Introduction

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The international conference “Strangeness and Familiarity: Global Unity and Diversity in Human Rights and Democracy”, held in Groningen, NL, 21-22 October 2010, was organized by FORUM, the Dutch Institute for Multicultural Affairs and the Faculty of Philosophy of the Groningen University. The conference was part of the FORUM-project “Human Beings as Strangers”, inspired by the publication, 50 years ago, of the dissertation with the same title by Lolle Nauta – a former philosopher at the University of Groningen. Goal of this project was to resume Nauta’s core issue – the ambivalent relation between strangeness and familiarity – but now in an entirely new, i.e. international and globalized context.¹

Starting point of the conference was a so-called ‘position-paper’, explicating its goal, theme and central questions. The first section of this Introduction contains the original text of this position-paper. In the second section the various contributions to the conference will be introduced and summarized in a more or less thematic order.

Position-paper

Nauta on the Stranger

In his doctoral thesis entitled De mens als vreemdeling (Human beings as strangers) and published in 1960, the Dutch philosopher Lolle Nauta (1929-2006) investigates the part played by the Stranger in modern literature, with reference to works by Camus, Malraux, Kafka, Nijhoff, Eliot, Dostoyevsky, Wilson and Beckett.² The Stranger affects us in two ways, Nauta argues: he opens up a door into new and different worlds and ideas, but by doing this, he also alienates us, the readers, from ourselves. This confrontation with the Stranger makes us question familiar frameworks that we use in a cognitive and normative sense to acquaint ourselves with the world around us. The Stranger frees us from deeply-rooted patterns and opens up new perspectives, widening our horizon. Familiarity becomes strange to us, while strangeness becomes slightly more familiar.

Nauta refers to this process in terms of what his intellectual source of inspiration Helmut Plessner described as ‘human beings’ eccentric position’: the specifically human ability to detach one’s mind from one’s body and to ponder one’s

¹. See the Preface to these Proceedings.
own actions. No other species is able to look at itself from the outside in this way. Following this line of reasoning, the Unfamiliar outside ourselves (the external Stranger, the Other) is therefore inextricably linked with the Unfamiliar in us (the internal Stranger, our reflexive Self). In this way, Nauta distances himself right from the start from all distinctive types of us-and-them thinking. It is not the border that interests him, but the relations between the two; it is not the demarcation that is important, but the interaction between Us and Them, between our Self and the Other. In the context of his thesis, this is expressed as criticism of some contemporary existentialist philosophers’ romantic idealisation of the Stranger: the Other as an exotic being. In more recent work, Nauta likewise criticizes anti-multiculturalism leaving the Stranger no choice but to assimilate or to remain permanently excluded: the Other as a demon. In both cases, we fail to appreciate the Stranger’s productive force, which makes us question our cognitive and moral securities, our presumed identity, our traditions, our norms and values.¹

In *De mens als vreemdeling*, this positive assessment of the Alien and alienation is still expressed in fairly abstract terms by embedding them in Plessner’s philosophical anthropology on human beings’ eccentricity, interpreted as a universally-valid *conditio humana*. In his later work, however, Nauta was more inclined to focus on elaborating this in a tangible, historically-specific social and political sense. One example of this is his farewell speech in 1994, in which he differentiated between the old-style and the new-style Stranger.⁴ The age of voyages of discovery and colonialism has acquainted us with the old-style Stranger - the Stranger also described by classical anthropologists who journeyed into the unexplored jungle. This type of Stranger no longer exists nowadays, Nauta argues. Apart from a few exceptions, there is nothing left to discover, since the peoples of the West have already ransacked the entire world. These days, however, we are confronted with new-style Strangers: those who come to us, either as refugees or as migrants. These new-style Strangers are not exotic persons who arouse our curiosity, but prospective citizens, foreigners seeking a goal that is not unfamiliar: civil rights. We speak of old-style Strangers in bipolar and cultural terms: their unfamiliar culture as opposed to our own culture. On the other hand, we allude to new-style Strangers in legal terms; either we confer rights and duties upon them to a greater or a lesser extent, or we refuse to do so and exclude them from our society in a legal sense. Consequently, our sense of what is unfamiliar and what is familiar takes on an entirely new meaning. In this new context, indigenous fellow citizens legally are our

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1. The same also applies, incidentally, to a third representation: the one made by postmodern thinkers who contend that no identity whatsoever can now be established beforehand as a fact in a globalised world in which everything is permanently subject to change, and everyone has therefore become a Stranger to a certain degree: a perpetual traveller, a nomad. The mechanism of (intercultural) learning processes ceases to function within this concept as well. See Lolle Nauta, *Politieke stukken. Een pleidooi voor kosmopolitisme*. Van Gennep, Amsterdam 2008, pp. 111-12.
equals, but culturally they may be more unfamiliar to us than prospective citizens from ethnic minority groups. It is this very legal equality that makes cultural differences possible. Homogenisation forms an integral part of individualisation, as Simmel – another of Nauta’s favourites – already said.

Thus, the cultural Stranger in a literary and aesthetic context gives way to the civilian Stranger within the context of national and international politics. However, the underlying character remains the same: those productive dialectics of strangeness and familiarity, of unity and diversity. The fact that people are different makes them mutually interdependent, and it is this very fact that enables (individual and collective) learning processes – even progress. According to Nauta, this interdependence has by now extended to include the whole world. We, the world’s human inhabitants, form a ‘community of fate’ because we share certain qualities and basic needs. Differences within the world community can only be used productively if each member of this community is treated as an equal. And that is why universal human rights and democracy are essential, as Nauta writes in his plea for a moderate form of world citizenship, that is, without immediately lapsing into (dangerous) utopian dreams of a global state and world government.

That is how Nauta analyses the situation that others refer to as ‘the aliens issue’: beyond the difference between Us and Them, between our Self and the Other, between the Familiar and the Unfamiliar. And thus beyond the supposed contrasts between the individual and the community, liberalism and communitarianism, individual freedom and collective solidarity. De facto, these supposed dichotomies are two sides to the same coin, Nauta argues: there is no Self without the Other, no individual without the community, neither the other way around. Like strangeness and familiarity, these are relational categories.

Moreover, there are varying degrees of strangeness. The old-style Stranger represented the ‘Other’ in particular as being entirely different, unfamiliar, exotic; something that is and remains far away. But nothing is far away any more in this globalised world of ours, with its advanced information and communications technology. On the contrary, we have ensured that everything is permanently within reach, close by and available. Nowadays our neighbours may be far less familiar to us than friends or colleagues in distant countries. In a judicial sense, illegal residents are slightly more strangers than those who hold a Green Card. And a permanent residence permit eliminates strangeness completely, at least in a legal sense. Therefore, strangeness is no longer related to geographical distances, nor is it an absolute, but a gradual characteristic (apart from exceptions such as Guantanamo Bay).

Besides degrees (more/less), strangeness and foreignness also consist of different layers. One type of strangeness (such as people’s legal status) does not necessarily run parallel with another type of strangeness (such as culture or lifestyle). Polish labourers, women in burqas, people with tattoos or with designer glasses, those who have successfully integrated, believers kneeling to pray, (political) enemies – we continually create and apply categories and classifications, each of
which includes its own contrast between familiarity and strangeness. Sometimes this relates to economic, cultural or religious foreignness, while at other times the differences referred to are social or judicial ones. This stratification of foreignness is partly defined by various disciplinary lines of approach: economical, sociological, legal, psychological, cultural-anthropological, polemological, etc.

These different strata, these layers of strangeness, are in turn interrelated: none of the above lines of approach has a primacy to which all the others can be subordinated. So we must get rid of economism as well as culturalism, i.e. the idea that economy or culture is the determining factor with respect to migration, integration and social cohesion issues. Equal citizenship, as a condition for the productive exploitation of differences, is neither a strictly economical question – a question of distribution, as socialists of the old school used to think – nor a merely cultural or even a primarily religious matter, as many people seem to feel nowadays. Distributive justice and mutual recognition, economy and culture, presuppose one another. As Nauta introduced the culture factor into economic distribution issues at that time, these days it is important to break free from the apparent monopoly of thinking in terms of culture and identity.

Relational, gradual, layered: however subtle Nauta’s analysis of the Stranger and strangeness may be, a number of critics feel that his line of reasoning shows a remarkable asymmetry on one point. This is primarily remarkable when viewed in the light of his own emphasis on the productive relations between the Unfamiliar and the Familiar. We can summarise these critics’ comments by saying that these relations mainly focus on us, i.e. *us as modern people of the West*. The old-style Stranger was primarily used for the benefit of our own self-determination: the Stranger as our silent mirror image. But *we Occidentals* occupy centre stage in Nauta’s new-style Stranger as well: this new Stranger comes to us to obtain something he himself does not have – civil rights and a certain degree of prosperity. When Nauta describes the steady (and in his eyes inevitable) actualisation of world citizenship and cosmopolitanism in terms of disseminating a democratic lifestyle and the self-expansion of civil practices, these processes always start at a specific location, i.e. in the Western world. In this way, one might interpret Nauta’s words as putting forward, though unintentionally and unconsciously, a veiled argument in favour of assimilation, not taking the Stranger seriously enough – as if we, the enlightened people of the West, are the sole source of that inevitable civil society on a global scale.

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Conference Issues

Such were Nauta’s views. Today, 50 years later, this conference will resume the subject of his thesis, *De mens als vreemdeling*, although from an entirely different angle and with a new turn to that at his time. What remains of strangeness in today’s globalised world? Who is still a stranger to whom? How has the meaning of unfamiliarity and strangeness shifted and differentiated as a result of this changed social context? And what significance does all this have in a political sense? What are the potential policy implications, both national and international? How can we interpret strangeness and familiarity in a theoretical-conceptual way in this day and age, and how can we deal with them in a practical and political sense?

If, like authors such as Mary Douglas, Imre Lakatos and Donna Haraway, we define the unfamiliar as the monster, i.e. as something that does not fit into a framework of thoughts and actions, there are quite a number of different strategies for dealing with these monsters. One can try to hide them away or suppress them for as long as possible, or one can give them the kiss of death, shower cynicism upon them, flatly deny their existence, or rigorously combat them: these are all strategies for driving out monsters. However, in line with Plessner’s notion of eccentricity and Nauta’s interpretation of this in terms of individual and collective learning processes, one can also try to learn from monsters by taking them seriously, or perhaps even taking them as a starting point for criticising our own way of thinking and acting.

But this is the very thing that requires us to avoid the – rightly or wrongly – supposed asymmetry in Nauta’s argument, and to take the symmetry between strangeness and familiarity seriously. After all, something that is strange, threatening or monstrous to some people is familiar and well-known to others, and vice versa: something that one person experiences as natural, normal and everyday is viewed by another person as abnormal, exceptional and possibly intimidating. This applies at all conceivable levels: interpersonal relationships, relations within a group, and multiculturalism on a local, national and/or global scale. That is why this learning process can only gain symmetry if all parties involved also have a say in it and are heard; if the Unfamiliar is accepted as its individual self – not necessarily in a morally affirmative sense, but in a factually neutral sense at the very least.

The aim of this conference is to seek out this mutual learning process and to contribute to it – especially, in view of the increasing interdependence on a worldwide scale, at a *global* level. This means we must get right away from discussions about a national canon, from discourses of identity, from debates about headscarves, handshakes, the height of minarets and other hypes in the public struggle about multiculturalism. After all, the theme of this conference is the dialectics of strangeness and familiarity at international level: not only how we Westerners deal with strangers, whether they are far away or in our midst, but also what these strangers themselves think of us and how they deal with us. How do Asians regard the Western world? What do Africans think of China, or Brazilians of Russia? And since Asians, Africans, Chinese, Brazilians and Russians naturally do not consist of uniform categories, we should also ask how they deal with differences among
themselves, i.e. with the innumerable internal distinctions between strangeness and familiarity: such as minorities, for instance? And is there anything that ‘we’ could learn from them?

In line with Nauta’s opinions on world citizenship and cosmopolitanism, and his arguments in favour of them, this conference will centre on human rights and democracy. These are known as ‘essentially contested concepts’: their exact meaning is not fixed, and can or will never be established either. These concepts are interpreted differently in different traditions and contexts, both in an intellectual and in a practical-institutional sense; and there is nothing wrong with that. On the contrary, this contest, this struggle to establish the meaning of human rights and democracy, and how to give them shape in a practical manner, is functional in connection with that learning process between strangeness and familiarity. It is this very diversity of interpretations and practical elaborations that gives human rights and democracy their power, their binding unity and their universal nature. Abandoning the illusion of one sole interpretation and elaboration while acknowledging differences instead, creates scope for mutual criticism and learning processes. This conference aims to provide this scope.

Broadly speaking, this calls for three types of input: (1) Conceptual analyses of the dialectics of strangeness and familiarity, i.e. critical discussions on current conceptualisations of strangeness and familiarity. (2) Empirical and historically descriptive stories of human rights and democracy within various contexts and traditions – similarities and differences. (3) Normative analyses in order to answer the question of how to assess these differences (and similarities), and how to deal with these in a political sense. Of course, these three issues may be addressed at the same time in one single contribution to the conference.

Contributions

At the conference 11 papers, distributed in advance to all participants, were commented on the spot by 2 referents, followed by a reply from the author and a plenary discussion.7 These proceedings include the original papers and most of the referees’ comments – presented in a more consistent order than possible at the conference itself.

The ball is opened by Marc Goodale, examining Nauta’s notion of a productive dialectics between self/other and, more generally, sameness/difference in terms of contemporary debates over the meaning and implications of transnational normativities such as human rights and cosmopolitan citizenship. Goodale discusses the intellectual history within which the questions of sameness and difference have been theorized in order to understand how the meaning of these questions has

7. For the conference program, a list of participants and minutes of the discussions, see the Appendices.
changed over time. Next, he takes up Nauta’s concern with forms of belonging, especially citizenship, arguing that a depoliticized account of cosmopolitanism is difficult to sustain in light of current debates and preoccupations. Goodale’s paper then moves to the problem of moral evil and finds that Nauta’s dialectics of being provide an interesting model for understanding and explaining the radical Other. Finally, the paper ruminates on the moral range of the human condition and the impossibility of accounting for this range through better theoretical models.

Barbara Oomen in her comments discusses Goodale’s treatment and elaboration of Nauta’s work in the context of present-day human rights. Dvora Yanov brings up several points related to Goodale’s conceptual reworking of Nauta’s ontology of strangeness.

This first paper, most of all directly related to Nauta’s work, is followed by four papers about the ins and outs of (national) identity, belonging, feeling at home and autochthony in the context of globalization and (im)migration. What are the possibilities and impossibilities of keeping intact an idea of shared identity, a feeling of ‘we’? Who, then, are included, and who excluded? Is belonging a (necessary and/or desirable?) human condition?

In his paper on autochthony, belonging and exclusion Peter Geschiere follows the notion of autochthony in its different trajectories in time and space. Already in its primal locus – classical Athens during its heyday (5th century BC) – the notion was beset by a paradox that would mark it in all its subsequent expressions: a problematic combination of an apparent, basic security and a practice of deep uncertainties. Everywhere autochthony tends to be constantly re-defined in ever closer circles. It triggers a search for an impossible purity, since the claim to have always been on the spot is redundant in a world that was always deeply marked by migration. One of the paradoxes of our times is the upsurge of strong preoccupations with belonging in a world that pretends to be globalizing. Notions of autochthony (‘born from the soil’), cropping up in highly different parts of the globe, play a particular role in this respect, as some sort of primordial and radically exclusionary form of belonging. The term is difficult to reconcile with an increasing emphasis in many parts of the globe on (cultural) integration. Yet it seems to be at the same time a pregnant expression of the culturalization of citizenship: the insistence on cultural aspects rather than juridical or economic criteria for defining who qualifies as a citizen and who does not.

In her comments on Geschiere Baukje Prins elaborates this culturalization of citizenship by analyzing the asymmetries and double standards in this distinction between autochthons and allochthons. For example, while the latter are never relieved from the burden of proof of belonging, Dutch autochthons are never submitted to a civic integration test – their belonging is considered to be self-evident. Jan Willem Duyvendak in his paper on the politics of home explicitly denies that The Netherlands ever has been a multiculturalist society with a policy aimed at cultural diversity and tolerance. On the contrary: the just mentioned culturalization of
citizenship, a good example of ‘glocalization’ (i.e. strengthening of local bonds in a globalizing world), has led to a monocultural definition of Dutchness – to a thick notion of home and belonging – a *Heimat*, the Germans would say. This thickening and historical rooting of the Dutch identity makes it much harder for newcomers to identify with, Duyvendak argues. Citizenship is thus reduced to a property one has by birth, one that is unchanged through agency. Ergo, the thick, historically rooted idea of ‘home’ has highly ambivalent and paradoxical effects. Though presented to ‘support’ immigrants, in reality it blocks their integration; obliged to feel at home in their country of residence, this ‘home’ is constructed in such a way that they can never really feel a part of it.

*Sawitri Saharso* in her comments agrees with Duyvendak that a thick notion of citizenship is indeed not a solution but part of the problem and proposes a differentiation of the idea of feeling at home in *Heimat* versus *zu Hause*. Where *Heimat* refers to roots and to an idealized place, *zu Hause* is associated with security and a physical place. If we agree that *zu Hause* is the best way of feeling at home, the subsequent question is what must be changed in our conception of national identity so that for all of us, *zu Hause* can become the common denominator of feeling at home in the Netherlands. *Pieter Boele*, agreeing on the pitfalls of an all too culturalist definition of citizenship, nevertheless wants to keep it. But that requires we keep it away from the discourse and policy of integration and redefine it as co-authorship of community and culture, asking for cultural agency instead of subjecting to dominant values.

*René Cuperus* in his paper attacks the flip side of a thick notion of home and belonging: the, what he calls, elitist myth of globalism and pseudo-cosmopolitan world citizenship. Europe, Cuperus argues, faces a dangerous populist revolt against the good society of both the neoliberal business community and progressive academic professionals. This revolt of populism is, according to him, ‘produced’ by the economic and cultural elites themselves. They advocate, without much historical or sociological reflection, their ‘brave new world’ of the bright, well-educated, entrepreneurial and highly mobile. Their TINA-project is creating fear and resentment under non-elites. The deterministic, TINA-image (There Is No Alternative) of a future world of globalisation, open borders, free flows of people, lifelong-learning in the knowledge-based society is a night mare world for non-elites, the ‘losers of globalisation’. Sizable parts of the middle and working class feel alienated, dispossessed and downgraded, because the society in which they felt comfortable, in which they had their respected place and which has been part of their social identity is being pushed aside in this elite narrative. To what extent, so Cuperus poses his question, the ideology of ‘globalism’, multiculturalism and world citizenship can be reconciled with the heritage of national democracy and welfare state communitarism? To what extent a uniform global culture of neoliberal and hedonistic capitalism, can be reconciled with the rich cultural diversity of the world?

But there is no such cosmopolitanism without roots, *Dick Pels* argues in his comments. Criticizing elites does not imply that we should dismiss international-
ism as a normative vision. Cuperus’ concern for the populist revolt against cosmopolitanism seems justified but political ambition should not stop with protecting losers against winners, but make losers into winners. Thus, rather than dismissing cosmopolitanism, the populist revolt asks for re-evaluating the role of the elite.

In the final paper in this quartet about national identity, belonging and feeling at home Paul Scheffer in his search for words that bridge the gap between the local and the universal, for a world citizenship that connects with its own lived environment, explicitly mentions Appiah’s notion of ‘rooted cosmopolitanism’. The weakness of cosmopolitanism, Scheffer argues, lies in the fact that the ambitious ‘everyone is in principle responsible for everything’ can easily degenerate in practice into ‘nobody is any longer responsible for anything’. Our world is becoming both larger and smaller, bringing people closer together and pushing them further apart. The astonishing mobility of capital, information, goods and people is making societies not only more involved with each other but more permeated by each other. At the same time the aversion to integration and cultural mixing is increasing and people are withdrawing into their shells. World citizenship is a remote prospect for most. The central question here is what a contemporary cosmopolitanism ought to look like. What form should an open society take in a borderless world?

In his comments Sjaak Koenis, partly seriously, partly ironically analyses Scheffer’s success in the public arena. Always rational, balanced, avoiding extreme positions, well-informed and eloquent Scheffer practices a dialectic without Aufhebung. This search for a peaceful middle position makes Scheffer, in the words of Koenis, ‘the perfect midwife of the new society which is taking shape right now’. But at which point a nuanced middle-position turns into an unsatisfactory middle-of-the-road-position?

Next, two papers follow about actual images of ‘us’ and ‘them’, as well as the performatative act of imaging those categories.

Christiane Timmerman, Petra Heyse, and Christof van Mol present the conceptual and theoretical framework of EUMAGINE, a FP-7 research project, funded by the eu, about imaging Europe from the outside. The project aims to study the links between outside perceptions on democracy and human rights of Europe and (the desire for) migration to Europe – assuming that migration aspirations, decisions and behavior are linked at these perceptions. The ultimate goal of the project is to study the relation between perceptions of migrant and non-migrant individuals from source countries on human rights and democracy at the local, regional, national and international level on the one hand and migration aspirations and migration decision-making on the other.

Next to methodological questions (whose perceptions actually will be reached with this research design?), Yolande Jansen comments the relation between the research project and eu migration policies, pleading for more critical distance.
In her paper on both migrants, coming from ‘there’ to ‘here’, and tourists, going from ‘here’ to ‘there’, Meyda Yeğenoğlu explores first how Third World migrants in Western metropolitan contexts de-stabilize the shared but nevertheless exclusionary sense of sovereign identity, i.e. the self recognition of the nation and the presumed unified sense of national cultural space. Occupying an interstitial space between ‘us’ and ‘them’, the migrant destroys the sociality’s system of reference. Refusing neither to stay in the far away land and nor go away, the migrant upsets the easy spatial segregation and borders, and therefore tends to be ‘abjected’. As a mirror-image Yeğenoğlu examines, secondly, how and why the same Other when he/she is in his/her own space becomes an object of desire when Western tourists occupy the touristic spaces in the Third world, and what this desire tells us about the Western subject’s ability to maintain control and power in the space of the native. So, in both mirror-cases the Western subject reinforces its hegemony, putting aside the strange ‘other’ either as an abject or as an object.

Judith Vega in her comments doubts whether Yeğenoğlu’s psychoanalytic framework, drawing on Freud, Kristeva and Lacan, is appropriate for the analysis of actual practices of recognition, vis-à-vis strangers, in our current societies. Moreover she questions the empirical adequacy of the binary distinction between migrants and tourists – leaving out of sight several mixtures and hybrids.

Subsequently, three papers make a link between the problem of strangeness and familiarity and the issue of (the universality of) human rights.

In his paper on apostasy, freedom of religion and human rights of a Muslim Abdul-lah Saeed examines how the conservative and progressive Muslims are engaged in a fierce debate on whether a Muslim today has the right to ‘apostasise’ and leave Islam without the fear of the traditionally sanctioned death penalty. While this may appear to be a theological/legal debate among Muslims, it does have important implications for those accused of apostasy. These can include what some scholars refer to as ‘civil death’ even where the traditional death penalty is not imposed. Relying on classical Muslim scholarship (exegesis, theology and law) and contemporary debates on freedom of religion, Saeed argues in favor of the right of a Muslim to ‘leave’ Islam if s/he so desires and that there is no strong textual basis that warrants this law today. Meanwhile, Saeed explores why this ‘law of apostasy’ developed in early Islam, analyses the political and social context in which it developed and argues why in the modern period, with a major shift and change in the contemporary political and social context, there is a great need to rethink this classical law, highlighting the negative consequences (social, cultural, intellectual and political) of maintaining this law on Muslims today.

Thijl Sunier comments the lack of historical, political and societal context in Saeed’s analysis of apostasy. The theological sources Saeed uses for his argument don’t speak for themselves but are dependent on people applying them under specific circumstances. And modernity is a more complex phenomenon than the liberal society consisting of independent individuals, Saeed reduces it to.
Hyo-Je CHO’s paper on the (lack of) respons of the South Korean human rights movement to the North Korean situation raises the question how universal human rights actually are. Although the legitimacy, visibility, and moral fortitude of the human rights movement in South Korea were largely undisputed, the movement has recently been scrutinized for its perceived lack of interest with regard to the growing concern about human rights situation in North Korea. What made the traditional human rights movement reluctant to engage with the North Korean human rights issue? CHO discusses several explanations. In one way or another they all refer to contextual factors, thus implying some sort of de-universalization of human rights, i.e. a re-thinking of the idea of human rights from local situations. CHO accepts this move, but acknowledges its possible danger: an entire contextualization of human rights – in the case at hand leading to a legitimation of the South Korean silence about the North Korean situation. CHO tries to avoid both extreme positions – juridical universalism and cultural relativism – in his proposal for a more actor-oriented, so-called ‘transformational approach’ of human rights, i.e. a kind of ‘thick universalism’, absorbing situational and contextual dimensions.

In his comments on CHO’s paper Caspar Schweigman raises two questions. The first one is especially urgent in the case discussed – the Korean situation: should the fight against famine get priority above the implementation of human rights, or is the latter conditional for the success of the first? Secondly, how convincing is CHO’s transformational approach?

In his paper on minority rights Bas de Gaay Fortman explores the tension between human rights and democracy. Surely, as the European Court of Human Rights states: democracy does not simply mean that the views of a majority must always prevail: a balance must be achieved which ensures the fair and proper treatment of minorities and avoids any abuse of dominant position. Nevertheless, De Gaay Fortman argues, equal protection of all – strangers included – is perhaps the most problematic aspect of democracy in our world today as minorities still tend to be highly exposed to discrimination, precisely at a time when nations become increasingly heterogeneous. Using the the Swiss constitutional ban on minarets as example, De Gaay Fortman examines in his contribution how far the international venture for the realisation of human rights may contribute to inclusion of the stranger. He argues that this UN-based mission cannot offer much when it comes to just legality founded on declared rights such as freedom expression. However, De Gaay Fortman continues, the principal moral foundation of the human rights mission is not the idea of fundamental rights but a globally expressed belief in universal human dignity. This constitutes a strong basis for an inclusive notion of global legitimacy –avoiding ‘us’ and ‘them’ divides.

Commenting De Gaay Fortman’s framing of the tension between democracy and human rights in terms of minorities and majorities, Karin Arts fears this way of framing foster difference and divides, making them counter-productive rather than that they emphasize the universality of human rights and equality principles.
More than invoking moral categories like human dignity, she bets on international law for equal treatment and equal opportunity.

These conference proceedings close of with a critical paper by David Chandler about the possibilities of transnational politics and the building of a global, post-territorial political community. Today, he says, there is a widespread recognition of the erosion of political community on the territorial basis of the nation state. Instead, alternative framings of “being” political or of engaging in politics have argued for a more radical post-territorial space of political possibilities, of what it means to be political, and of how we envision political community. Through focusing on the two dominant articulations of post-territorial political community, liberal cosmopolitan and radical poststructuralist approaches, Chandler seeks to analyse the possibilities and limitations inherent in the search for political community beyond the boundaries of the nation state. The aspiration to engage in, construct, or recognise the existence of a post-territorial political community, a community of broader humanity, has been articulated in liberal terms as cosmopolitanism, driven by global civil society, and in poststructuralist terms as “political cosmopolitanism, “cosmopolitanism-to-come” or the “solidarity of the governed”, given its force by the creativity of the resistance to liberal universalism of the “multitude”. Chandler shows the similarities between these two contrasting approaches and critically assesses the results of this flight from the national to the global level – the erosion of politics, political representation and political communities.

Both Timo Jütten and Bart van Leeuwen in their comments agree with Chandler’s worries, but at the same time both are much less pessimistic about the possibilities of transnational, post-territorial forms of politics and political community building. Jütten refers to European institutions (Commission, Parliament, Human Rights Court) as possible counter examples for Chandler’s scepticism. Van Leeuwen shows the internal varieties within liberal cosmopolitanism, some advocates of this position escaping Chandler’s critique.

Attached to these proceedings are three appendices: the conference program, a list of participants, and minutes of the discussions during the conference, written by Sanne Raap.