powers, colonialism, economic and cultural imperialism, independent nation states and military blocs, loses its explanatory power. In other words: The new politics begins with breaking the “national sound barrier”.

*Sixth thesis* With that the following question arises: How can the idea of the state, the theory of the state, be opened up to the challenges of the transnationalisation of living and working conditions, the challenges of world risk society? The same question can also be put another way: Who is going to prevent the next Holocaust?

My answer is: possibly the *cosmopolitan state*. The latter is founded on the principle of the *national indifferent of the state*. Just as the Peace of Westphalia was able to end the religious civil European wars of the 16th and 17th centuries by separating state and religion, so the national world wars of the 20th century could be answered by a separation of state and nation. Just as only the non-religious state makes the practice of different religions possible, so the cosmopolitan state should guarantee the co-existent of national identities through the *principle of constitutional tolerance*. The curbing of national theology should lead to a redefinition of the scope and frame of action of the political just as did the pushing back of Christian theology at the beginning of modern times in Europe. In the mid 17th century, this was inconceivable or even synonymous with the end of the world, and today it is equally unthinkable for the theorist of the national, because it breaks with the basic idea of the political, the antagonism of friend and foe. And yet, following in the footsteps of Bodin, who defended the sovereignty of the state from the intervention of religion and opened the former to history and politics, it would be possible to theoretically justify and politically develop this cosmopolitan sovereignty of the state by two principles: the enablement of genuine diversity and being grounded upon fundamental human rights. As already emphasised this does not imply the negation of the national but to its very opposite: the facilitation of national diversity within the new constraints of the global.

So what does the ancient adjective “cosmopolitan” mean, which has suddenly begun to glitter again? It is now possible to have both — “wings” and “roots” — to develop meaningful affiliations without renouncing one’s origins — rooted cosmopolitanism. The adjective “national” presumes self-determination. The cosmopolitan question goes: self-determination — *but against whom?* How are the victims of self-determination integrated into it? How can we live together, at the same time both equal and different? How can we avoid having to choose between two destructive alternatives: living together and setting aside our differences or living apart in homogenous communities, which communicate only through the market or through violence? Only the post-nation, plural-nation, nation-indifferent and nation-tolerant state can possibly overcome these destructive alternatives in the age of cultural globalization. So “cosmopolitan” means: acknowledging both, equality and difference. The cultural Other must be present, heard and have a voice in the community — culturally as well as politically.

In the ears of those thinking in national terms, this sounds like a completely unrealistic utopia, and yet many of its basic characteristics are already partly paid lip service, partly reality. Every country that puts democracy and human rights above autocracy and nationalism is already on the way to the cosmopolitan state. For me it is thus only really possible to think Europe as a new kind of transnational, cosmopolitan as-if-state structure, which draws its political strength precisely from the affirmation and taming of the European diversity of nations. Europe as a cosmopolitan state which cooperatively domesticates economic globalization as well as guaranteeing the otherness of the others — this could certainly be or become a realistic utopia.

The theory and idea of the cosmopolitan state may defined against three positions: the dangerous illusion of the self-reliant nation state, the neo-liberal idea of the minimal, deregulated economic state and the unrealistic temptations of a unified global state.

In reality, the concept of the cosmopolitan state corresponds to the struggle for a political Europe, which is more than a conglomerate of nation states regularly at each other's throats (Beck & Grande, 2007) It is about overcoming ethnic nationalism and the nation state, but precisely not by condemning it but by affirming it under the constitutional conditions of peaceful co-existence. This requires the renewal of the cultivation of a European-continental ethos of democracy, of the state of law and of political freedom for the transnational era. Figuratively speaking: Europe also needs to internalise the "American dream" with its message: you too can become an Other. You are not determined by country of origin, status, skin colour, nation, religion, and gender!

A cosmopolitan Europe of *national difference* — what does that mean, for example with regard to Great Britain? In my opinion, in the islanders' Euro-scepticism it is not the insistence on their own national civilisation that deserves criticism, but rather their inability to recognize that a cosmopolitan Europe does not cancel it out but, rather, cherishes it. Europe would not be Europe without the British idea of civilisation. The most important historical event of the 20th century, the defeat of National Socialist terror, would have been inconceivable without the British determination to defend European values in Europe against the Germany in their fascist favour. This is a product of British history, a part of British cosmopolitanism and a founding act of the new Europe which must be treasured, but not dismissed. Similarly, it is necessary to discover cosmopolitan France, cosmopolitan Germany, cosmopolitan Italy, Poland, Spain, Greece, etc.

*Seventh thesis* Is the idea of the cosmopolitan state transferable to other regions of the world? Indeed, this possibility emerges clearly when comparing the political architecture of cosmopolitan states with national federalism: Both prescribe and establish a highly differentiated, balanced power structure — in the rise of federalism within a nation state, in the case of transnationality between different states. With this in mind, it is possible to conceive of hybrid forms of a transnational or cosmopolitan architecture of state federation. These can gradually, step by step, suspend the seemingly unbreakable unity of nation and state through federative structures of transnationalisation, without creating a power vacuum.

The new state Option of a cosmopolitan, interactive and reflexive state, which seeks to reconstitute its power at the intersection of global, regional and local systems of rule and governance, is emerging wherever previously there was only the alternative of *either* national and thus state self-determination or submission within national state authority. The architecture of a cosmopolitan state Union federalism could point a way out of the politics of false alternatives, in particular in regions of chronic ethnic-national state conflicts — the insoluble conflict between Israelis and Palestinians comes to mind — or in the face of the threat of annexation as in the rise of Hong Kong or Taiwan by China. In the case of Israel this would assume that Israel reimports its cosmopolitan tradition, the diasporic consciousness — a consciousness of a Jewish collective as one sharing territory with others, devoid of exclusiveness and hegemonic power.

*Eighth thesis* The enemies of cosmopolitanization are easy to identify and apparently all-powerful — but who would qualify as bearer and supporter of such a cosmopolitan transformation? Modern nationalism was born out of emergent national capitalism. Could modern cosmopolitanism emerge as a creation of global capitalism? Or is it, vice versa, that radicalised global capitalism destroys the preconditions and sources of cultural diversity, bindings and political freedom?

Is it at all conceivable that a *cosmopolitan* capitalism could rise to become a factor in the cosmopolitan revival of democracy? I know, this would put the socialist perspective of the Workers' International upside down. Would it be even possible to forge the subpolitics of investment decisions into an instrument of power with the goal of establishing global rules for wild capitalism on the one hand, and, on the other, to force the nation states to open up to cosmopolitanism? Is it at all conceivable that the right to strike will be transferred from the labour movement to an employers' movement and become a cosmopolitan investment politics, serving not only the purposes of advertising but also rewriting constitutions, democracy and justice in alliance with regulating cooperating transnational states? Or does this merely raise false hopes and false consciousness once again?

It is well known that in the social sciences there is nothing more risky than making a prognosis — especially in behalf of the future. Whoever focuses, however, on the increase in power of global economy, can indeed derive — experimentally — a short term and a long term prognosis: In the short term, the protectionist forces may triumph — this is a heterogeneous mix of nationalists, anti-capitalists, environmentalists, defenders of national democracy and of the authority of the nation state as well as xenophobic groupings and religious fundamentalists. In the long term, however, a paradoxical coalition between the supposed “losers” of the integration of global economy (trade unions, environmentalists, democrats) and the “winners” (big business, financial markets, world trade organisations, World Bank, etc.) may indeed lead to a cosmopolitan renewal of the political — provided that both sides recognize that their specific interests are best served by cosmopolitan rules. Then, advocates of workers' rights, environmentalists and defenders of democracy will support cosmopolitan legal systems. This, however, also goes for globally active businesses. At the end of the day, they can also only be economically successful in a framework that guarantees themselves and others legal, political, and social security. Ultimately, *only* the cosmopolitan extension of state, politics, justice and democracy can guarantee the profit interests of business. But — as we all know — ultimately we are all dead.

Still the only way to make the cosmopolitical vision possible, as Immanuel Kant taught almost 200 years ago, is to act ‘As If it were possible’. Let me dose with an ironic quote from George Bernard Shaw: “The reasonable man adapts himself to the world; the unreasonable man persists in trying to adapt the world to himself. Therefore all progress depends on the unreasonable man.”

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