RCP REVISTA DE CIENCIA POLITICA

DOI: 10.4067/S0718-090X2025000300105
VOLUMEN 45 / Nº 3 / 2025 / 473-494
ISSN: 0718-090X
Revista de Ciencia Política
cienciapolitica.uc.cl

Kantian Cosmopolitanisms Encountering Isolated Indigenous Groups: Between Ambiguous Anti-colonialism and Risky Oversight

Cosmopolitismos kantianos frente a los pueblos indígenas aislados: Entre un anticolonialismo ambiguo y una omisión riesgosa

FABIÁN FLORES SILVA

Pontificia Universidad Católica de Chile

ABSTRACT

This paper compares Kant's cosmopolitan right with the Kantian-rooted cosmopolitan proposals of Seyla Benhabib and Jacques Derrida, assessing their ability to support South American isolated indigenous groups' claims to reject external intrusion in their lands, as a way of counteracting damaging settler-colonialist dynamics. It argues that despite Kant's cosmopolitan right, which includes a problematic racialized and teleological aspect that precludes understand it as a full anticolonial perspective, it primarily endorses non-state peoples with a right to reject external requests for hospitality. Conversely, the ethical commitments in Benhabib's and Derrida's cosmopolitan propositions for the sovereign states to accept external solicitations for hospitality not only neglects isolated indigenous claims but may unintendedly contribute to their physical and cultural destruction. The tension that emerges between Kant's minimalist focus on international peace and the justice-oriented perspectives of contemporary Kantian thinkers underscores the need for cosmopolitan theories to more effectively engage with the struggles of indigenous peoples.

Keywords: Cosmopolitan right, transnational hospitality, isolated indigenous groups, settler-colonialism.

RESUMEN

El paper compara el derecho cosmopolita de Kant con las propuestas cosmopolitas de raigambre Kantiana de Seyla Benhabib y Jacques Derrida, evaluando su capacidad para respaldar las demandas de los grupos indígenas aislados de América del Sur de rechazar la intrusión externa en sus tierras, como contramedida a dinámicas colonialistas perjudiciales. Aunque el derecho cosmopolita de Kant incluye un aspecto racializado y teleológico problemático que impide entenderlo como una perspectiva completamente anticolonial, este respalda a los indígenas en el derecho a rechazar solicitudes de hospitalidad. En contraste, las exigencias de Benhabib y Derrida para que los Estados acepten solicitudes de hospitalidad descuidan las demandas de los indígenas aislados y pueden contribuir involuntariamente a su destrucción física y cultural. La tensión que surge entre el enfoque minimalista de Kant

All the contents of this electronic edition are distributed under the Creative Commons license of "Attribution-Co-sharing 4.0 International" (CC-BY-SA). Any total or partial reproduction of the material must cite its origin.

sobre la paz internacional y las perspectivas orientadas a la justicia de los pensadores kantianos contemporáneos subraya la necesidad de que las teorías cosmopolitas aborden más eficazmente las luchas de los pueblos indígenas.

Palabras clave: *Derecho cosmopolita, hospitalidad transnacional, grupos indígenas aislados, colonialismo de asentamiento.*

I. INTRODUCTION

Cosmopolitanism as a normative and critical political theory has reemerged in recent decades proposing to extend and apply ethical or moral principles, human rights, or standards of justice to all human beings regardless of their local or national political affiliation. It encompasses different approaches which all share the basic idea that it is the individual (i.e. the moral person, the human being) and not the local community or the state that lies at the core of its normative considerations. This stems from cosmopolitan thinkers' view that the decisionist character of the sovereign state, its power to unilaterally exclude individuals and groups from the political community, perpetuates unfair circumstances which particularly affect disadvantaged people. This is evident in the growing unwelcoming policies of states towards migrants and refugees from the global south and other regions (Derrida 2001; Rosello 2001; Benhabib 2004, 2006). Dealing with this, several cosmopolitan proposals advocate for states to open their borders and be hospitable towards foreigners, especially those most in need.[1] Yet the exclusive focus on individuals as subjects of justice and states as objects of moral critique makes these theories unable to account for the violent settler-colonial processes - both historical and ongoing- that threaten the survival and autonomy of the 'intermediate' political and cultural realities of indigenous peoples.

From the sixteenth century onward, most indigenous peoples in the Americas were forcibly incorporated, first under European empires administration and later under the rule of postcolonial states. Until the mid-eighteenth century, colonial administration by British and Spanish empires governed indigenous peoples indirectly and differentially, alternating between violent conquest, subjugation, and limited autonomy through diplomatic arrangements (Burbank and Cooper 2010). By the late eighteenth century, with the rise of postcolonial states and capitalism, direct governance intensified, solidifying a settler-colonial dynamic that eroded indigenous autonomy and territorial control. Lorenzo Veracini describes settler colonialism as a global phenomenon,

[1] This is supported in diverse arguments. For instance, moral theorists hold that human rights and duties of justice owed to all human beings provide the basis for imposing moral constraints on the discretion wielded by sovereign states (Caney 2005; Carens 2013). On the other hand, the appeal from democratic theorists to expand and universalize the *demos* grounds their criticism of those states unwilling to open their borders to foreigners, since such action would exert undue coercion on those who, not being authors of the rules of government, have been lately affected by these (Benhabib 2006; Goodin 2007)

where settlers and ideas of settlement extended beyond imperial metropolis to establish a sovereign power in the new colonies based on racial exclusion and control of indigenous lands. This process relies on an ideological capacity to obscure the violence of territorial occupation, which escalated during the formation of postcolonial states in the nineteenth century (Veracini 2010). Glen Coulthard expands on Veracini's ideas, arguing from a Marxist perspective that settler colonialism sustains hierarchical relations through interconnected economic, racialized, gendered, and state practices, enabling the *continued* dispossession of indigenous lands and self-determination (2014:7). Coulthard highlights how capitalism's drive for accumulation intensifies dispossession through fraudulent negotiations, land robbery, and violent methods, including murder (2014:9). Ultimately, as James Tully (2000) observes, the core objective of the settler-colonial relationship lies in the appropriation of land, resources, and indigenous jurisdiction, not merely for settlement or exploitation, but to establish and reproduce settler societies that nowadays have become demographically and politically dominant over indigenous peoples.

The persistence of settler-colonialist dynamics on indigenous groups and territories poses a unique moral challenge when considering the case of the so-called indigenous peoples living in voluntary isolation in South America. Those groups have chosen to sever almost all sustained social ties and exchanges with agents of the surrounding modern society, such as extractive agents, missionaries, tourists, government officials, and have relocated to the most remotes zones of the tropical forests.[2] Their isolation is both a rejection of external domination and a reconfiguration of internal practices that expresses self-affirmation. For example, ethnographic evidence illustrates how the self-isolation of the indigenous *Mashco* in Peru is both a response to the establishment of the rubber, mining, and forestry economies and a reaction to being excluded by other indigenous groups from existing exchange networks, prompting them to 'respond in kind' (Gow 2012: 36-37). At the same time, their shift from agriculture to nomadism and continued use of stone tools, despite sporadic offers of modern tools by other groups, reflects, according to Peter Gow, deliberate choices to preserve autonomy. Similarly, for the indigenous *Ayoreo* in Paraguay, isolation involves tactical adaptations such as erasing tracks and hiding fires, all while maintaining productive and ritual practices rooted in their cosmological frameworks (Bessire 2014). Isolation can also be seen as a form of limited sociability shaped by indigenous internal cosmologies and external pressures. From the perspective of the indigenous *Waorani* in Ecuador, the isolated indigenous *Taromenani* cultivate selective interactions, favoring indirect and non-hostile contact with other indigenous groups while actively avoiding interactions

[2] Some accounts (Wallace 2011) refer wrongly to those groups as "uncontacted tribes", implying that they remain in a kind of natural pristine state, disregarding the exogenous political and economic settler-colonial dynamics that have led some indigenous groups to choose isolation. As stated by the anthropologist Stuart Kirsch, "The lost tribes of the Amazon are the product of centuries of colonial relations" (1997: 62).

with non-indigenous individuals (High 2013).[3] These examples show that isolation is not merely a survival strategy, but rather an expression of these groups' capacity to continually reconfigure their cultural and social existence.[4]

Over the past two decades, the demands of these groups to remain isolated have garnered support from various indigenous organizations, such as the *Grupo de Trabajo Internacional para la Protección de Pueblos Indígenas en Aislamiento y Contacto Inicial*, and from international organizations like the *Inter-American Commission on Human Rights*.[5] Countries such as Brazil and Peru have implemented special policies to shield these communities from external intrusion. As a result, the concept of voluntary indigenous isolation has become a politically significant category, recognized by both national and transnational actors as integral to discussions on self-determination and cultural preservation. However, as extractive activities expand into their territories driven by global resource demands, coupled with insufficient governmental and international support and enforcement of protective measures, indigenous communities face a grave threat. Their vulnerability to diseases like influenza and measles, which disproportionately impact them due to lack of immunity compared to the non-indigenous population, further exacerbates the risk of both physical and cultural annihilation (Walker et al. 2016; Ortiz-Prado et al. 2021).[6]

It is estimated that there are between 100 and 200 indigenous groups in voluntary isolation remaining on the planet. Most of them inhabit the Amazon basin, especially in Brazil, Colombia, Ecuador, and Perú, with others in the Gran Chaco region of Paraguay and Bolivia (Ortiz-Prado et al. 2021). In this context, if we consider settler-colonialism not only as a key political and economic force in shaping postcolonial American states (Keal 2003) but also as an ongoing structure of illegitimate authority and violent dispossession with harmful consequences for indigenous groups, then the indigenous anticolonial struggles (Tully 2000: 36) and their claims to reject external demands for intrusion, as articulated by self-isolated tribes, should be acknowledged not merely as a matter of national normative theories. Rather, they demand serious

[3] In this sense, it is important to highlight the ontological and cosmopolitical dimensions developed by ethnographic studies on indigenous peoples, whether isolated or in contact, in recent decades. For more details, see the works of Viveiros de Castro (2010) and Fausto (2012), among others.

[4] While some scholars argue that indigenous isolation should not be seen as an expression of their collective will as it is supposedly driven exclusively by external circumstances (Bessire 2012), these views overlook both the accounts presented in this paper and other scholarly evidence (Milanez and Shepard 2016; Thompson and Garcia 2016) that lead us to assert that isolation indeed primarily reflects an act of will, even though it is not being wholly free of external influences and pressures.

[5] For Toki Picarenai, a defender of the self-isolated *Ayoreo* indigenous people in Paraguay, his community faces significant challenges, particularly intensive deforestation. He emphasizes that the recognition of indigenous peoples in voluntary isolation by the United Nations is crucial as a key step for member states to implement the recommendations issued by its mechanisms (United Nations 2024).

[6] Consider the case of the *Nahua* indigenous group of the Peruvian Amazon, which has resisted through isolation the penetration of extractive agents that have decimated its population and taken its ancestral territories. Between the nineteenth century and the first decades of the twentieth, high international demand for rubber extraction in lowland areas of the Amazon region led several *Nahua* communities to move on and isolate in safer regions of the rainforest, mainly to escape the spread of foreign diseases and to avoid enslavement annihilation by invading agents (Ramenofsky 1993; Napolitano 2007: 520-524)

engagement from cosmopolitan theories, which must grapple with how to reconcile their universal principles, typically framed in liberal terms, with the recognition of indigenous claims to refuse external interference, especially when such recognition serves to prevent the arbitrary domination and destruction of indigenous peoples.

Although contemporary cosmopolitan thought encompasses a diverse range of theoretical approaches, spanning ethical, institutional, and cultural perspectives, it is broadly shaped by a shared normative commitment to openness and inclusion, which, while typically directed at sovereign states, may also extend to local ethno-cultural communities. However, this expansive orientation, particularly present in what Brock (2011) refers to as 'strong' and 'extreme' cosmopolitan accounts,[7] poses significant obstacles to the accommodation of indigenous peoples' claims to self-isolation. First, cosmopolitanism advocates for a universal community that includes all human beings and, to varying degrees, establishes moral and political obligations that often conflict with the principle of prioritizing local affiliations (Kleingeld and Brown 2019). From this perspective, recognizing a right to indigenous isolation appears normatively contradictory, as it clashes with core cosmopolitan principles such as openness, hospitality, and equality. Second, liberal cosmopolitan theories prioritize the individual as the primary moral subject of concern,[8] which weakens the legitimacy of collective rights such as the refusal of external interference. In this view, indigenous peoples are often seen more as recipients of individual assistance (e.g., access to basic rights) than as communities entitled to collective autonomy, thereby reducing their claims to expressions of need rather than demands for political belonging. Third, some institutional cosmopolitan proposals, aimed at the construction of a more globally inclusive democratic order (Benhabib 2006; Goodin 2007), often require levels of integration and participation that may be incompatible with the right to remain isolated.[9] Finally, cultural variants of cosmopolitanism reject exclusive or deeply rooted attachments to a particular culture or nation,[10] instead promoting intercultural encounter and diversity, an orientation that ultimately undermines the possibility of indigenous isolation.

For self-isolated indigenous groups, however, territorial autonomy and physical survival are inseparable, and external demands for openness can reproduce the very forms of domination that cosmopolitan theories seek to resist, threatening their limited political autonomy and the bodily integrity of their mem-

[7] According to Brock (2011), a 'strong' cosmopolitan account emphasizes far-reaching duties of global justice, while an 'extreme' approach gives overriding priority to cosmopolitan principles, often downplaying the moral relevance of local or cultural attachments.

[8] An example is the cosmopolitan liberal-egalitarian approach developed by Simon Caney (2005), focused on identifying shared attributes worthy of being protected and promoted in each human being through the distribution of human rights and duties of global justice.

[9] In this sense, Jeremy Waldron (2000, 2002) advocates for institutional designs that accommodate cultural differences, but the focus is on promoting the individual rather than the community or the body politic within those institutions.

[10] For example, Kwame Appiah's (2007) cosmopolitan ethics of proximity between individuals around the world as a way to enrich our moral and cultural assets.

bers. This is because the hurdles faced by contemporary cosmopolitanism in recognizing indigenous claims for self-isolation are not just theoretical, but also risk becoming complicit with symbolic and material structures of domination. By upholding openness, integration, or intercultural engagement as some of their central imperatives, these frameworks can inadvertently support policies and discourses that delegitimize indigenous collective practices of withdrawal, erode their political autonomy, and expose them to contact-based threats, including disease, violence, displacement, and cultural assimilation.

In sum, contemporary cosmopolitanism has lacked the conceptual tools to justify exceptions to its own principles when confronted with structural inequality and settler-colonial contexts that have harmed indigenous peoples. This means it has yet to fully reckon with the historical processes that violently transformed indigenous peoples from 'hosts' into 'hostages' of settler-colonial powers. Ironically, those former 'guests' -now established as sovereign states-[11] have consolidated themselves as the dominant 'hosts' in the international realm (Baker 2010: 25), thereby erasing the colonial violence underpinning their legitimacy. Ultimately, if it is to confront damaging settler-colonial dynamics and contribute to the survival of extremely vulnerable indigenous isolated communities, cosmopolitan approaches need to recognize the right to reject foreign intrusion.

In this paper I will advocate for the self-isolation claims made by certain indigenous groups as a means to address the looming threat of settler-colonial dynamics, from a cosmopolitan point of view. At the same time, I examine the internal limitations of contemporary cosmopolitanism, particularly its normative emphasis on openness and inclusion, that prevent it from adequately supporting such claims. This will be achieved by revisiting Immanuel Kant's cosmopolitan right doctrine, which will also illustrate how some of its crucial theoretical insights have been overlooked by Seyla Benhabib and Jacques Derrida's contemporary cosmopolitan theories, both of which draw inspiration from Kant in distinct ways. On the one hand, Kant's later writings criticize the violent means employed by European imperial powers during the eighteenth century overseas expansions, linking it with the recognition of some property and jurisdictional rights to non-state peoples, particularly a right to refuse requests for hospitality from foreigners. While Kant's account minimally grounds indigenous claims for isolation, it must be underscored that its inherent racialized anthropology and civilizational teleology complicate its categorization as a comprehensive anticolonial perspective. On the other hand, it

[11] In this sense, the colonization of indigenous peoples can be framed within what Gideon Baker calls the problem of the "inhospitable guest", as a matter of a theory of international hospitality. If thinkers like Jacques Derrida (2000, 2001) denounce through the notion of the "inhospitable host" the unequal character of international politics and the ungenerous behavior of liberal democracies with refugees and migrants, precisely to demand unconditional hospitality or permanent openness towards the foreigners, Baker, recalling the pre-Columbian history that portrays the murder in 1520 of the emperor *Mexica* Moctezuma—the host—in his own palace by their guests, Hernan Cortes himself and their militias (2010: 29), opposes the figure of the "inhospitable host" that of the "inhospitable guests".

is intriguing to observe how Kantian-inspired cosmopolitan perspectives, as elucidated by Benhabib and Derrida, overlook Kant's acknowledgement of a right to refuse participation in his vision of cosmopolitanism aimed at international peace. This oversight results in a failure to accommodate the claims of isolated indigenous communities and, inadvertently, may contribute to their destruction. By putting Kant's cosmopolitan right 'against' its contemporary iterations, this paper highlights the counterproductive nature of contemporary cosmopolitanism with respect to isolated groups, but also Kant's non-unproblematic relevance of its normative insights in addressing current transnational challenges, as exemplified in the case of isolated indigenous groups. Ultimately, the paper highlights the tension between Kant's minimalist project, concerned with achieving international peace, and the more justice-centered views developed by contemporary Kantian iterations. This tension reveals the challenge for cosmopolitan theories to better address the specific realities and struggles of indigenous peoples.

The paper is organized as follows: the first part delves into Kant's cosmopolitan right as a challenging framework for establishing a normative defense of the isolation of indigenous groups. The subsequent section examines the cosmopolitan accounts of Benhabib and Derrida, which overlook the demands of indigenous collectives for isolation. The third part briefly establishes some final remarks.

II. KANT'S COSMOPOLITAN RIGHT AND INDIGENOUS ISOLATED GROUPS

In the view of various authors (Muthu 2003, 2012; Niesen 2007; Waligore 2009; Brown 2010; Casas Klausen 2013; Stilz 2014; Meckstroth 2017; Valdez 2017), Kant's cosmopolitan right emerges from his apprehensions regarding the violent tactics employed by European imperial powers during the conquest and colonization of foreign territories. It entails a restricted permission to visit lands beyond one's own. This right, in turn, is constrained by the right of non-European states and peoples to exclude foreigners from their lands. The source of Kant's criticism of European imperialism is found in his discussion of the cosmopolitan right of hospitality, a legal category first introduced in *Towards a Perpetual Peace* (1795) and then in the *Metaphysics of Morals* (1797).[12] The cosmopolitan right is the last of his developments on public right, which also include constitutional law, that which deals with the regulation of relationships between individuals who agree to be governed by a civil pact and the law of nations. This then refers to the need for European Republics to form a federal political alliance. Unlike the constitutional law and the law of nations, the cosmopolitan right regulates potential encounters and interactions between

[12] All subsequent references to "Towards Perpetual Peace" and "Metaphysics of Morals" will be referred to as TPP and MoM respectively.

peoples, including those not necessarily governed by a civil constitution, and individuals belonging to geographically distant territories.

Kant delineates the cosmopolitan right of hospitality in minimalist terms, as a foreigner's right to *present* themselves before the host to offer an associative or commercial exchange. Meanwhile, the host is not supposed to treat the offeror with hostility. Yet, the right of presentation does not confer upon the foreigner the status of a guest or resident, as this kind of relationship would require both parties to reach an agreement under Kant's private right doctrine guidelines. Conversely, the host is allowed to reject the stranger's request without causing their ruin or destruction. If the latter behaves peacefully, he cannot be treated with hostility (TPP 8: 358). Thus, by mandating non-hostility from both foreign and host, Kant aimed to ensure that people distant from each other could peacefully engage in interactions.

The relevance of the right to refusal in Kant's cosmopolitan theory is still a contentious matter (Benhabib 2006; Baker 2011, 2013). The restrictions this right imposes on peoples' interactions seem to contradict both exegetes and current cosmopolitan thinkers inspired by his works,[13] for whom Kant's cosmopolitanism exalts communication and free expression above other considerations. Recent literature, however, provides at least two explanations for Kant's advocacy of the right of refusal. Firstly, he actively engaged in normative debates about the consequences of imperialism, evident in his writings from 1795 onwards (Muthu 2003; Niesen 2007; Valdez 2017; Meckstroth 2017). Secondly, far from contradicting his cosmopolitan proposal, Kant's right of refusal should be understood as a key legal device within his doctrine of public right, as it allows him to secure a place for non-European and non-state peoples not granted neither by the law of nations nor constitutional law. Two relevant points arise: on the one hand, Kant's cosmopolitan right authorizes political-cultural collectives not governed by a civil constitution to participate in his perpetual peace project. On the other hand, Kant's writings on cosmopolitan right and property rights suggest that he acknowledges some minimal jurisdictional and property rights to non-state peoples (Muthu 2003, 2012; Brown 2010; Stiltz 2014) whose status is a matter of recent scholarly discussion.

Unsurprisingly, to some authors (Pagden 2003; Benhabib 2004; Baker 2011) Kant's cosmopolitan project claims a natural right of communication and free expression above any other consideration. The Stoic reminiscences in Kant's cosmopolitan thought (Pagden 2000) seem to justify the idea that is *nature* who disposes individuals and peoples to find themselves in the *cosmos*:

> Uninhabitable parts of the earth's surface, seas and deserts, divide this community, but in such a way that ships and camels (ships of the desert) make it possible to approach one another over these regions belonging to

[13] This will be analyzed in the next section.

> no one and to make use of the right to the earth's surface, which belongs to the human race in common, for possible commerce. (TPP 8: 358)

In view of these authors, the right of communication encompasses the freedom of expression of every human being, a concept Kant seems to derive from a more original right to common possession of earth's surface, one which allows individuals to participate in a global community of potential interactions (MoM 6: 352). The precedence of the right of communication can be explained by the role Kant grants it in his philosophy of history, where he envisions a scheme that peacefully regulates interactions between different peoples of the globe, ultimately leading them to "becoming publicly lawful and so finally bring the human race even closer to a cosmopolitan constitution" (TPP 8: 358). As Anthony Pagden argues (2003: 187), this view supports Kant's earlier writings where he posits that the highest purpose of nature, and the matrix in which all original capacities of the human being can flourish, is within a cosmopolitan universal existence. This is why Kant seems to imply that societies cannot prosper in isolation, pinpointing the ancient Greek city-states' tendency to isolate themselves as a relevant factor contributing to their decline (Pagden 2003: 188). Gideon Baker complements Pagden's statements, suggesting that the right of refusal would have only a provisional status (2011: 1442), since Kant's teleological conception the progressive path towards cosmopolitan constitutional order would undermine the ability of indigenous peoples -*qua* hosts- to reject requests for hospitality. Some authors go further, critiquing the endurance of universalist and teleological conceptions in Kant's wittings, which are inseparable from his supposed adherence to European imperialism (Tully 2008: 148), as well as from his racist anthropology and geography (Mignolo 2011).

I will address these authors' concerns with Kant's philosophy of history and the persistence of a racialized anthropology in his writings towards the end of this section as they help us to moderate any attempt to ground a full anticolonial Kantian approach. Before doing so, new evidence invites us to move away from arguments emphasizing the primacy of the right to communication and free expression, as well as the alleged imperialist bias in Kant's cosmopolitan right. Several authors (Muthu 2003, 2012; Kleingeld 2014; Flikschuh and Ypi 2014; Valdez 2017) agree that there is a notable shift in Kant's position compared to his previous writings on cosmopolitanism. Pauline Kleingeld (2014) asserts that there is a change in the Kant of *Universal History from the Cosmopolitan point of view*, where he exhibits a complacent facet with Europe (envisioning the region as eventually giving laws for the rest of the world), with respect to the Kant of *Towards a Perpetual Peace*, whereby he expresses indignation at Europeans' misconduct towards non-European peoples. This shift notably impacts his conceptions on international trade, property rights, non-European peoples, and their vision of peace and moral progress (Flickschuh and Ypi 2014: 10).

Peter Niesen (2007: 101) rejects those views associating the right of hospitality with the natural right of communication and free expression. This would imply that hospitality emanates from involuntary encounters between groups distant

from each other, when Kant clearly invokes this right in cases where a foreigner approaches a host *voluntarily* to engage in interactions. The right of hospitality is then not a matter of nature or providence;[14] rather, it is a matter of choice (Niesen 2007: 102); it pursues to regulate any attempt of a more extensive interaction brought about by a voluntary act of the potential visitor directed towards a host, which is followed by another voluntary act involving the host deciding to accept or reject the foreign offer.[15] Furthermore, beyond this formal scheme, Kant also offers two substantive arguments: the cosmopolitan right is a way to condemn European imperialism (Muthu 2003: 192) and to establish a defense a right of isolation to peoples affected by colonialism, without this preventing the promotion of peaceful transnational relations.

Regarding the first argument, Kant is eloquent in denouncing the inhospitable and unfair behavior of European visitors towards non-European peoples:

> If one compares with this the inhospitable behavior of civilized, especially commercial, states in our part of the world, the injustice they show in visiting foreign lands and peoples (who with them is tantamount to conquering them) goes to horrifying lengths. When America, the black countries, the Spice Islands, the Cape, and so forth were discovered, they were, to them, countries belonging to "no one," since they counted the inhabitants as nothing. In the East Indies (Hindustan), they brought in foreign soldiers under the pretext of merely proposing to set up trading posts, but with them oppression of the inhabitants, incitement of the various Indian states to widespread wars, famine, rebellions, treachery, and the whole litany of troubles that oppress the human race (TPP 8: 359).

European colonial expansion involves violence, fraud, unjust war, and territorial misappropriation, all of which violate the non-hostility principle and thereby justify the host's right of refusal. It is in this way that Kant's support for the isolationist politics of China and Japan[16] (maintained during his lifetime) must be understood. He stresses that both countries wisely prevented citizens and representatives of European nations from accessing their territories (TPP 8: 359). Even so, Kant does not advocate absolute isolationism, given that neither European colonialism nor the hostility of some non-European peoples who unjustly reject communicative offers from visitors[17] can "annul the right of citizens of the world to try to establish community with all and, to this end, to visit all regions of the earth" (MoM 6: 353).

[14] Although it can be encouraged by this. See TPP, 8: 358 and 8: 368.

[15] Indeed, the legal structure of the law of hospitality requires reciprocity from the parties involved (Brown 2010; Stiltz 2014).

[16] To review the case of Japan, see Totman (1980).

[17] Kant denounces the inhospitality of some desert inhabitants, such as the Bedouins of Arabia, whose behavior is contrary to natural law (TPP 8: 358). A reply from social anthropology to Kant's vision of the Bedouins can be found in Shryock (2008).

Kant also relates his insights on European colonization to the legitimacy of a collective to be entitled with jurisdictional and property rights (Muthu 2003; Nielsen 2007; Waligore 2009; Casas Klausen 2013; Stiltz 2014; Meckstroth 2017; Valdez 2017). Kant asks how "in newly discovered lands, may a nation undertake to settle (*accolatus*)[18] and take possession in the neighborhood of a people that you have already settled in the region, even without its consent?" (MoM 6:353), answering that the colonizer would have the right to settle in new lands only if this is done without usurping or disturbing the use that a people make of its territory. Yet, he also declares that:

> if these people are shepherds or hunters (like the Hottentots, the Tungusi, or most of the American Indian nations) who depend for their sustenance on great open regions, this settlement may not take place by force but only by contract, and indeed by a contract that does not take advantage of the ignorance of those inhabitants with respect to ceding their lands (MoM 6: 353).

European colonizers cannot obtain indigenous lands using fraudulent means or settle on indigenous territory without their consent. Additionally, they cannot claim allegedly empty lands near nomadic hunting or gathering territories, as doing so would infringe upon the essential land use practices of these groups which are crucial for their survival (Stiltz 2014: 208).[19]

Kant's right of refusal implies that non-European peoples have legitimate possession of the territories they inhabit. However, it is necessary to identify the nature of such possession. Invoking Kant's private right doctrine, Anna Stiltz (2014: 208) contends that peoples who are not ruled under a civil constitution can legitimately maintain provisional ownership of their territories, provided these have been unilaterally acquired and were not previously occupied by others. Kant coined the term *original appropriation* to refer to the first possession of an object by an individual or group with the intention of excluding others (MoM 6: 258). Stiltz argues that under the circumstance of first possession it is possible to recognize territories as provisional property on which different land uses are inscribed such as grazing or hunting, a way of life which Kant associates with some non-state peoples.[20] However, if the provisional status of

[18] There is no consensus on the meaning of *accolatus*. The compilation *Practical Philosophy: The Cambridge Edition of the Works of Immanuel Kant* translates it as meaning "dwell near, as a neighbor" (1999: 489), while Pagden says that Kant understood it as a confusing "anyone's guess" (2014: 34). But Kant's constraints on the possibility of settling lands belonging to others is explicitly made in the immediately preceding passage: "This is not, however, a right to make a settlement on the land of another nation (*ius incolatus*); for this, a specific contract is required" (MoM 6: 353).

[19] It could still be said that foreigners, once arriving in foreign territory, can demand that potential hosts resolve their property claims by forcing them to enter a civil constitution because they are already in a relationship of neighborhood or proximity (MoM 6: 255). But, again, the cosmopolitan right restricts this possibility through the distinction between the right of presentation and the right of residence. The foreigner cannot force a negotiation to obtain a right of residence or colonization, since the host must firstly decide whether to accept the offer to enter associative or commercial relations.

[20] Unlike Locke, Kant developed a conception of property that recognizes diverse forms of land use that go beyond agriculture, including the uses of nomadic, pastoral, and hunting peoples (Stiltz 2014: 205; Pagden

the property is established when individuals or groups are in a state of nature,[21] the advancement towards conclusive property rights[22] necessitates submission to a civil authority for resolving controversies arising from the parties involved (MoM 6: 245). More fundamentally, this proposition is in tension with the recognition of jurisdictional rights that Kant grants to non-European peoples, since the author insists that under no circumstances can newcomers, approaching them with the pretext of establishing a colonial settlement on their possessions, force non-European peoples to enter a civil status and thereby obtain conclusive property rights (MoM 6: 266).

The tension between the obligation to resolve controversies stipulated by the doctrine of private right and the voluntary nature of the cosmopolitan right[23] is unraveled when considering the normative role the latter has in ensuring the progression towards perpetual peace. Both the right to refuse hospitality and the restrictions that Kant imposes on European nations to prevent illegitimate usurpation of non-state peoples' lands demonstrate that the cosmopolitan right acknowledges jurisdictional and property rights, but it does so in negative terms and without articulating it with his theory of private right. For example, the autonomy or *res merae facultatis* argument worked by Sankar Muthu (2003: 187) is structured in negative terms. Under this figure, Kant maintains that adjacent peoples with different ways of life and land uses (such as hunters, shepherds, or farmers) have the right to lead their lives according to their choices, without others having the right to interfere. In this regard, Kant observes that:

> Finally, can two neighboring peoples (or families) resist each other in adopting a certain use of land, for example, can a hunting people resist a grazing people or a farming people, or the latter resist a people who wants to plant orchards, and so forth? Certainly, since as long as they keep within their boundaries the way they want to live on their land is up to their own discretion (*res merae facultatis*) (MoM 6: 266).

Kant employs the concept of *res merae facultatis*, a component of the faculty of desire, to acknowledge the freedom individuals possess in making distinctly human choices. Through this, he recognizes a form of freedom associated with the distinctive land uses of each people (Muthu 2003: 188). Similarly, Niesen (2007: 93-94) argues that for societies organized around other land uses oth-

2014: 34-35).

[21] Kant is emphatic in placing Republics as actors governed by civil constitution, as opposed to the state of nature situation in which non-state peoples find themselves: "the latter (savages), however, for their personal part consider themselves superior because of the lawless freedom they have chosen, even though they do not constitute states but only tribes" (MoM 6: 343).

[22] Kant understands property right as the right to control an object or space, and to exclude others from it, even when not physically connected to it (MoM 6: 245).

[23] On the one hand, under the figure of original acquisition, non-European peoples would have a provisional right to their lands, given that they are in a state of nature with respect to others. But this would force them to resolve any dispute over property if another party is interested in it, by submitting it to a common authority. On the other hand, under the restrictions of cosmopolitan law, stateless peoples are not obliged to enter into a civil condition, even though they can be said to be in a state of nature.

er than agriculture, the framework of private right terms should not emerge. Thus, Kant appears to endorse a different rationale for recognizing property rights within his cosmopolitan framework.

Indeed, Kant's inclusion of non-state peoples into the cosmopolitan right, acknowledging them a right of refusal and minimal jurisdictional and property rights, must be understood as an effort to curb the counterproductive effects of colonialism (Niesen 2007: 98). In his view, the unlimited global economic interaction sought by European powers in his time exacerbates inter-European imperial competition and leads to colonial wars marked by excessive brutality, which ultimately degrades European powers and Kant's perpetual peace aspiration (Valdez 2017; Meckstroth 2017). There are considerations of peace above justice that encourages Kant's incorporation of non-state peoples into his public right. It is important to recall that the cosmopolitan right aims to govern peaceful global interactions based on the voluntary consent of parties, thereby avoiding the need for so supranational entity that assimilates peoples and nations[24] but which also does not leave the peoples and states of the globe in a state of nature situation. Kant's ambition is to minimize the number of circumstances leading to war between states or peoples. The point is that if the cosmopolitan right were enforceable by the states that request hospitality, and this were denied by potential hosts, such as the indigenous peoples, the state of nature that makes the *ius controversum* possible would be recreated (Meckstroth 2017: 17). This is why Christopher Meckstroth suggests better interpreting the cosmopolitan right as a second-order principle in Kant's public right, one that is functionally analogous to the state and the peaceful federation of states, and which provides a solution to potential controversies in a world where it is neither possible nor desirable for the parties to submit to a common civil authority.[25]

It is noteworthy that even Kant's cosmopolitan right entails a teleological vision of world order and history; its achievement does not require the submission of people but rather their voluntary adherence. This clarifies why Kant dismissed seemingly valid arguments for coercing non-state peoples into the cosmopolitan civil condition, as "all these supposedly good intentions cannot wash away the stain of injustice in the means used for them" (MoM 6: 353). Nevertheless, a relevant question arises regarding the theoretical consistency between the rights granted by Kant to non-state peoples and his universalist moral doctrine. Given his account about unconditioned practical reason, which command "man" and states to abandon hostilities among themselves (MoM 6: 354), every human being should establish themselves in a political society, and every European state form a horizontal federation. As demonstrated earlier, Kant's later writings on the cosmopolitan right prevent non-state peoples, in-

[24] A kind of *civitas cosmopoliticum*, a possibility that Kant rejects for republics. See, TPP 8: 357.

[25] From this it follows that the participants in the federation of European states do not have authority over those peoples who are not members of it (Meckstroth 2017: 19).

cluding the "savage" ones from fulfilling such requirements. Notwithstanding, a tension emerges between the cosmopolitan right and Kant's more persistent racial and civilizational views on non-state peoples, particularly indigenous groups. Inés Valdez (2017: 13) argues that even though Kant abhors the use of unjust means to subject non-state peoples to be governed by a civil constitution; the philosopher believed that populating indigenous territories with civilized individuals would lead the indigenous more quickly towards moral and cultural progress. However, since this could not be achieved without violence, Kant deemed it impermissible. This civilizational perspective is also connected with his racialized anthropological views present in his work, where he emphasizes that only certain races, primarily the white European, develop appropriate predispositions to achieve cultural and moral development (Larrimore 2008, cited in Valdez 2017: 13). In essence, Kant's pursuit of international perpetual peace did not abandon but rather harbored racial differences. Non-state peoples are restrained from positioning themselves in conditions of moral and cultural equality with Europeans, which is why Kant, according to Valdez, shielded them within the cosmopolitan right against imperial violence and oppression. Ultimately, Valdez prompts reflection on the subordinate status of non-European peoples in Kant's cosmopolitan scheme, akin to his views on the status of women. Kant perceives women as naturally inferior to men and unfit for participation in the public sphere, even though he acknowledges their role in the education of men (Valdez 2017: 13).

In summary, Kant's cosmopolitan right could potentially constitute a very limited anticolonial defense of isolated indigenous groups. This is because it provides a critique of European colonialism and acknowledges non-state peoples' right of refusal, along with some minimal jurisdictional and property rights. Building on Kant's cosmopolitan right, scholars such as Timothy Waligore and Jimmy Casas-Klausen, have established a compelling contemporary defense of indigenous peoples' entitlement to refuse external demands in the context of American postcolonial states. Waligore (2009) emphasizes that the cosmopolitan right allows states to recognize indigenous groups as collective entities, contrary to Jeremy Waldron's misconception (2000) that they should only be treated as individuals. This recognition empowers indigenous communities to reasonably decline engagement in broader societal affairs and democratic deliberations if they perceive such involvement as jeopardizing their territorial integrity and perpetuating settler-colonial dynamics. For settler societies to genuinely uphold the cosmopolitan right, they must not only acknowledge the historical injustices inflicted upon indigenous peoples but also implement reparative measures. According to Waligore, these steps are essential for enabling oppressed groups to engage in more equitable and meaningful interactions (2009: 29). In the same vein, Casas-Klausen (2013) advocates for the right of refusal as a strategy to preserve the cultural distinctiveness, physical vitality, and moral freedom of Amazonian indigenous groups through self-isolation, while at the same time supporting quarantine and reservation policies adopted by countries like Brazil and Peru to minimize the risk of contact, contagion, and

the annihilation of these groups. From his perspective, the most genuine act of hospitality that postcolonial societies can offer to these groups is to refrain from any form of non-consensual intrusion. However, both Waligore and Casas-Klausen are too quick to characterize Kant's cosmopolitan right as anticolonial. Waligore describes it as an 'anticolonial' doctrine (2009:27), which he sees as more closely linked to issues of multicultural justice than to achieving peace at the transnational level. Meanwhile, Casas-Klausen, although he rightly identifies that the core of the cosmopolitan right is attaining peace by promoting hospitality as non-hostility, does not delve into Kant's racial and teleological considerations. It is important to recall that Kant's primary concern is to avoid the *ius controversum* at all costs, as it threatens to undermine his perpetual peace project. Crucially, Kant's inclusion of non-state peoples within the cosmopolitan right occurs on unequal and racialized terms when compared to Europeans. As a result, Kant's framework may not robustly support a comprehensive, anticolonial, and egalitarian defense of the isolation of indigenous groups.

III. THE DANGERS OF KANTIAN-ROOTED CONTEMPORARY COSMOPOLITANISM'S "REQUIREMENT FOR OPENNESS"

It could be expected that current cosmopolitan accounts inspired by Kant's works would recognize and perhaps amend Kant's inconsistencies that hinder a robust anticolonial defense of indigenous collectives. In this section, I will briefly demonstrate how the Kantian-inspired cosmopolitan accounts of Seyla Benhabib and Jacques Derrida, while successfully overcoming Kant's racial hierarchies, may inadvertently contribute to the destruction of isolated indigenous groups. By demanding that sovereign states extend hospitality, openness, or integration to those most in need, Benhabib and Derrida's approaches risk overlooking the 'intermediate' realities faced by indigenous peoples who remain vulnerable to ongoing settler-colonial dynamics.

In the context of postcolonial states, Seyla Benhabib sustains that the recent expansion of global civil society has led to the emergence of some cosmopolitan norms whereby individuals across the globe are recognized as moral and legal persons entitled with rights (2006: 16). To institutionalize these norms at the national and international realm, she proposes the concept of 'democratic iterations' (2006:45), a normative-pragmatic framework that seeks to activate a global space for moral conversations, where all individuals, regardless of status, are entitled to democratically participate (2006: 18). Drawing on Kant's cosmopolitan right of hospitality, which, in her view, "entails a right to temporary residency of the part of the stranger who comes on our land" (2006: 22), Benhabib envisions this space as a means to reconcile the political and civil rights dictated by sovereign states with the cosmopolitan universal principles of freedom, equality, and human rights underlying liberal democratic theory. In this regulated space, sovereign states would be required to rationally justify their decisions regarding political borders in front of the foreign co-participants

(2006: 19). In turn, the former foreign, now participating as a guest, would strengthen the deliberative processes of democratic iterations within the states (2006: 48). This, Benhabib contends, would push positive law to expand the definition of the *demos* by incorporating legal and undocumented immigrants into political participation.

Benhabib illustrates the transformative potential of democratic iterations through examples such as the European Union, where citizens of member states can vote in local elections across borders, and the expansion of German citizenship to include broader groups of non-citizens, particularly refugees and poor immigrants. By fostering and redefining relationships at a global scale, democratic iterations hold the potential to generate:

> a universe of meaning, values, and social relations that had not existed before by changing the normative constituents and evaluative principles of the world of "objective spirit," to use Hegelian language. They found a new order - *a novo ordo saeclorum* (2006: 72).

It is undeniable that Benhabib's project of democratic iterations is driven by an antiracist, inclusive spirit aimed at generating a moral and legal framework that blurs the boundary between the sovereign state and the excluded Other. Yet, at its core, the cosmopolitan order that Benhabib believes *must* be encouraged and initiated through "multiple processes of democratic iterations" (2006: 70), diverges from Kant's original project at least in two ways: firstly, contrary to Kant's minimal, indirect support for cultural pluralism within his cosmopolitan right (where non-state peoples are not required to engage in sustained interactions with foreigners), Benhabib envisions a new cross-cultural cosmopolitan order that may demand supererogatory cultural and political adaptations from indigenous peoples within postcolonial states. Secondly, Benhabib expands Kant's cosmopolitan right of hospitality beyond its original scope (Niesen 2007; Waligore 2009). In her view, it entails not just the right of presentation an offer to the potential host but also the right to be treated as a resident. This allows to Benhabib to articulate the initiation of the process of democratic iterations. Considering this reformulation, postcolonial states -and, by extension, any other polity that seeks to engage with the cosmopolitan right- would be not allowed to deny hospitality to strangers if such denial could involve its destruction (2006: 22), contravening the restrictive nature of Kant's right of hospitality as a right of refusal.

Ultimately, Benhabib's account of Kant's Cosmopolitan proposal establishes prerogatives for recognizing and integrating the traditionally excluded Others -such as migrants and refugees- as significant political actors. However, this framework does not fully address the demand of indigenous peoples to uphold their collective right to refuse integration. Unlike Kant's project, Benhabib's *novo ordo saeclorum* demands an ethical commitment that could compromise Kant's minimal defense of jurisdictional and property rights of indigenous peoples.

In another vein, one of the most challenging proposals to Kant's cosmopolitanism is the one developed by Jacques Derrida. He considers Kant's cosmopolitan right as the most powerful and influential representative of the *xenia* tradition (2000: 27), where hospitality is understood as a pact between a host and a potential guest, through which it is possible to dissipate potential hostilities and make the guest capable of participating in the host's interaction structure. Unlike the conditioned hospitality of the *xenia* tradition, Derrida advocates for an authentic unconditional hospitality, welcoming the foreigner without imposing any pact for his inclusion in the political community. This unconditional form of hospitality, because of its pre-legal nature, creates a paradoxical relationship with conditioned hospitality: through the arrival of the foreign stranger, the pre-legal form of hospitality pressures hosts to receive them unquestioningly, while hospitality, intended as a right, forces the host to condition the welcome of the stranger, since it is the only way he can retain his property and substance (2000: 55). In this interplay, the host-sovereign conditions the stranger's arrival while simultaneously relying on him to manifest itself as such; and the stranger, as an "absolute other", challenges the host-sovereign to expand hospitality beyond prescribed pacts: "Hospitality is due to the foreigner, certainly, but remains, like the law, conditional, and so conditioned in its dependence on the unconditionality that is the basis of the law" (2000: 73).

Derrida locates the tension between conditional and unconditional hospitality not only within the structure of *xenia* but also within Kant's cosmopolitan right, suggesting a contradiction between the cosmopolitan right and the moral principles of Kantian cosmopolitanism:

> The thinker of the cosmopolitan right to universal hospitality, the author of Perpetual Peace: A Philosophical Sketch (1795), is also, without there being anything fortuitous in this, the one who destroys at his source the very possibility of what he posits and determines in this way. And that is due to the juridicality of his discourse, to the inscription in a law of this principle of hospitality whose infinite idea should resist the law itself - or at any rate go beyond it at the point where it governs it (2000: 71).

Derrida (2000, 2001) accuses Kant of destroying the possibility of unconditional hospitality by limiting it to the right of presentation. Moreover, in Derrida's vision, Kant's omission of the right to residence in his cosmopolitan framework denies the genuine potential for a host to be hospitable to a stranger. This implies that in the current international context, external request for hospitality would be subject to the unilateral considerations and decisionist power of sovereign states (2001: 21-22). In response to this situation, Derrida advocates for an ethics of unconditional hospitality committed with opening the borders of sovereign states, allowing for the removal of restrictions on the entry of refugees or asylum seekers (Derrida (n. 17), p. 11., cited in Brown 2010: 312). By endorsing unconditional hospitality, Derrida aims to deconstruct the idea of a securitized and self-contained sovereign state, asserting that true hospitality requires the host remain always opened towards the stranger (2000: 61).

Derrida's advocacy for an ethics of unconditioned hospitality makes sense as it challenges the inhospitable nature of sovereign states. However, just like Benhabib's proposal, the implications of unconditionality may prove counterproductive for indigenous peoples in their relationship with settler societies. As mentioned earlier, the conditional character of Kant's right of hospitality is not intended as a hostile stance towards potential guests but rather as an effort to restrict European imperial expansion over non-European territories and peoples. This is achieved through the crucial distinction between the right of hospitality as presentation and offer, and the right of residence. Eliminating the possibility for hosts to refuse hospitality could jeopardize the normative safeguarding of territorial and jurisdictional rights of indigenous societies. Additionally, Derrida misunderstands the purpose of Kant's cosmopolitan right in that it does not seek to force the parties involved to participating in a supposed universal cosmopolitan condition but rather facilitates the potential for non-hostile interaction between them (MoM 6: 252; TPP 8: 358).

Furthermore, Derrida's critique of Western hospitality ends up reinforcing a traditional model characterized as "conjugal, paternal and phallocentric" (2000: 149), a despotic and patronal authority that appears to persist through the presence of sovereign states. While accurately condemning the inhospitable behavior of sovereign states towards potential guests (Baker 2010: 24), this perspective disregards instances of transgressed hospitality, wherein hosts, particularly indigenous communities, are subjected to violence by their guests, the settler-colonizers. In the 1997 sessions on hospitality, Derrida cites the hospitality reception ceremony of the *Tupinambá* indigenous people in South America as a reliable example of unconditional radical hospitality. The ceremony requires that the guest remains silent, while the indigenous hosts and women, surrounding him with their hands covered and without saying a word, shed tears of welcome. This ceremony represents hospitality that does not demand a name from the guest, aligning with Derrida's idea of unconditional hospitality. However, this selective portrayal omits multiple instances of indigenous hospitality being transgressed by visitors, especially European empires and postcolonial states (Emberley 2008: 148).

Derrida's insistence on unconditional hospitality exposes the limitations and violence inherent in traditional, regulated forms of hospitality, especially as practiced by sovereign states. However, his proposal fails to engage with the material and historical realities of power asymmetries, particularly in settler-colonial contexts. Derrida does not account for how open hospitality can expose vulnerable communities to existential threats. As Julia Emberley argues, Derrida seems to depict the indigenous host as a passive participant in the hospitality game, "waiting for the doorbell to ring, waiting for the conquistador to brandish his sword under a canopy of trees, waiting for the bombs to light up the sky under cover of darkness" (2008: 160).

In summary, the Kantian-inspired cosmopolitan accounts of Benhabib and Derrida, by disregarding some key features of Kant's Cosmopolitan right, fail to

endorse a right of indigenous groups to reject external intrusion in their lands. While their proposals call for an ethical and democratic commitment for the states open their borders and includes migrants and refugees, they fall short of addressing the specific issues faced by indigenous groups within postcolonial states. Even if they did, the demands for open hospitality might once again expose them to the risk of annihilation or the transformation of the groups into captive hosts of their guests.

IV. COSMOPOLITAN THEORIES AND INDIGENOUS PEOPLES: A CRITICAL RELATIONSHIP THAT NEEDS TO BE ADDRESSED

This paper analyzed the potential and limitations of Immanuel Kant's cosmopolitan right and of renowned contemporary cosmopolitan projects in interpreting and accommodating the right of refusal claimed by some self-isolated indigenous groups in South America facing threatening settler-colonial dynamics. Since the normative frameworks provided by these theories ultimately prove insufficient to fully grasp or accommodate the radical isolation chosen by these groups, it is essential to develop more sensitive approaches to their realities. This does not mean entirely dismissing the cosmopolitan proposals discussed here. Kant's writings allow us to justify a minimalist and pluralistic theory of hospitality, while the works of Benhabib and Derrida demonstrate cosmopolitanism's potential to develop more inclusive perspectives toward Others who are often marginalized within or beyond nation-states.

What is needed, however, is a form of cosmopolitanism that moves beyond an exclusively individual-centered ethical framework and instead embraces *fragile* collectives as legitimate bearers of moral and political rights. Following Gideon Baker (2010), such a cosmopolitanism should challenge theories that demand openness or inclusion from political entities without distinguishing between powerful hosts and vulnerable ones, such as indigenous peoples. From this perspective, indigenous openness should be considered permissible only under strict guarantees against external or arbitrary imposition and with respect for the collective autonomy of such groups.

A cosmopolitanism with these characteristics should then recognize a collective right of refusal for *vulnerable* indigenous groups. They should have the internationally or globally guaranteed ability to declare, on their own terms and in their own voices, that they do not wish to be contacted or integrated into any external political, economic, or cultural processes. This right should not be treated as a mere exception to the cosmopolitan plea for universalism, but rather as a legitimate safeguard against centuries of violent settler-colonial imposition. Additionally, this kind of cosmopolitanism should endorse the creation of international or intergovernmental institutions or mechanisms capable of enforcing and respecting the mandate of "non-contact" expressed by such indigenous groups, and of developing ways to recognize their existence without forcing their visibility or participation.

Turning toward this kind of "anticolonial" cosmopolitanism, which must also be antiracist, following the developments proposed by decolonial theorists such as Coulthard (2014) and Rivera Cusicanqui (2018), is essential if contemporary cosmopolitanism is to reconcile its universal aspirations with the specific needs of vulnerable indigenous communities. It may also help bridge peace-oriented traditions like Kant's cosmopolitan right with the justice-oriented approaches of contemporary cosmopolitan thought. The orientations proposed here invite further reflection on how cosmopolitanism can genuinely support the will of those who choose not to belong.

Acknowledgments

I wish to thank the anonymous reviewers of Revista de Ciencia Política (RCP) for their insightful feedback. I am particularly grateful to Professor Piergiorgio Di Giminiani for his support in bringing this work to light. This research was funded by CIIR (CONICYT/FONDAP/15110006).

REFERENCES

Appiah, Kwame. 2007. *Cosmopolitismo: La Ética en Un Mundo de Extraños*. Madrid: Katz Editores.

Baker, Gideon. 2009. "Cosmopolitanism as Hospitality: Revisiting Identity and Difference in Cosmopolitanism". *Alternatives: Global, Local, Political* 34(2): 107–128.

Baker, Gideon. 2010. "The Spectre of Montezuma: Hospitality and Haunting". *Millennium - Journal of International Studies* 39(1): 23–42.

Baker, Gideon. 2011. "Right of Entry or Right of Refusal? Hospitality in the Law of Nature and Nations". *Review of International Studies* 37(3): 1423–1445.

Baker, Gideon. (ed). 2013. *Hospitality and World Politics*. Hampshire: Palgrave Macmillan.

Benhabib, Seyla. 2004. *The Rights of Others: Aliens, Residents, and Citizens*. New York: Cambridge University Press.

Benhabib, Seyla. 2006. *Another Cosmopolitanism*. New York: Oxford University Press.

Bessire, Lucas. 2012. "The Politics of Isolation: Refused Relation as an Emerging Regime of Indigenous Biolegitimacy". *Comparative Studies in Society and History* 54(03): 467–498.

Brock, Gillian. 2011. "Cosmopolitanism", 582-595. In *The Oxford Handbook of World Philosophy*, edited by William Edelglass and Jay L. Garfield. Oxford: Oxford University Press.

Brown, Garrett W. 2010. "The Laws of Hospitality, Asylum Seekers and Cosmopolitan Right". *European Journal of Political Theory* 9(3): 308–327.

Burbank, Jane, and Frederick Cooper. 2010. *Empires in World History: Power and the Politics of Difference*. Princeton: Princeton University Press.

Carens, Joseph. 2013. *The Ethics of Inmigration*. Oxford: Oxford University Press.

Caney, Simon. 2005. *Justice Beyond Borders*. Oxford: Oxford University Press.

Casas Klausen, Jimmy. 2013. "Reservations on Hospitality: Contact and Vulnerability in Kant and Indigenous Action." In *Hospitality and World Politics*, edited by Gideon Baker. Hampshire: Palgrave Macmillan, 197-221.

Coulthard, Glen. 2014. *Red Skin, White Masks. Rejecting the colonial politics of recognition*. Minneapolis: University of Minnesota Press.

Derrida, Jacques. 2000. *Of Hospitality*. California: Stanford University Press.

Derrida, Jacques. 2001. *On Cosmopolitanism and Forgiveness*. London: Routledge.

Emberley, Julia. 2008. "Epistemic Encounters: Indigenous Cosmopolitan Hospitality, Marxist Anthropology, Deconstruction, and Doris Pilkington's Rabbit-Proof Fence". *ESC: English Studies in Canada* 34(4): 147–170.

Fausto, Carlos. 2012. "The Friend, the Enemy, and the Anthropologist: Hostility and Hospitality Among the Parakanã (Amazonia, Brazil)". *Journal of the Royal Anthropological Institute 18*(SUPPL. 1), 196–209.

Flikschuh, Katrin, and Lea Ypi. 2014. "Introduction: Kant on Colonialism -Apologist or Critic?." In *Kant and Colonialism: Historical and Critical Perspectives*, edited by Katrin Flikschuh and LeaYpi. New York: Oxford University Press, 1-18.

Goodin, Robert E. 2007. "Enfranchising All Affected Interests, and Its Alternatives". *Philosophy & Public Affairs* 35(1): 40–68.

Gow, Peter. 2012. "'Me Deixa Em Paz!' Um Relato Etnográfico Preliminar Sobre o Isolamento Voluntário Dos Mashco". *Revista de Antropologia* 54(1): 11–46.

High, Cassey. 2013. "Lost and found. Contesting isolation and cultivating contact in Amazonian Ecuador". *HAU: Journal of Ethnographic Theory* 340(6131), 408–408.

Kant, Immanuel. 1999. *Practical Philosophy. The Cambridge Edition of the Works of Immanuel Kant*. *Philosophy*. Cambridge: Cambridge University Press.

Keal, Paul. 2003. *European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society*. New York: Cambridge University Press.

Kirsch, Stuart. 1997. "Lost Tribes: Indigenous People and the Social Imaginary". *Anthropological Quartely* 70(2): 58–67.

Kleingeld, Pauline. 2014. "Kant's Second Thoughts on Colonialism." In *Kant and Colonialism: Historical and Critical Perspectives*, edited by Katrin Flikschuh and Lea Ypi. New York: Oxford University Press, 43-67.

Kleingeld, Pauline, and Eric Brown. 2019, October 17. "Cosmopolitanism". Retrieved April 27, 2025, from https://plato.stanford.edu/archives/win2019/entries/cosmopolitanism.

Meckstroth, Christopher. 2017. "Hospitality, or Kant's Critique of Cosmopolitanism and Human Rights". *Political Theory* 46(4): 1–23.

Mignolo, Walter. 2011. *The Darker Side of Western Modernity. Global Futures, Decolonial Options*. Durham: Duke University Press.

Milanez, Felipe, and Glen H. Shepard. 2016. "The Few Remaining: Genocide Survivors and the Brazilian State". *Tipiti: Journal of the Society for the Anthropology of Lowland South America* 14(1): 131–134.

Muthu, Sankar. 2003. *Enlightenment Against Empire*. New Jersey: Princeton University Press.

Muthu, Sankar. 2012. "Conquest, Commerce, and Cosmopolitanism in Enlightenment Political Thought". In *Empire and Modern Political Thought*, edited by Sankar Muthu. Cambridge: Cambridge University Press, 199-231.

Niesen, Peter. 2007. "Colonialism and Hospitality". *Politics and Ethics Review*, *3*(3(1)): 90–108.

Ortiz-Prado, Esteban, Gabriel Cevallos-Sierra, Eduardo Vasconez, Alex Lister, and Eduardo Pichilingue Ramos. 2021. "Avoiding Extinction: The Importance of Protecting Isolated Indigenous Tribes". *AlterNative: An International Journal of Indigenous Peoples* 17(1): 130-135.

Pagden, Anthony. 2000. "Stoicism, Cosmopolitanism, and the Legacy of European Imperialism". *Constellations* 7(1): 3–22.

Pagden, Anthony. 2003. "Human Rights, Natural Rights, and Europe's Imperial Legacy". *Political Theory* 31(2): 171–199.

Pagden, Anthony. 2014. "The Law of Continuity: Conquest and Settlement within the Limits of Kant's International Right." In *Kant and Colonialism: Historical and Critical Perspectives*, edited by Katrin Flikschuh and Lea Ypi. New York: Oxford University Press, 19-42.

Ramenofsky, Ann. 1993. "Diseases of the Americas, 1492–1700." In *The Cambridge World History of Human Disease*, edited by Kenneth F. Kiple. Cambridge: Cambridge University Press, 317–328.

Rivera Cusicanqui, Silvia. 2018. *Un Mundo Ch'Ixi es Posible. Ensayos Desde un Presente en Crisis*. Buenos Aires: Tinta Limón.

Rosello, Mireille. 2001. *Postcolonial Hospitality. The Inmigrant as Guest*. Stanford: Stanford University Press.

Shryock, Andrew. 2008. "Thinking about hospitality, with Derrida, Kant, and the Balga Bedouin". *Anthropos* 103(2): 405–421.

Stilz, Anna. 2014. "Provisional Right and Non-State Peoples." In *Kant and Colonialism: Historical and Critical Perspectives*, edited by Katrin Flikschuh and Lea Ypi. New York: Oxford University Press, 197-220.

Thompson, Warren, and Obed Garcia. 2016. "The Perils of 'Contact.'" *Tipití: Journal of The Society for the Anthropology of Lowland South America* 39(2): 36–38.

Totman, Conrad. 1980. "From Sakoku to Kaikoku. The Transformation of Foreign-Policy Attitudes, 1853-1868". *Monumenta Nipponica* 35(1): 1–19.

Tully, James. 2000. "The Struggles of Indigenous Peoples for and of Freedom." In *Political theory and the rights of Indigenous Peoples*, edited by Duncan Ivison, Paul Patton and Will Sanders. New York: Cambridge University Press, 36-59.

Tully, James. 2008. *Public Philosophy in a New Key, Volume II: Imperialism and Civic Freedom*. Cambridge: Cambridge University Press.

United Nations. 2024, August 8. *Pueblos Indígenas: "El aislamiento es una estrategia de preservación colectiva"*. Retrieved November 15, 2024, from https://www.ohchr.org/es/stories/2024/08/indigenous-peoples-isolation-strategy-collective-preservation

Valdez, Inés. 2017. "It's Not about Race: Good Wars, Bad Wars, and the Origins of Kant's Anti-Colonialism". *American Political Science Review* 111(4): 1–16.

Veracini, Lorenzo. 2010. *Settler Colonialism*. New York: Palgrave Macmillan.

Viveiros de Castro, Eduardo. 2010. *Metafísicas Caníbales. Líneas de Antropología Post-estructural*. Buenos Aires: Katz Editores.

Wallace, Scott. 2011. *The Unconquered: In Search of the Amazon's Last Uncontacted Tribes*. New York: Crown Publishers.

Waldron, Jeremy. 2000. "What is Cosmopolitan?". *Journal of Political Philosophy* 8(2): 227–243.

Waldron, Jeremy. 2002. "Redressing Historic Injustice". *The University of Toronto Law Journal* 52(1): 135–160.

Waligore, Timothy. 2009. "Cosmopolitan Right, Indigenous Peoples, and the Risks of Cultural Interaction". *Public Reason* 1(1): 27–56.

Walker, Robert S., Dylan C. Kesler, and Kim R. Hill. 2016. "Are isolated indigenous populations headed toward extinction?". *PLOS ONE* 11(3): e0150987.

Received: March 22, 2024
Accepted: June 10, 2025

Fabián Flores Silva. Licenciado en Sociología, Magíster y Doctor en Ciencia Política, todos los grados por la Pontificia Universidad Católica de Chile. Es actualmente docente del Instituto de Ciencia Política de la Pontificia Universidad Católica de Chile, e Investigador Adjunto del Centro de Estudios Interculturales e Indígenas, CIIR, de la misma universidad. E-mail: fflores@uc.cl