

# Cosmopolitanism, Self-Determinism And Territory: Justice With Borders – A Critique

Attikuppam Umapathi

Assistant Professor, Political Science,  
City University, Mogadishu, Somalia

*Abstract: This paper is an attempt to understand the idea of justice from the perspective of territorial states, and to critically evaluate the arguments presented by Oliviero Angeli in his book “Cosmopolitanism, Self-Determinism and Territory: Justice with Borders”. The idea of just distribution of resources has been one of the central arguments in social sciences for few decades. Various seminal works like John Rawls’s A Theory of Justice and Amartya Sen’s An Idea of Justice talk about just ways of distribution in their own manner – by taking different factors in to consideration. To commit to just ways of distribution, various aspects like educational opportunities, employment opportunities, wealth, natural resources, political opportunities, recognizing the uniqueness of a culture, language, or ideas etc. should be taken into account. The causes for injustice or skewed distribution of socio-economic and political opportunities should be assessed in an immaculate manner, and should be addressed as much as possible so as to influence and guide the effects to take place in a particular manner. Trying to take care of the effect without addressing the cause is a futile exercise. The causes for socio-economic and political inequalities among individuals or groups are a result of many natural and social facts. Uneven distribution of natural resources, or natural ‘talents’ decide the life of an individual or group in a significant manner. Similarly, socially constructed structures like property rights, economic structures, political institutions, social and cultural stereotypes, gender, race, merit, market competition, and artificial allocation of natural or man-made resources by state etc. play a significant role in prospering or pauperizing an individual or group. Territorial limits of a state in which an individual or group is living is one such social structure that decides the life of an individual as soon as she is born. Territorial state, by default, becomes an involuntary association, community, or identity from which an individual cannot escape. And, these socially structured lines decides the life of an individual or group born into these lines. Angeli tries to address how just the borders of the territorial states are, and how justly can they be re-drawn in order to achieve cosmopolitan justice.*

*Keywords: Borders with Justice, Citizenship, Cosmopolitanism, Genealogy of State, Immigration, Permanent Sovereignty over Natural Resources, Private Property, Self-Determinism, Territorial State.*

## I. INTRODUCTION

The importance of territorial boundaries of a state seems to be in decline because of the rapid integration of economies, technology, exchange, and globalized or supranational issues or powers like internet, environment issues etc. (Angeli, 2015: p-1). Nonetheless, territories are still important because the nationality of an individual is decided by the territorial limits of the state she is born into, and this decides everything that she inherits through the structural limits that the boundaries of this territory draws. Different aspects like natural resources, civic or political structures, economic well-being or opportunities, safety and security etc. gets decided by the

territorial limits that an individual is born into (Angeli, 2015: p-1). An individual born within a particular boundary limits may inherently become part of an affluent society whereas an individual born a few miles on the other side of the boundary may have to experience poverty, anarchy, insecurity and the all the liabilities that she would not wish to be part of (Angeli, 2015: p-2). This involuntary and indivisible (exceptions like migration aside) association with the territorial state is one of the prominent reasons for inequalities in the distribution of natural and man-made resources. Territorial state acts as a line to include or exclude individuals or groups from gaining access to various resources. But how far borders of this territorial state are drawn in a just manner remains a question.

The concept of territorial limits of a state is more or less unquestioned so far. Everyone seems to accept it as a natural phenomenon, and is an inherent part of all political systems – old and new, and no one seems to question why territorial limits are seen as indispensable or inalienable principles of the states (Angeli, 2015: p-2).

A cosmopolitan may view the boundaries or territorial limits of a state as an institutionalized theft where entities called states claim exclusive rights over certain territory and establish property rights kind of right on particular territorial limits in the name of sovereignty. Any violation of this property rights of the state is taken by the state as an attempt to violate the independency of the state. The state usually does all the necessary things to retain its territories, and sometimes to acquire more territories also. 'Citizens' are mobilized by the state, on its name, to defend its territories. Defending the territorial limits of the state or nation is viewed by its 'citizens' as an act of honor, protecting ones identity, independence, autonomy etc. These natural boundaries usually include, exclude or discriminate people based on their birth. People born outside the boundaries of a state are considered as aliens to the soil, and are perceived as ineligible to enjoy the natural resources from the territories they do not 'belong' to (Angeli, 2015: p-2). An understanding of the concept of territorial state is necessary to understand how and why it excludes or includes individuals or groups based on geographical boundaries. According to Angeli, the modern understanding of the concept of the territory can be understood by looking at the three important problems that the concept of state is facing which are "*necessity problem, particularity problem, and moral strength problem*" (Angeli, 2015: pp. 15-16). The necessity problem is concerned with the necessity of the state to have territory. Particularity problem of the state is concerned with the particular or exact location of the territorial limits of the state, and moral problem of the state's territorial rights is concerned with the moral scope or domain of the territorial state i.e., the states right over the territory, and allowing or denying access to it to particular sections of the people. These aspects of the state can be understood better by looking at the genealogy of the state, and the reasons for a particular type of genealogy.

## II. LOCKE AND KANTIAN GENEALOGY OF TERRITORIAL STATE

The world, in its natural form, earlier to the emergence of the state system, either belonged to all, or it belonged to none. It was the emergence of the state systems that drew the boundaries on the earth. This was the time of common ownership of the earth where everyone born on earth was equal. Acquisition of land as private property was not there, and earth was a natural right of the individuals irrespective of their place of birth. This situation was not supposed to change if we were to believe in the concept of natural rights of the people. But this situation changed with the emergence of the concept of private property as people started claiming property rights. These 'property rights' of the individuals or groups shaped itself into the territorial rights of the communities or groups. Thus territorial rights of a state can be conveniently

called as efforts by a group of individuals or groups to shield a certain part of the earth from 'others' and 'protect' or shield it for themselves. These individuals or groups may have unequal share of the part of the earth that they are defending. But a broader consensus seems to have emerged concerning the defense of the territorial limits that they are trying to shield if from others (Angeli, 2015: p-17).

The genealogy of state, according to Locke's narrative, is a result of individuals' appropriation of goods which turned into group rights as the individuals entered into small social contracts to ensure protection for their acquired property. These small groups or communities started entering into contract kind of alliances with other groups in order to protect themselves from bigger groups. This process went on repeating till all the randomly formed states recognized each other's rights and freedoms, and this constituted the defense for the defense of territorial states (Angeli, 2015: p-30). Locke was of two minds while explaining the genealogy of the state. In his second treatise, Locke presents the emergence of state in two ways; one – state as a result of social contract by the society so as to get out of state-of-nature and, two – state as an entity that evolved in a gradual manner by going through violent stages of "*insensible change out of the family group*" (as quoted by Angeli, 2015: p-30). The former projection of the emergence of the state is more utopian and fictional to believe and to take shape, and the later projection of the emergence of the state is reasonably placed (Angeli, 2015: p-30). The genealogy of the state can be said to have started emerging when the individual land 'owners' started placing their ownership claims under a commonwealth with the agreement that the commonwealth should protect their property rights in exchange for commonwealth's jurisdiction over them on a set of matters. This approach helped the individuals to act as a group or commune in defending their individual rights in a mutual way from the external threat. Though inequality existed within the groups, these unequal positions gained acceptance because of the immense and continuous external threat which threatened the concept of property itself. This state-of-nature situation presented the chances for the emergence and consolidation of the state's power and territorial rights. After a while, dismantling the state became difficult and was not seen as a rational choice by those who were part of it (Angeli, 2015: p-34).

But there seems to be disagreement between Locke and Kant on as to how the idea of private property, and subsequently the concept of state has emerged. According to Kant, Locke's idea of emergence of the concept of private property is somewhat confusing and not clear as he does not present a clear picture of how private property emerges. According to Locke, a piece of land becomes the private property of the individual who tills it. This example may sound true in cases where an individual is tilling the land for the first time i.e., the person is clearing the woods and is making cultivable land from this, which inherently makes him the owner of the piece of that particular land. This explanation sounds reasonable. But Kant disagrees with Locke's explanation of how the property rights have emerged. According to Kant, the property rights of an individual must be recognized by other individuals, which means it has to be supported by the surrounding rudimentary forms of

community, ethnicity, kinship, state or government. This apparently means that there must be some preliminary forms of social contract that has been in implementation. Kant explains this point by taking the example of a lady in possession of an apple. If Locke were to be asked about who the owner of the apple is he would certainly say that it belongs to the lady who holds it. And this is reasonable as the lady is the one who is in possession of the apple. But Kant disagrees with Locke. This does not mean Kant is denying the fact that the lady is the owner of the apple, but he is skeptical about her right being recognized by other individuals. What happens with the apple if the lady was to leave it on the table? Will it become property of the next person who holds it? According to Kant, apple is an accidental outcome to the lady, and it cannot become her property unless her right is recognized by others. In other words the apple should remain her property in her absence also, and the others must not take away the apple from her. This requires an atmosphere where her right is recognized by others, and where the apple stays as her property even in her absence. This kind of contract requires some institutional mechanism that acts as the protector of her right. An 'omnilateral will' i.e., a will accepted by all, that recognizes certain things as rights of particular individuals in a particular circumstance has to be made by all, and followed by all. Then only we can say that the apple is the property of the lady who possesses it (Angeli, 2015: p-41). The following sentences of Kant explains the omnilateral will in a better manner. *"By my unilateral choice I cannot bind another to refrain from using a thing, an obligation he would not otherwise have; hence I can do this only through the united choice of all who possess it in common. Otherwise I would have to think of a right to a thing as if the thing had an obligation to me, from which my right against every other possessor of it is then derived; and this is an absurd way of representing it"* (as quoted by Angeli, 2015: p-43).

Thus, Kant's understanding of genealogy of state, derived from private property, happens when three things are present: one – there must be an autonomy of the individual over tangible things or possessions like land, goods etc., second – people living side-by-side i.e., people living immediately to the individual in possession of these things must recognize the rights of the individual over these tangible possessions, and three – to make the surrounding individuals respect or recognize the rights of the individual over these possessions there must be territorial means or domains in which the claims or rights of these individuals can be protected with some conventions or laws. These aspects apparently requires a territorial domain with some governing rules that are accepted by all the individuals or groups within the domain. Hence, jurisdictional rights i.e., rights that can be protected in a justifiable manner, within a particular boundary, obviously require the presence of some basic form of power structure with territorial jurisdiction (Angeli, 2015: p-47). According to Kant, just getting hold of a territory, or piece of land in the present may not ensure property rights. The past and future of the property has to be taken into account if we were to make sure whether a particular piece of land belongs to a particular individual or not. The past violations of the property in possession marks an important component of the property right in the sense that it is necessary that an individual gets a

piece of land without any violent past to it, i.e., the past violations of the property of others should not haunt the present property. For example, an individual may have acquired some piece of land by forcefully grabbing it from others. This past grabbing will haunt the property in the sense that the past owners may try to gain back their lost property. This situation forces the present owner to be insecure about her 'rights' on the property that she is holding. Hence, transfer of property from one person to another person has to be done in an accepted manner. In other words, there should not be any disputable history to the property that an individual is trying to possess. Similarly, the immediate future of the property should not hang in uncertainty, i.e., the future of the property should not look bleak or indefensible. The individual in possession of the property should be in a position to confidently presume that her possessions are going to be her possessions in the future also unless decided otherwise on her own. Hence, immediate past and immediate future of the property are important to call a present possession a property of a particular individual. This requires certain permissive laws that permit a particular individual to be owner of a particular possession, and restrict the others from trying to get a hand on the possessions of this particular individual (Angeli, 2015: p-49).

Kant's understanding of the genealogy of the territorial rights of the state that was derived from the urge of the individuals for private property does not end with the recognition of the property rights of the individuals as a sole prerequisite of the territorial rights of the state. It is true that Kant believes that the territorial rights of the state is derived from the individuals' urge to the private property, which apparently obligates the state to protect the property rights of the individuals. But Kant's ideas also include an inherent understanding that the state should take care of the inequalities of the properties that are in possession with different individuals. This does not mean that Kant is against the existence of inequality of property as he is aware that there will be inequalities in possessions as property, even if it is distributed and redistributed again and again. Kant looks at property as a source that guarantees individual autonomy. But he also suggests that inequalities in property apparently broadens the inequalities further, to a point where some sections may end up having no property at all. Territorial state, according to Kant, should try to maintain some balance between the haves and have-nots so as to protect its territorial jurisdiction. It is obvious that the territorial jurisdiction of a state becomes weak if a section of its own people end up property less. These property less sections are bound to violate the territorial jurisdiction of the state, which puts the state and the propertied classes in a difficult position to defend their property rights. Hence, Kant was in favor of taking care of imbalances in the property holdings of the individuals. This does not mean the territorial state should interfere with the property rights of the individuals whenever there is inequality in the properties of the individuals as he himself suggests that inequalities are bound to exist perpetually, but he opined that the territorial state should not allow the inequalities to extremes where a section of people, i.e., the have-nots, should not start perceiving the rights of the territorial state as illegitimate or unreasonable. Though Kant is talking about taking care of the inequalities in order to protect the territorial

rights of the state which inherently protects the property rights of the haves, this idea inherently involves a 'just' distribution mechanism. Kant recognizes the fact that property is going to get sided with some sections of people due to its economic capacity to multiply, and this multiplication of property usually takes place in an uneven manner. This apparently means that the property levels of the individuals are not going to be same over a period. Besides the labor of the individuals, the skewed economic activities and the skewed economic returns on the property also contribute to the inequalities which apparently means that some individuals or sections are bound to fall behind vis-à-vis the others in saving or expanding their properties. Hence, it is difficult to say that property is the result of pure labor of the owners. This kind of understanding apparently makes us to think about some redistribution mechanism to address the inequalities in property among the individuals or groups, and among the territorial states (Angeli, 2015: p-50). In this context, it can be understood that, Kant is looking for some distributive justice, without which the society may collapse internally (Angeli, 2015: p-51).

Kant's inherent argument for distributive justice within a territorial state seems to carry similar weight when extended to distributive justice among states. Kant locates the territorial state within a conglomeration of similar states i.e., the territorial jurisdiction of a state is located in the middle of similar states with recognizable territorial jurisdictions. Hence, a state can be called as a state because it is identified by other states as a state. If we were to extend the inherent distributive principle that Kant asks the territorial state to take care off so as to protect the rights of its individuals, property rights in particular, we have to believe that Kant is suggesting similar kind of distributive justice among the states. The need to make such an inference may not arise if the available resources to all the states are plenty so as to avoid the conflict for resources, or not to care about the effects of inequalities due to the marginality of its impact because of the richness of the resources. But the facts are different as the resources available for different states are scarce, and as recognized by Kant himself, the states are in continuous wars with other states for resources. This casts doubts on why certain states are rich in resources and wealth whereas certain states are poorly ordered with resources. Certainly, the inequalities among the states cannot be the result of the labor of the respective populace of the states in question as it is decided by various other factors that their people cannot be held responsible all the time. A territorial state in Sub-Saharan Africa, however hard the people of this particular state may labor, is not going to be equal in gaining resources like a territorial state in Amazon basin. Though these territorial areas are not located side-by-side, the very fact that resources or richness of a state is naturally staggered itself calls for a redistributive justice among the states. The modern states are heavily interdependent, and the richness of one territorial state can be because of the labor of the populace from another territorial state. For example, Europe and America can be said to have prospered because of the labor of the people from the territorial states of the African continent. Similarly, all the present first world countries can be said to have become rich because of a particular economic system that puts them in an

advantageous position. The richness of these state cannot be called as the result of the labor of the people from these states. The labor that Japan invests in, is totally different from the labor that Bangladesh invests in. And people from both these territorial states are engaging their labor in some 'productive' activity. But the difference rests in what they produce, and how the economy pays to what has been produced in these territorial states. This tilt in economic structure, and the labor of these territorial states measured in monetary terms, apparently makes a particular state poor and a particular state rich. This says that the property of a territorial state is not the result of direct labor by people from that territorial state but because of many other complex factors. This analysis certainly calls for a distributive justice across borders (Angeli, 2015: p-51).

### III. TERRITORIAL STATES AS BORDERS OF INCLUSION AND EXCLUSION

Territorial states include or exclude individuals or groups by demarcating them into 'citizens' and 'aliens' Territorial limits of a state can be understood "*as a strategy based on the enclosure of space, and is an attempt of an individual or group to affect, influence, or control people, phenomena, and relationships, by delimiting and asserting control over a geographic area*" (as quoted by Angeli, 2015: p-68). This limitations obviously makes certain individuals or groups as owners of a particular geographic area, and makes the 'outside' individuals or groups aliens to it. The insiders of a territorial state becomes its members by citizenship or immigration as "*state's territorial boundaries act as markers of membership, both in a legal and a political sense*" (Angeli, 2015: p-74). And this membership or non-membership acts as a license to inclusion or exclusion of a particular individual or group in a particular territorial state. The movement of the individuals or groups among territorial states is based on this membership. Citizenship and immigration rules play a major role in including or excluding individuals or groups from territorial states. While citizenship, in one state or another, is a common thing for all most all the people, it is the status of a small, yet significant number of people who fail to become part of any particular state due to various involuntary acts of other individuals, entities or states. This makes them to look for immigration options. And immigration options are not easy as allowing immigration itself is considered as a threat or burden by the receiving states. Hence, it is difficult to find receivers when it comes to immigration. Though movement of individuals or groups among the territorial states is a common phenomenon, there is a lot of difference between normal movement from one territorial state to another territorial state and immigration. Movement from one territorial state to another territorial state by an individual does not place any burden on the territorial state into which the individual is moving into. Here the individual is clearly not dependent on the receiving territorial state for any resources or kind. The moving individual is aware of her needs and knows how to take care of her needs without causing any burden to the receiving state. For example, skilled migration, or migration for a temporary duration by carrying the required resources in

the form of cash and kind. This does not place any burden on the receiving territorial state. The individual moving in may be carrying all the necessities that are required for her stay in the territorial state into which she is moving, like international journey. Similar is the case with skilled migration also where the individual who is moving into a particular territorial state does not depend on that state for her living or resources, instead, she contributes to the receiving state through her labor or capital. But immigration is different in the sense that the individual who is moving into another territorial state does not carry anything, and becomes a burden to the receiving state. The receiving state has to share its resources with the immigrant. The receiving territorial state may refuse to share its resources with the immigrant. And it has a right to do so. It is not under any obligation to share its hard-won/hard-earned resources with any outsiders of its territorial state.

The resources of a territorial state are, in a normative sense, a result of efforts by all individuals and groups of that state. These resources are gathered, or earned over a time, by following a set of accepted norms among the existing territorial states. Of all the territorial states, state A may be in a particular position in terms of resources, but these resources are earned by A by following a certain norm which is mutually agreed upon with similar other territorial states; norms like sovereignty over resources or particular geographical limits, commerce with other countries within the accepted limits of international trade, superior currency value due to its continuous valuable economic output etc. To be precise, the level of resources of a particular territorial state is decided by its people over a period (exceptions aside). Now, allowing an immigrant from another territorial state apparently means sharing the hard-earned resources with a new person who has not contributed to the generation of the wealth that the receiving territorial state has created. This burden gives the residents of a territorial state the right to reject a refugee (Angeli, 2015: p-74). *"The would-be immigrant who wants to cross into a given jurisdiction acts to impose a set of obligations upon that jurisdiction's current residents. That obligation limits the freedom of those residents by placing them under a standing obligation to act in particular way in defense of that migrant's rights. In response to this, legitimate states may refuse to allow immigrants to come in, because the residents of these states have the right to refuse to become obligated to these would-be immigrants"* (as quoted by Angeli, 2015: pp. 74-75). Sounds reasonable so far. But this makes us pay attention to the rights of the citizens of a particular state to decide whether to allow or not to allow individuals or groups as immigrants. The citizens of a particular state that is accepting or rejecting immigrants, have a right to do so because of the self-determinism that they display within their state (Angeli, 2015: p-94). This self-determinism gives them the license to accept or reject immigrants. But how far are the citizens of a particular state free to claim self-determinism? How can inhabitants of a particular territory be called as free to go for self-determination when they are born into a non-voluntary association like a state? *"Citizenship is not voluntary in the sense that it is not chosen. Indeed, most people in the world are born into a citizenship and do not change it. But in a world in which 'statelessness is a condition of infinite danger, the choice is being a citizen of one country*

*or another. It is not a choice between being a citizen and being something else"* (as quoted by Angeli, 2015: p-100).

The argument of involuntary association to a state by birth may make us think that the individual is not bound to get into whatever self-determinism patterns that the state, or its people have adopted. When extended to other cases, this argument carries similar weight and forces us to question whether state is the only involuntary association that an individual is born into. Other involuntary associations like parents and family, community etc. also force an individual to behave in a particular manner, and decide the level of 'self-determinism' of the born individual. But there is one important difference between parents as involuntary association, and territorial state as an involuntary association – parents are natural whereas a territorial state is a social construct. Hence, an individual can be said to be naturally born into a socially constructed territorial state. Thus, an individual who is born into a socially constructed territorial state has a natural right to be not to be part of it if the individual wishes to stay out of it. This argument sounds rational at the moment. But accepting this as a reasonable position makes us fall prey to reductionism. Just assume for a moment that individuals are free to get away from the self-determinism principle of the state, and eventually are free not to be part of it. Where can these individuals go? Into a stateless society? Anarchy? State of nature? Is getting away from the territorial state going to make an individual free from other social constructs? Or, will the individual be forced to end up in other forms of social constructs rather than staying in the territorial state? What would be the alternatives like? Communes? Ethnic groups? Even communes or ethnic groups have some self-determinism related rules and guidelines. What is the difference?

It can be argued that individuals should have a right to get out of the territorial state. This sounds reasonable if all the people were to decide together to get out of a particular territorial state, and become part of something else mutually, or individually according to individual preferences or choices. But functional form of this argument is nothing but chaos. In real time, some people may want to be part of a territorial state, and some individuals may want to get out of it. And the alternatives they choose, or not choose may be as many as their numbers itself or even more than that. This makes us infer that being part of some involuntary association is unavoidable, and the maximum range of self-determinism that is possible cannot escape some minimal involuntary association (Angeli, 2015: pp. 100-101). Hence, the people of the receiving state can be said to have some proximate form of self-determinism, and have a right to decide whether to accept or reject a refugee. Thus, the right to exclude or include can be called as a functionalist one (Angeli, 2015: p-109), and this functionalist self-determinism of territorial states decide, or restrict the freedom of movement of individuals or groups to move freely among the territorial states (Angeli, 2015: pp. 106-107). Functionalist explanations to the nature of territorial states are not error free either as it becomes difficult to ascertain why certain territorial states strive to maintain their territorial independence even if they are sure that a merger with other territorial state is not going to hurt their interests in any manner. *"A functionalist account can establish that there are benefits involved in state control of territory, because*

*states are necessary to enforce justice, define property rights, and provide public goods. but the functionalist has a more difficult time establishing why France should control the particular territory of France and not the territory of Norway since the Norwegian and French states are both capable of enforcing justice and providing public goods on these territories" (as quoted by Angeli, 2015: p-109).* This explains that the territorial states have some additional associations to it apart from protecting its resources.

#### IV. TERRITORIAL STATE SOVEREIGNTY OVER NATURAL RESOURCES OR COSMOPOLITAN JUSTICE?

Territorial sovereignty on the natural resources is a universally accepted norm, and territorial states usually take it as granted that their sovereign right over these resources are permanent, i.e., everlasting as long as the concept of territorial state is there. Territorial states take the decision regarding how to use the natural resources available to them. Usually these natural resources are used in a manner to benefit the inhabitants of respective territorial states only. Natural resources are jealously protected by territorial states. States are, in a normative sense, assumed to have permanent sovereignty over natural resources that fall within the domain of the respective states (Angeli, 2015: p-121). This idea coincides with both Locke's and Kantian understanding of property rights of individuals, and eventually the property rights of the territorial states as both these thinkers understood property as a right of the individuals or groups who have labored for it. The Kantian view of state is more suitable in particular as he believed that the property rights of an individual or group needs to be recognized by other individuals or groups in order to call them as property rights of particular individuals or groups. According to this view the present territorial states can be said to be perfect in claiming sovereign rights over the natural resources that fall under their respective domains. But this sovereign rights seem to have limitation if we were to take the emphasis on distribution side of Kant's argument. According to Kant, territorial states should take care of the imbalances in inequalities, or at least try to minimize the inequalities so as to avoid an internal war for the property rights that may lead to collapse of the concept of territorial state. If we were to consider states as individuals or groups – this is how the genealogy of property rights of the territorial states have been mapped – then the territorial states should take care of the inequalities among them in order to avoid the possibilities of collapsing of the state due to the fight for natural resources. This is where the need to think in a cosmopolitan manner takes shape. The states should, in a minimal sense, try to take care of the deep inequalities in distribution of natural resources among the states. After all, natural resources are not the result of any individual, group or state's labor. Natural resources are distributed randomly, and are jealously guarded by groups with intelligibly constructed maps. Intelligible maps are social constructs, and individuals are born into these intelligible maps that decide the accessibility of resources to the born individuals within these territorial states. These intelligible maps are more or less

standardized, though they keep on changing in a continuous manner, and are open to change based on the deliberation of the people living in them (Angeli, 2015: p-111). Hence, *"the right to exclude from membership has some value only if it is linked to an equally strong right to achieve the goals for which membership has been established"* (Angeli, 2015: p-115). This forms the foundation for the demands for cosmopolitan approach when it comes to issues like immigration and sharing of natural resources among the territorial states.

Cosmopolitan argument sound as legitimate as the territorial state's right to sovereignty over its natural resources. Territorial state's sovereignty over its natural resources are recognized in a particular social construct that has been accepted by all the states. What would be the situation of such a contract, or inherent convention, if states with gravely scarce resources were to believe that it is not in their advantage to honor the contract? The states-system seems to have been in continuous trouble with this problem precisely. Territorial states fight for resources, and in the process of fights they displace millions of people making them homeless and stateless. These stateless people are further excluded by the territorial states in the name of citizenship. Accepting or refusing a refugee depends on the receiving state's wish. Hence, a cosmopolitan approach to the distribution of natural resources among the territorial states, and a cosmopolitan approach to immigration issues gains prominence. Angeli's argument that the Permanent Sovereignty over Natural Resources that protects the rights of the indigenous people should be revisited does not sound reasonable (Angeli, 2015: pp. 119-211). It is true that the first world countries have less reserves of natural resources when compared to the third world countries, but this does not give any reasonable reason for these countries to claim for a share in the natural resources of the third world countries unless the first world is willing to share its wealth (that was created with violence) with the third world. All the richness of the first world can be said to be the result of the past colonialism and present imperialism. With such violent background how can the borders be redrawn in a just manner is the question that need to be addressed in order for the states-system to sustain, or for the succession of cosmopolitanism. While looking for cosmopolitan solutions to the issues of the system of territorial-states-system, it is necessary to look at the inequalities among the states both from historical and present perspectives. Distribution of natural resources alone is nothing but grave injustice. Hence, distribution of wealth of states should also take place. Angeli's conclusion that *"individuals, not nations, are the unit of ultimate moral concern"* (Angeli, 2015: p-124) gains prominence in the present world of immigration and border issues. Hence, transfiguration of borders should take place in a just and cosmopolitan manner.

#### V. SUMMARY

Angeli's timing of the work in times of severe inequalities and border disputes and immigration issues (like in Syria) among the states throws necessary clarity to march towards cosmopolitan solutions. Property rights of the individuals, and eventually sovereignty rights of the territorial states are results

of social constructs that have been formed over centuries, and have been in continuous reinforcement. No individual, group or territorial state can clearly claim that the present property or control over natural or man-made resources are because of the labor of the concerned individual, group or state. The present situational advantage or disadvantage of a particular individual, group or state is the outcome of staggered distribution of resources, and skewed socio-economic and political structures that prefer X over Y in a particular circumstance. Hence, the inalienability of the territorial rights of the state cannot stand inalienable anymore if moral well-being of the individuals are to be considered as primary concern of any socially formed group, community or state. Therefore, borders of territorial states should be transfigured in a just manner in order to tackle the inequalities among the states, and border based inclusion or exclusion should take note of the historical factors that contributed to the present

securities or insecurities of the individuals within these territorial states.

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