Seyla Benhabib, Wendell Berry, and the Question of Migrant and Refugee Rights

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Seyla Benahabib's *The Rights of Others* seeks to chart a new "cosmopolitan theory of justice" for migrants, immigrants, and refugees by building on the ideas of Kantian cosmopolitan federalism and Habermasian discourse ethics. Her theory of cosmopolitan rights leads, however, to a number of analytically and normatively problematic claims. These include her suggestion that the political values of liberal democracies have a universal validity that transcends Western culture, and her embrace of "free markets" as a corollary to the idea of cosmopolitan rights. In the article that follows I will critically examine these parts of Benahbib's theory. My close reading of *The Rights of Others* will then lead to a discussion of the ideas of Wendell Berry, who is perhaps the most important contemporary spokesperson for a position best described as ecological or environmental agrarianism. Although Berry has not written directly about questions of international migration and refugee rights, his analysis of the forces at work in the destruction of rural farm communities in the United States offers valuable insights into the forces driving global mass migrations. Berry also offers a compelling alternative normative vision to Benhabib's of the rights of others based on principles of stewardship, ecological

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sustainability, local self-sufficiency, and neighborliness. It is upon these essentially small-scale agrarian values and practices—not the abstractions of cosmopolitanism or "global thinking"—he argues, that the literal survival of the world depends.

I. Benhabib's Theory of Cosmopolitan Rights

Benhabib's theory based on Kantian cosmopolitan federalism and Habermasian discourse ethics.

Seyla Benahabib's *The Rights of Others: Aliens, Residents and Citizens*, based on her 2002 Seeley Lectures at the University of Cambridge, seeks to chart a new "cosmopolitan theory of justice" for migrants and refugees by building on principles of Kantian cosmopolitan federalism and Habermasian discourse ethics. According to Benhabib, traditional concepts of political membership grounded in notions of state sovereignty and territorial integrity have come unraveled as a result of processes of globalization. We are confronted by a new situation in which the interests and values of an ever-increasing number of people are interlocked across borders through advances in communication technology and trade liberalization, so that their social and political identities can no longer be conceived (if they ever could be) simply in terms of citizenship within geographically bounded nation-states. Further, Benhabib suggests, states can no longer act with impunity toward their own populations but must increasingly recognize international and cosmopolitan norms (enshrined in documents like the Universal Declaration of Human Rights) against genocide, forced labor, and other crimes against humanity.[1]

These facts lead, however, to an unresolved "constitutive dilemma" for liberal democracies; for while state sovereignty might no longer adequately describe/inscribe political identities, freely chosen attachment to bounded communities nevertheless remains a basic human right as well as political necessity.[2] As Iris Marion Young points out, the ideal of universal inclusion and participation in decision-making requires mechanisms for group representation, yet not everyone agrees as to what these mechanisms should be and this leads to different polities in different geographical and cultural spaces.[3] In an age of mass transnational migrations, we are

[1] Seyla Benhabib, *The Rights of Others: Aliens, Residents and Citizens* (Cambridge: Cambridge University Press, 2004), 12.

[2] Ibid., 2.

[3] Iris Marion Young, "Polity and Group Difference: A Critique of the Ideal of Universal Citizenship," in *The Citizenship Debates*, ed. Gershon Shafir (Minneapolis:

thus confronted by the question: How can we balance claims to sovereign and democratic self-determination by groups of people on the one hand and claims to universal human rights—including the right to free movement and access to work opportunities—by individuals on the other? Denying aliens, migrants, and refugees the right to political membership and keeping them in a state of permanent alienage is a violation of fundamental human rights and contrary to liberal values, Benhabib asserts. Yet citizens in liberal societies must also be able to set reasonable rules for admission and, if necessary for their own self-protection, exclusion. How, then, can we reconcile these conflicting rights-based claims?

Benhabib's proposed solution to the problem in *The Rights of Others* (repeated in her 2004 Tanner Lecture at the University of California, Berkeley, published in the volume *Another Cosmopolitanism*), involves a "post-metaphysical" reworking of Kantian cosmopolitanism, "grounded upon the common humanity of each and every person and his or her free will which also includes the freedom to travel beyond the confines of one's cultural, religious, and ethnocentric walls."[4] Building on Kant's 1795 essay on "Perpetual Peace," in which he defends the right to "hospitality" ("the right of a stranger not to be treated as an enemy when he arrives in the land of another"[5]), she concludes that the right to membership of the temporary resident should now also "be viewed as a human right which can be justified along the principles of a universalistic morality."[6] Elsewhere Benhabib has defined universalism as "the principle that all human beings, by virtue of their humanity, are entitled to moral respect from others, and that such universal moral respect minimally entails the entitlement of individuals to basic human, civil, and political rights."[7] Contra Kant and later deontological political theorists such as John Rawls, however, Benhabib's use of universalist moral language does not presuppose any detached vantage point beyond historical and cultural contingency for evaluating competing rights claims. Rather, she argues, we must resolve the "paradox of democratic legitimacy" (i.e., the

University of Minnesota Press, 1998), 265.

[4] Benhabib, *The Rights of Others*, 40.

[5] Kant as cited in Benhabib, *The Rights of Others*, 27.

[6] Benhabib, *The Rights of Others*, 42.

[7] Seyla Benhabib, "In Defense of Universalism—Yet Again!: A Response to Critics of Situating the Self," *New German Critique*, No.62 (Spring-Summer 1994), 173.

tension between collective and individual rights in the case of migrants and refugees) by subjecting our ideas about political membership to the premises of Habermasian discourse ethics. According to this view, "only those norms and normative institutional arrangements are valid which can be agreed to by all concerned under special argumentation situations named discourses."[8] Beginning from the assumption that one must always respect the communicative freedom of the other, Benhabib declares: (1) that we cannot arbitrarily limit the scope of "moral conversation" to national borders; (2) that respect for the *communicative* capacity of the other must include respect for their personal autonomy and freedom of movement as well; and (3) that a commitment to "democratic iterations" or negotiations between autonomous agents as a way of establishing rights implies that states can regulate but must not prohibit the transition from admission to full membership of migrants and refugees if they should happen to desire full membership.[9]

Balance sought between collective right to group self-determination and individual right of migrants to move freely.

Several serious problems emerge, however, from Benhabib's attempted intervention in the dilemma of sovereign vs. migrant and refugee rights. It is in fact hardly clear by the end of *The Rights of Others* that she *has* resolved the dilemma. We must critically examine two parts of Benhabib's argument in particular: (1) her suggestion that the political values of liberal democracies in the Western tradition have a universal validity that transcends Western culture itself; and (2) her embrace of "free markets" (albeit ones tempered by humanistic values) as a corollary to the idea of cosmopolitan rights. Benhabib's theory suggests that the entrance of persons from countries as diverse as Pakistan, Vietnam, and the Congo into democratic societies in the West is a relatively simple matter of "political integration" as somehow distinct from cultural integration. In fact, it may often be an encounter fraught with political, moral, and cultural perils, for migrating persons and receiving communities alike. The root causes of mass migrations today, we must also see, are inseparable from the dynamics of global capitalism, with all of its attendant effects of social inequality, exploitation, environmental degradation, destruction of cultures, and communal displacement. Benhabib seems to recognize these facts yet she fails to offer any substantive analysis or critique of the pa-

[8] Benhabib, *The Rights of Others*, 13.

[9] Ibid., 14, 132-133, 220-221.

thologies of economic globalization that appear to this reader to be inseparable from the version of cosmopolitanism she advocates.

Influence of specific cultures on "core" political values ignored.

For Benbabib, cosmopolitan rights should be seen as attaching first and foremost to the individual and as flowing from the personal autonomy and freedom of every human being as a human being rather than from the collective goods of states, cultural groups, or other social units. "Put starkly," she writes, "every person, and every moral agent who has interests and whom my actions and the consequences of my actions can impact and effect in some manner or another, is potentially a moral-conversation partner with me: I have a moral obligation to *justify my actions with reasons* to this individual or to the representatives of this being" (Benhabib's emphasis).[10] Cosmopolitan norms "endow *individuals* rather than states and their agents with certain rights and claims" (Benhabib's emphasis).[11] Because liberal forms of government take the rights of individuals *qua* individuals the most seriously, and because these rights are seen by Benhabib as being both universally valid and normatively paramount, migrants, aliens, and refugees from diverse cultural backgrounds may be un-problematically integrated into democratic societies, in her view, provided only that they embrace certain "core" political values. The human rights principles of Western democracies "have a context-transcending, cosmopolitan character," she writes. "They extend to all of humankind."[12] "[I]n liberal democracies conceptions of human and citizens' rights, constitutional traditions as well as democratic practices of election and representation, are the core normative elements of political integration. It is toward them that citizens as well as foreigners, nationals as well as resident aliens, have to show respect and loyalty, *and not toward any specific cultural tradition*" (emphasis mine).[13]

Yet what if the incoming persons or groups—as a matter of cultural identity—do not subscribe to the "core normative elements" of liberal democracies? This would not necessarily be a serious obstacle for Benhabib's universalism if she began by grounding her project in a more foundational conception of personhood,

[10] Ibid., 14.

[11] Seyla Benhabib, "The Philosophical Foundations of Cosmopolitan Norms," in *Another Cosmopolitanism*, ed. Robert Post (Cambridge: Cambridge University Press, 2006), 16.

[12] Benhabib, *The Rights of Others*, 175.

[13] Ibid., 122.

whether philosophical or religious.[14] She might then respond that those who fail to respect the "core elements" of individual human and political rights are simply in a state of anthropological or doctrinal error, if not moral failure. But having committed herself to a strictly non-metaphysical, non-essentialist account of rights as emerging from the process of "discourse" itself, rights language in *The Rights of Others* collapses in on itself whenever we detect that "discourse" is no longer a realistic possibility. Deprived of the ontological moorings of classical and religious conceptions in the Western tradition of persons as beings "made in the image of God" (in the enigmatic language of the Hebrew Bible), the quest for universal values by way of "democratic iterations" alone turns out to be the moral and epistemological equivalent of peeling onions.

Absent a foundational conception of personhood, rights language based on "discourse" collapses.

The problem is made clear by another liberal theorist, Michael Ignatieff, who cites Asian and Islamic political values and conceptions of rights that run counter to Western notions of the autonomous individual. These pose a grave challenge to Benhabib's assertions of the relative ease of political integration for migrants into liberal democracies, suggesting that her theory presumes precisely what it needs to explain, namely, a universal set of values as a way of justifying "universal" values. The "Singaporean model cites rising divorce and crime rates in the West in order to argue that Western individualism is subversive of the order necessary for the enjoyment of rights themselves," Ignatieff observes in *Human Rights as Politics and Idolatry*. "An 'Asian model' puts community and family ahead of individual rights and order ahead of democracy and individual freedom."[15] Similarly, in the eyes of many Muslims, "universalizing rights discourse implies a sovereign and discrete individual, which is blasphemous from the perspective of the Holy Koran."[16] Benhabib's cosmopolitanism says that states should offer full membership to all migrants and refugees who desire it provided only that they embrace the core values of liberal democracies and agree to mediate their disagreements with other citizens according to the rules of secular discourse ethics. But in

[14] Rights language, Michael Perry argues, is in fact "ineliminably religious," even when not recognized or acknowledged as such. See Perry, *The Idea of Human Rights: Four Inquiries* (Oxford: Oxford University Press, 1998).

[15] Michael Ignatieff, *Human Rights as Politics and Idolatry* (Princeton: Princeton University Press, 2001), 63.

[16] Ibid., 60.

view of non-Western as well as religious conceptions of rights, this appears on closer examination to mean that states should welcome all persons only *if* they first subscribe to what are in fact highly contestable values of Western rationalism and individualism. The "universalism" assumed in Benhabib's discourse ethics must begin, in other words, by excluding all potential conversation partners whose value commitments might subvert the culturally inscribed metanorm of individualistic and rationalistic discourse theory itself.

Western notions of the autonomous individual rejected by other cultures.

We are at a moral/discursive impasse, then, if two cultures with radically different conceptions of the individual encounter each other as a result of processes of migration. Thus, when Benhabib asks whether "French political traditions [will] be less strong if they are now carried forth and reappropriated by Algerian women or women from the Cote d'Ivoire," the answer is that they will undoubtedly not be.[17] The relevant question, though, is not whether immigrants who already embrace French political values can sustain the French political project. It is whether French political traditions will be less strong if women immigrants from Algeria or Cote d'Ivoire do not know French political traditions or, more troubling still, know but reject these traditions, in whole or in part, on the basis of an alternative set of cultural-political commitments. How, within the framework of discourse theory, for example, should European policy makers address the fact that, according to the *British Medical Journal,* 42,000 women in France—mostly immigrants from West African countries such as Cote d'Ivoire—have either experienced or are at risk of experiencing female genital mutilation—a practice that is growing in Europe as a result of immigration and in direct defiance of European law?[18] At what point should attempts at "discourse" end and the coercive power of the state take over to either impose "universal" values on the recalcitrant immigrant groups already within its borders, or to exclude foreign others from entering the liberal *demos* in the first place? *The Rights of Others* offers no answers to these kinds of practical and moral conundrums, merely asserting that there will be "variations" in the rules of admission chosen by different states.[19]

Moral/discursive impasse inevitable when conflicting cultures encounter each other as a result of migration.

17 Benhabib, *The Rights of Others*, 212.

18 Pascal Abboud et al., "Stronger Campaign Needed to End Female Genital Mutilation," *British Medical Journal*, Vol. 320, No. 724222 (22 April 2000), 1153.

19 Benhabib, *The Rights of Others*, 141 .

Another quandary that arises out of Benhabib's project is conflicting normative assertions about the role of economic globalization in processes of migration. "Far from damaging a people's political culture and its constitution," she writes, "migrants may revitalize it and deepen it."[20] John Rawls's closed ideal-type society "is certainly a vision of an ordered world but it is also the vision of a static, dull world of self-satisfied peoples, who are indifferent not only to each other's plight but to each other's charms as well."[21] Benhabib instead praises "open and porous borders which enable the free movement of peoples, goods, and services across state boundaries" and which are "highly beneficial to the functioning of free-market economies."[22] There is thus an important though unspecified relationship between the spread of cosmopolitan values and the expansion of liberal markets in *The Rights of Others*, leading Benhabib to speak positively about multilateral organizations tasked precisely with integrating underdeveloped nations into a globalized economic order. The World Bank, NAFTA, and IMF, she writes, are "moving toward a model of global cooperation, which would control and ameliorate the havoc that the logic of unintended consequences can cause."[23]

Conflicting normative assertions about role of economic globalization undermine Benhabib's theory.

Yet elsewhere in *The Rights of Others* Benhabib declares that "In the majority of cases, the root causes of migration are poverty, famine, and persecution on the basis of race, religion, ethnicity, language, gender, and sexual preference, as well as ethnocide, genocide, civil wars, earthquakes, pestilence, and the like."[24] Further, she suggests, the global economic order has exacerbated rather than lessened these crises and the world's destitution: migration results from "maelstroms" generated by "the globalization of capital, financial, and labor markets."[25] We are left, then, with a bewildering picture of the causes and consequences of international migration. The problem is not simply that Benhabib's description of the World Bank, NAFTA, and IMF as institutions that are ameliorating rather than *generating* "havoc" is contentious at best.[26] It is that she is making assertions that on their own terms

[20] Ibid., 90.
[21] Ibid., 92.
[22] Ibid., 88.
[23] Ibid., 103.
[24] Ibid., 137.
[25] Ibid., 117.
[26] See, for example, Ha-Joon Chang, ed., *Rethinking Development Economics*

seem to both logically and normatively cancel each other out. Migration is good because it is "highly beneficial to the functioning of free-market economies"—but bad because it is generated by the disequalizing effects of these same free markets and the "maelstroms" globalization has unleashed on the poor. Migration should be welcomed in the West because it will free us from "a static, dull world" of cultural homogeneity—but the root causes of most migration, namely, "poverty, famine, and persecution," should be combated on humanitarian grounds and in order to preserve indigenous cultures that stand to be destroyed as a result of involuntary displacements.

One way of perhaps reconciling these opposing statements, which hint at the simultaneously creative and destructive aspects of economic globalization, would be by way of classical Marxian theory. For Marx, not only revolutionary struggle but imperialism, colonialism, and capitalism were all necessary stages on the path to socialism. Marx's "tragic understanding of history," as Jeffrey Vogel describes it, is perhaps most clearly seen in his early writings about British colonialism in India.[27] The injustices inflicted by England on India, Marx wrote, were "of an infinitely more intensive kind than all Hindustan had to suffer before"; for unlike previous invasions, famines, and conquests, British capitalism had "broken down the entire framework of Indian society."[28] Nevertheless, he asserted, "sickening as it must be to human feeling to witness . . . we must not forget that these idyllic village communities . . . had always been the solid foundation of Oriental despotism, that they restrained the human mind within the smallest possible compass, making it the unresisting tool of superstition, enslaving it beneath traditional rules, depriving it of all grandeur and historical energies."[29] Whatever "may have been the crimes of England," Marx concluded, she was "the unconscious tool of history," inadvertently sowing the seeds of worldwide revolution by creating the material conditions necessary for the rise of universal socialist values.[30] Does Benhabib hold a similarly tragic view, then, of the

(London: Anthem Press, 2003).

[27] Jeffrey Vogel, "The Tragedy of History," *New Left Review*, I/220 (November-December 1996), 47.

[28] Karl Marx, "The British Rule in India (1853)," in *The Portable Karl Marx*, ed. Eugene Kamenka (London: Penguin Books, 1983), 330.

[29] Ibid., 335.

[30] Ibid., 336.

relationship between economic globalization and the advance of cosmopolitan rights? Are her morally ambiguous references to "free markets" based upon the assumption that the destructive aspects of capitalism are lamentable yet necessary for the advance of cosmopolitan values (e.g., through the spread of transportation and communication technology), which might then serve to subvert or control globalization's darker aspects within a still essentially "liberal" economic order?

In some passages, *The Rights of Others* does seem to present a tragic view of history. Benhabib speaks of the "violence inherent in every act of self-constitution."[31] She criticizes Rawls for abstracting from reality and obscuring the inevitable "elements of power, oppression, and ideology through which a common sense of nationality is forged."[32] She rejects Locke's conception of the earth as a *res nullius*, belonging to none until appropriated as private property (which in Kantian perspective appears as a thinly veiled justification for the European conquest of the Americas in the name of thrift and industry).[33] Like Marx, Benhabib also suggests that the local and the traditional may be hostile or antithetical to "progress" (though for Benhabib progress is defined more in terms of the spread of universalist or cosmopolitan values than material changes through industrial capitalism). But Benhabib is ultimately unwilling to extend the logic of these observations on the violence and contingency of history in a Marxian or other radical direction, pleading a lack of sufficient information about "global economic causalities" to make any systematic or structural critique of the global effects of free trade policies. In fact, she argues by way of reference to Hania Zlotnik (and in seeming contradiction to her own statements about the "maelstroms" generated by unfettered markets), we cannot really know whether trade liberalization increases or decreases migration and so is on balance a greater evil or good. The point of this "epistemic objection" is to block any application of Rawls's "difference principle" to the world as a whole. Any attempt to pursue a "radically redistributive agenda" for the world economy, Benhabib writes, would be to commit a "fallacy of misplaced concreteness."[34] While Benhabib criticizes Rawls for

[31] Benhabib, *The Rights of Others*, 175.
[32] Ibid., 82.
[33] Ibid., 31.
[34] Ibid., 107.

failing to attend to the violence of history and for abstracting from reality, then, in the end she rejects any application of Rawlsian principles that *would* directly challenge between-country inequalities in the real world. For Benhabib, Rawlsian theory writ large is in fact *not abstract enough*. Benhabib's own concrete policy prescriptions instead leave global economic structures and relationships largely unchallenged, simply echoing the stated agendas of World Bank officials: reducing world hunger, infant mortality, illiteracy, malnutrition, and disease through sustainable growth projects, small loans, tighter regulatory regimes, debt relief, and greater transparency and democratization of governments and multilateral organizations themselves.[35]

For Benhabib, sovereign territoriality "an anachronistic delimitation of material functions and cultural identities.

Although Benhabib appears unable or unwilling to offer a sustained critique of processes of economic globalization and trade liberalization as a cause of mass migrations, she does nevertheless identify one serious threat to her vision of cosmopolitan rights: the threat of "territoriality." The word is never defined in *The Rights of Others*. In a paper presented in 2005 for the W.E.B. Du Bois lecture series at Humboldt University in Berlin, however, Benhabib describes "territorialization" as "the enclosure of a particular portion of the earth and its demarcation from others through the creation of protected boundaries, and the presumption that all that lies within these boundaries, whether animate or inanimate, belongs under the dominion of the sovereign."[36] This idea of territoriality as a locus of civic identity, she concludes, "flies in the face of the tremendous interdependence of the people of the world—a process which has been speeded up by the phenomenon of globalization."[37] Territoriality has "become an anachronistic delimitation of material functions and cultural identities."[38] But while territoriality so defined might not be an adequate basis for defining political or personal identities (and might indeed be something to be actively resisted), refugees and migrants are

[35] Ibid., 107.

[36] Seyla Benhabib, "Crisis of the Republic: Transformations of State Sovereignty and the Prospects of Democratic Citizenship," in *Justice, Governance, Cosmopolitanism, and the Politics of Difference: Reconfigurations in a Transnational World* (Humboldt University Distinguished W. E. B. Du Bois Lectures, 2004-2005) with an introduction by Günther H. Lenz and Antje Dallmann (Berlin: Präsident der Humboldt-Universität zu Berlin, 2007), 51.

[37] Benhabib, *The Rights of Others*, 216.

[38] Ibid., 5.

persons who have been deprived precisely of their right to a *place*. Any theory of rights for these persons, it seems to this reader, must therefore begin by acknowledging rather than paradoxically dismissing the importance of territorial belonging for the formation of political identities. Such an acknowledgement should include an affirmation of the intimate connections between culture, civic identity, and geography, including the ways the environment and local ecology shape the values, languages, and practices of different societies. This might lead in turn to a more penetrating critique of processes of globalization and free market ideologies than Benhabib seems able or willing to make. It is here that I would like to introduce the ideas of Kentucky farmer, poet, and conservationist Wendell Berry. Benhabib's response to the political and conceptual inadequacies of national territorial belonging is to appeal to a higher order of cosmopolitan or global belonging. But it is hard to see how this move doesn't simply shift many of the problems she is concerned with to a still higher level of abstraction and, from a policy standpoint, pragmatic impossibility. Berry's response to the inadequacies of nationalistic definitions of citizenship and political identity, by contrast, involves a move in the opposite direction: a move "downward"—or perhaps better, *earthward*—to the local and the particular.

Territorial belonging essential to the formation of political identities.

II. Berry's Environmental Agrarianism and the Rights of the Other

Wendell Berry has garnered numerous awards and recognitions for his literary accomplishments, which to date include eight novels, a large number of short stories, and more than twenty volumes of poetry. He has been largely neglected, however, by social and political theorists, despite having published some thirty books and collections of essays over the past four decades on social, cultural, and political themes. Among these are several seminal works of environmental and cultural criticism. *The Unsettling of America*, first published in 1977, and *The Hidden Wound*, published in 1989 are, Jeffrey Stout writes, "respectively the most important book on environmental ethics ever written and the best book on race that I know of by a white writer."[39] Although Berry has not written directly about questions of international migration and refugee rights, his analysis of the forces at work in the destruction

[39] Jeffrey Stout, *Democracy and Tradition* (Princeton: Princeton University Press, 2004), 134.

Forces destroying rural U.S. farm communities similar to those driving global mass migration.

of rural farm communities in the United States offers valuable insights for grasping the forces driving global mass migrations. Berry also offers a challenging normative vision of the rights of others—including plant and animal others—based on principles of stewardship, neighborliness, environmental sustainability, and local (as opposed to national) territorial self-sufficiency. It is upon these essentially small-scale agrarian values and practices—not the abstractions of cosmopolitan or "global thinking"—he argues, that the literal survival of the world depends. I will focus on two important themes in Berry's nonfiction writing that seem to me to be particularly salient for the questions of migrant and refugee rights raised by Benhabib: his critique of processes of globalization; and his advocacy of a citizenship based upon deeply rooted communities of knowledge and affection for the land.

For Berry, economic globalization necessarily "impoverishes one place in order to be extravagant in another."

To begin, Berry along with Benhabib would support the claim that any just and decent social order must be grounded in profound concern for the Other. His analysis of the problem of human displacement, though, involves a critique of institutions such as the IMF and World Bank that seek to promote "free markets" and increased global economic integration that is at once more radical and more conservative than Benhabib's Kantian cosmopolitanism allows. Benhabib praises the mobility of both goods and peoples, dismisses as untenable and undesirable concepts of local economic self-sufficiency, and links economic globalization to the spread of human rights (the "emergence of international law and the spread of international human rights norms are developments which parallel the spread of globalization").[40] Berry, by contrast, traces the roots of involuntary mass migrations in our age to the nomadic, predatory, and colonizing logic of the "free market." According to Berry, industrial capitalism "is inherently violent," so that economic globalization necessarily "impoverishes one place in order to be extravagant in another," all the while generating growing human and environmental disasters.[41] This is true not only of how capitalism operates between countries but *within* countries as well. Thus, Berry documents, corporate agribusinesses since World War II, operating on market principles of technical efficiency and profitability, have driven millions of small family farmers in the

[40] Benhabib, *The Rights of Others*, 216.

[41] Wendell Berry, "The Agrarian Standard," in *Citizenship Papers* (Washington, D.C.: Shoemaker and Hoard, 2003), 146.

United States out of work and out of their homes. Berry describes this outcome as "a forced migration of people greater than any in history" with catastrophic social, cultural, and ecological implications.[42] "For a long time, the news from everywhere in rural America has been almost unrelievedly bad," he writes:

> . . . bankruptcy, foreclosure, depression, suicide, the departure of the young, the loneliness of the old, soil loss, soil degradation, chemical pollution, the loss of genetic and specific diversity, the extinction or threatened extinction of species, the depletion of aquifers, stream degradation, the loss of wilderness, strip mining, clear-cutting, population loss, the loss of supporting communities, the deaths of towns. Rural American communities, economies, and ways of life that in 1945 were thriving and, though imperfect, full of promise for an authentic human settlement of our land are now as effectively destroyed as the Jewish communities of Poland; the means of destruction were not so blatantly evil, but they have proved just as thorough.[43]

Two forms of migration: the movement of those seeking "new frontiers" and those who have been displaced as a result.

Berry offers what might be described as a genealogical reading of the violence of global capitalism, which he traces back to impulses of greed and conquest present from the very beginning of America's founding by European settlers. "Once the unknown of geography was mapped," he writes, "the industrial marketplace became the new frontier, and we continued, with largely the same motives and with increasing haste and anxiety, to displace ourselves—no longer with unity of direction, like a migrant flock, but like the refugees from a broken ant hill."[44] Berry thus sees much of the history of the modern world, and of America in particular, in terms of two opposite but inseparably entwined forms of migration: the movements of those seeking to conquer new "frontiers," and the movements of those who have been displaced as a result, beginning with the Native Americans. It is the former group of migrants, in Berry's view, that has overwhelmingly "succeeded." "Generation after generation, those who intended to remain and prosper where they were have been dispossessed and driven out, or subverted and exploited where they were, by those who were carrying out some version of the search for El Dorado. Time after time, in place after place, these conquerors have fragmented and

[42] Wendell Berry, *The Unsettling of America: Culture and Agriculture* (San Francisco: Sierra Club Books, 1977), 11, 63.

[43] Wendell Berry, "Conservation and Local Economy," in *Sex, Economy, Freedom, Community* (New York: Pantheon Books, 1992), 5.

[44] Berry, *The Unsettling of America,* 3.

demolished traditional communities, the beginnings of domestic cultures."[45]

Only escape from victimization has been to "make it" into the class of exploiters.

Berry would agree with Benhabib, then, that the dilemmas of urbanization, environmental and economic stress, and citizenship rights linked with mass migrations "can hardly be blamed on migrants, refugees, and asylees," who are themselves the victims of market forces beyond their control.[46] But whereas Benhabib goes on to praise migration as a positive good that has helped to "revitalize" and "deepen" American culture, Berry raises troubling and fundamental questions that strike at the heart of the culture that is said to be "revitalized" and "deepened" by these ongoing human movements. What are the implications of extending a program of rights to others if these rights amount to an invitation to participate in the structures of exploitation and conquest that caused their displacement in the first place? "The only escape from this destiny of victimization," Berry asserts, "has been to 'succeed'—that is, to 'make it' into the class of exploiters, and then to remain so specialized and so 'mobile' as to be unconscious of the effects of one's life or livelihood."[47]

Berry's linking of "success" and mobility with market forces of destruction and displacement highlights another striking difference between his outlook and Benhabib's. Both call attention to the reality of conflict not only between but also within states. Yet Benhabib singles out as the primary source of intrastate conflict not the predations of powerful corporate and political interests on settled peoples, as in Berry's analysis, but the dangerous provincialism of deeply rooted communities themselves. She rejects the idea that people might be bound together by "common sympathies," which she declares is "not only sociologically wrong" but "inimical to the interests of those who have been excluded from the people because they refused to accept or respect its hegemonic moral code."[48] Instead, she asserts the need for cosmopolitanism to enable people to transcend and *escape* from the cultural as well as geographical boundaries of narrow, settled communities. Liberal democratic rights regimes have a "context-transcending validity claim, in the name of which the excluded and the downtrodden,

[45] Ibid., 4.
[46] Benhabib, *The Rights of Others*, 117.
[47] Berry, *The Unsettling of America*, 4, 5.
[48] Benhabib, *The Rights of Others*, 81.

the marginalized and the despised, mobilize and claim political agency and membership," she writes. For these persons, "the 'local and particular' have borne stigmata of inequality, oppression, and marginalization."[49] But is Benhabib correct that it is "sociologically wrong" (whatever this may mean) to link ideals of civic identity to "common sympathies"? And is it right to imply that the local and particular, by virtue of *being* local and particular, are somehow sources of oppression and marginalization in ways the universalizing language of globalization theory or cosmopolitanism are not?

Benhabib rejects communities based on "common sympathies" as "sociologically wrong."

Martha Nussbaum defines the cosmopolitan as a "person whose allegiance is to the worldwide community of human beings" and declares that "any intelligent deliberation about ecology—as also about the food supply and population—requires global planning, global knowledge, and the recognition of a shared future."[50] But global planning, according to Berry, involves utilitarian calculations imposed by centralized powers that by their very nature will do harm to local communities and local ecologies. "Properly speaking," he writes, "global thinking is not possible. Those who have 'thought globally' (and among them the most successful have been imperial governments and multinational corporations) have done so by means of simplifications too extreme and oppressive to merit the name of thought."[51] The great enemy is abstraction—including the abstractions of what are in principle worthwhile causes. "In order to make ecologically good sense for the planet, you must make ecologically good sense locally," Berry declares. "You *can't* act locally by thinking globally."[52] Why should this be the case? Central to Berry's argument is the role of affection in preserving a sustainable balance between humans and nature. The reason corporate agribusinesses operating according to the logic of the "free market" do such violence to settled human communities and the environment is because they cannot comprehend value apart from market values of efficiency and profitability. They lack the necessary sympathies and emotional attachments to care for lands or neighbors in ways that are non-reductive and non-extractive. Such

[49] Ibid., 123-124.

[50] Martha Nussbaum, ed., *For Love of Country: A New Democracy Forum on the Limits of Patriotism* (New York: Beacon Press, 2002), 4, 12.

[51] Wendell Berry, "Out of Your Car, Off Your Horse: Twenty-Seven Propositions About Global Thinking and the Sustainability of Cities," in *Sex, Economy, Freedom, Community,* 19.

[52] Ibid., 23.

"When one works beyond the reach of one's love . . . destruction inevitably results."

attachments cannot be formed, however, simply by being told that one *should* care for the land or for the other, as Nussbaum's and Benhabib's cosmopolitanisms suggest. "Our politics and science have never mastered the fact that people need more than to understand their obligation to one another and the earth; they need also the *feeling* of such obligation, and the feeling can come only within the patterns of familiarity."[53] The affection and skill necessary to prevent the depletion of top-soil, for example, only arises through intimate knowledge of and devotion to a concrete locality and its supporting natural and human relationships. There simply are no technical or global solutions to the crisis of soil loss brought on by extractive chemical and machine-based farming methods. What are needed are cultural solutions that take diverse local forms and emerge as a deeply rooted and affectionate responsiveness to place. "When one works beyond the reach of one's love for the place one is working in and for the things and creatures one is working with and among, then destruction inevitably results," Berry writes. "An adequate local culture, among other things, keeps work within the reach of love."[54]

We must resist the tendency to view and treat the world according to generalized statements.

Practically speaking, this means we should strive as much as possible for local economic self-sufficiency and should actively resist processes of globalization through the recovery of individual as well as communal virtues. "If we are heading toward apocalypse, then obviously we must undertake an ordeal of preparation. We must cleanse ourselves of slovenliness, laziness, and waste. We must learn to discipline ourselves, to restrain ourselves, to need less, to care more for the needs of others."[55] We must also resist the tendency to view and to treat the world according to generalized statements. Local people in contrast to "global thinkers," Berry argues, "would not willingly use energy that destroyed its natural or human source or that endangered the user or the place of use. They would not believe that they could improve their neighborhoods by making them unhealthy or dangerous. They would not believe that it could be necessary to destroy their community in order to save it."[56] As examples of sustainable local cultures, Berry points to the practices of the plains Indians prior

[53] Berry, *The Hidden Wound*, 88.

[54] Berry, "Out of Your Car, Off Your Horse," 24.

[55] Berry, *The Unsettling of America*, 23, 65-66.

[56] Wendell Berry, "Higher Education and Home Defense," in *Home Eonomics: Fourteen Essays* (New York: North Point Press, 1987), 51.

to the conquest of the Americas; to Peruvian farmers in the high Andes who have maintained a delicate balance with the land in extremely inhospitable conditions over hundreds of years (and whose techniques Berry studied first-hand during a 1979 trip to Peru); and to dissenting communities in the United States such as the Amish, who have insisted that technology must be adapted to standards of ecological and communal wellbeing rather than the other way around.[57]

The world is divided (within as well as between individuals) into two basic outlooks: those of the exploiter and the nurturer.

Once we grasp the importance of affection—of keeping "work within the reach of love"—in Berry's political thought we can better understand his claim that the world is divided (and the division runs within as well as between individuals) into two basic outlooks—not those of the nationalist and the cosmopolitan but those of the exploiter and the nurturer. The "model exploiter" in Berry's writing is the strip-miner whose expertise is specialized, whose goal is profit, and whose standard is efficiency. By these criteria, we can discern the dominance of the strip-miner mentality not only in corporate but also in governmental and academic institutions. The central requirement for admission into this class of "upwardly mobile transients"—which Berry describes as careerist, intellectual, and elitist—is to "have no local allegiances" or local point of view; for "In order to be able to desecrate, endanger, or destroy a *place* after all, one must be able to leave it and to forget it."[58] By contrast, the ideal type of "model nurturer" for Berry is "the old-fashioned idea or ideal of a farmer" whose skills are general, whose goal is the health of his land, family, and community, and whose standard is care.[59] The small farm owner, in Berry's agrarian environmentalism, Kimberley Smith writes, is able "to develop a web of associations and memories that he or she will wish to preserve. Thus the farm is more than an economic resource—it becomes a monument to the owner's life in that place. Such emotional attachments can serve as a powerful incentive to preserve the land in good condition."[60] And ultimately, it is the health of the land, as the foundation of the food supply and so of human survival, which

[57] See Wendell Berry, *The Gift of Good Land: Further Essays Cultural and Agricultural* (New York: North Point Press, 1983), 3-47; and *The Unsettling of America*, 210-217.

[58] Ibid., 51.

[59] Berry, *The Unsettling of America*, 7.

[60] Kimberly K. Smith, *Wendell Berry and the Agrarian Tradition* (Kansas: University Press of Kansas, 2003), 88-89.

must be the standard by which we evaluate all cultural and political questions. The possibility that human actions will render the world unlivable is real and growing. Thus, "We must understand what the health of the earth requires, and we must put that before all other needs."[61]

III. Conclusion: Let Us Now Praise Rooted Cosmpolitans

Economic and ecological justice "requires not international uniformity but international generosity toward local diversity."

It would be a mistake to assume that Berry's agrarian critique of globalization or cosmopolitan concepts emerges from a romantic or nostalgic view of rural life, which he readily acknowledges has often failed to nurture harmony with nature or to protect the dignity and rights of the Other. Yet according to Berry, "anybody who is interested in real harmony, in economic and ecological justice, will see immediately that such justice requires not international uniformity but international generosity toward local diversity."[62] "It is Berry's contention," Norma Wirzba writes, "that in abandoning what almost every culture has assumed and lived—that we are creatures intertwined in a common life with others—we bring harm to ourselves and the earth." Yet "contrary to the hype of globalization, Berry insists that the place of health and happiness must be grounded in the places where we now are."[63] What are the possible implications of these ideas for the questions of migrant and refugee rights raised by Benhabib in *The Rights of Others*?

First, the two thinkers would find themselves in agreement on many points. Berry, like Benhabib, would clearly say that there is something deeply flawed and unjust in any society that treats its migrants and refugees as permanent illegal aliens while simultaneously exploiting them for cheap labor. Although he has not so far written about international migrant and refugee questions, his agrarianism opposes nativist fears of land scarcity, embracing instead concepts of abundance and sufficiency. There would be land enough to realize a polity based upon more settled agricultural communities, he suggests, *if* we learned to limit our appetites to our needs and to practice virtues of neighborliness and charity. He

[61] Berry, *The Unsettling of America*, 66.

[62] Berry, "A Bad Big Idea," in *Sex, Economy, Freedom, Community*, 50-51.

[63] Norman Wirzba, ed., *The Art of the Commonplace: The Agrarian Essays of Wendell Berry* (Washington, D.C.: Counterpoint Press, 2002), viii, xviii.

criticizes absentee capitalists and environmentalists alike for buying up land and then trying to keep people out, praising instead the rural practice of "free trespass." Berry also sees wisdom and sanity as coming from the "margins" or from "below," while linking the history of the "free market" to "racial stupidity." We must recover "what might be called the underview, the ground-level perspective of those at the bottom of the social structure," he declares in his long essay on race in America, *The Hidden Wound*. "The white man, preoccupied with the abstractions of the economic exploitation and ownership of the land, necessarily has lived on the country as a destructive force, an ecological catastrophe, because he assigned hand labor, and in that the possibility of intimate knowledge of the land, to a people he considered racially inferior; in thus debasing labor, he destroyed the possibility of meaningful contact with the earth."[64] Finally, Berry stresses the organic interconnectedness not only of all peoples but also of all of life. We forget, he writes, "that our land passes in and out of our bodies just as our bodies pass in and out of our land; that as we and our land are part of one another, so all who are living as neighbors here, human and plant and animal, are part of one another, and so cannot possibly flourish alone."[65] All of these statements suggest rich grounds for constructing an agrarian and environmental theory of the rights of migrants and refugees that embraces many of the values and concerns reflected in Benhabib's cosmopolitanism.

Berry stresses the organic interconnectedness not only of all peoples but of all life.

There are, nevertheless, significant and finally irreconcilable differences between the outlooks of the two thinkers. Benhabib addresses herself to academics and policy-makers, suggesting that solutions to the dilemmas of human displacement require more enlightened legislation and the large-scale planning of officials in powerful institutions like the World Bank and IMF. Berry describes these officials as members of a class of "professional vandals."[66] Benhabib rejects the ideal of "territorial self-sufficiency" and offers no fundamental opposition to the workings of the "free market." Berry praises local self-sufficiency and mounts a radical and systematic critique of economic globalization as not only potentially but inherently violent. Benhabib seeks to inspire concern for the Other through the "post-metaphysical" language of discourse the-

[64] Wendell Berry, *The Hidden Wound* (New York: North Point Press, 1989), 105

[65] Berry, *The Unsettling of America*, 22.

[66] Berry, "Higher Education and Home Defense," 51.

ory and "international civil society." Berry insists that real concern for our neighbors cannot be based upon anything so abstract but must begin with the words and practices of rootedness, with affection for small things, and with a recovery of essentially small-scale agrarian practices and virtues.

It will by now be clear which of the two thinkers I think offers a more compelling conception of political identity. This is not to say that Berry's ideas are beyond critique. Conservation of top-soil might require the nurture and local knowledge of deeply rooted communities, but can the crises of environmental collapse, corporate greed, militarism and war we now face be addressed without major political and legislative interventions? This gives some hope that even those of us who at the end of the day must count ourselves among that urban and mobile class of "professional vandals" of Berry's more polemical (or perhaps prophetic) social criticism might still have a role to play in making the world a better place. Might there not be a need for what Kwame Anthony Appiah has called "*rooted* cosmopolitanism," a politics that incorporates some of the best insights of both Benhabib and Berry?[67] Still, if Benhabib raises challenging questions about some of the consequences of mass migrations, it is Berry who offers the more trenchant critique of their underlying causes and who suggests a more holistic—though perhaps difficult to achieve—social and political ethic in response.

[67] Kwame Anthony Appiah, "Cosmopolitan Patriots," in *Cosmopolitics: Thinking and Feeling Beyond Nation*, eds. Pheng Cheah and Bruce Robbins (Minneapolis: University of Minnesota Press, 1998), 91.