COMPARISON OF KANT AND DERRIDA HOSPITALITY OF TRUMP'S TRAVEL BAN POLICY

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ABSTRACT

Cosmopolitanism is a paradox. On the one hand, it produces hospitality towards foreigners, but on the other, it creates hostility. This paradox was revealed in Donald Trump's policy regarding the travel ban. To trace hospitality discourse as a cosmopolitan right, this article will compare the discourse of hospitality in Immanuel Kant and Jacques Derrida's ideas on Donald Trump's "travel ban" policy. According to Kant, the right to hospitality is "the right of foreigners not to be treated hostile." While Derrida argues that cosmopolitan rights are "between hospitality and hostility," which is called hostipitality. This article claims that Trump's policy on travel ban creates binary opposition about Americans & non-Americans, friends & enemies, and terrorism & not terrorism. Therefore, this article suggests that international law should regulate cosmopolitan rights not only abstractly but also concretely.

Keywords: Cosmopolitanism, Hospitality, Trump's travel ban policy

1. Background

The idea of this research aims to reveal the paradox of hospitality as a form of society cosmopolitanism, by comparing Kant and Derrida's hospitality. The comparison will be confirmed in the phenomenon of Trump's travel ban as an anti-migrant policy. This research is considered as a great idea because it has contributed to the integration of the global community protected by international institutions by applying the hospitality concept as a global custom. The secret hidden behind in the text of hospitality was interesting to be explored to find something new in the text application. Besides, this research has a high appeal because it explores hospitality text as a cosmopolitan knowledge that is usually related to state power.

Cosmopolitanism means world citizenship. This concept posits the individual as a part of the universal community and crosses cultural boundaries. As a concept, cosmopolitanism has several assumptions; humans as individual beings are the most important political and moral unit; they have the same moral status; status as a human being which is the concern of every other human community globally. In principle, cosmopolitanism adopts the belief that recognition and respect for rights individuals do not recognize the territorial boundaries of state sovereignty,[1] in other words, every human being must respect the rights of other individuals. The phenomenon of globalization already took place in the last few decades contributing to the opportunity for its realization of world citizenship. This is evidenced by the waning of the meaning of territorial sovereignty state of centrism and increased shared awareness as a global community.

On the other hand, globalization has had a variety of impacts on society, such as immigrants, refugees, and asylum seekers. However, distanciation and global villages have impacted on the latest developments in communication and transportation technology[2] that makes cosmopolitanism no longer a normative idea as Kant imagines it, but it has increasingly empirical relevance. Living together in a global community beyond the boundaries of territorial sovereignty is a demand of the era. These inevitable demands to become a global village appear in two forms - the top-down process and the bottom-up process. The top-down process can be seen through global governance, such as efforts to form global polity while the bottom-up process appears through the development of global social movements.

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[1] G. Kendal, I. Woodward & Z. Skrbis, *The Sociology of Cosmopolitanism: Globalization, Identity, Culture, and Government*, Palgrave Mcmilan, London, 2009, p. 1.

[2] Kendal, Woodward, & Skrbis, p. 2.

Emerging problems come from immigrants, conflict-affected refugees, and asylum seekers. Reflected on the policy of Donald Trump who issued a proclamation 9645 which prohibits the entry of immigrants from the countries of Somalia, Iran, North Korea, Venezuela, Syria, Libya, and Yemen. The Trump Proclamation experienced several revisions including executive orders 13769, 13780 and 9645. The final revision of 9645 was ratified by the United States Supreme Court.[3] This policy raises controversial meanings about the rights of global citizen hospitality. According to Kant, all people have the right to visit parts of the world, even though they must go through several national legal requirements. The right to visit all parts of the world is referred to the cosmopolitanism right for "friendliness" or referred to the right to accept "hospitality" as a foreigner. Kant's hope by visiting each other is that humans have an awareness that they can form a global society of characters to accept each other. In this case, Kant's ideas are more abstract without being based on legal instruments of cosmopolitanism to protect others.

Kant's hospitality idea was criticized by French philosopher Derrida. According to Derrida, the right of cosmopolitanism to hospitality is not merely an instrument to visit each other, but rather to practice it. Derrida's idea is more focused on the practice of hospitality rights than as an instrument or tool for cosmopolitanism. Thus there are differences in ideas between Kant and Derrida regarding the right of cosmopolitanism to hospitality. This will be confirmed in Donald Trump's policy on banning immigrants from seven countries. The question arises whether Trump's travel policy strengthens Kant or Derrida's idea of the cosmopolitanism right to friendliness.

2. Immanuel Kant's Hospitality

Kant's big hospitality idea was based on his moral and ethical ideas. Thus the discussion of ethics cannot be separated from the idea of the right of Kant's hospitality. Kantian ethics is something that comes from human nature. At first, humans have no ethics and tend to do evil to others. He said that ethics is a righteous act done by humans by accepting all the consequences. in principle, Kant's ethics is motivated by the fact that the "pure ratio" that produces science is irrelevant to explain the dimension of noumena, namely the world of ideas in humans. According

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[3] Travel Ban 3.0 at the Supreme Court, *PennState Law: Center for Immigrants' Rights Clinic* (In the network), July 2, 2018, <https://pennstatelaw.psu.edu/sites/default/files/documents/pdfs/Immigrants/Travel%20Ban%20Supreme%20Court%20Update.pdf>, accessed on July 15, 2019.

to Kant, the ratio and science are limited in tracing the noumena area because it only reveals the outermost side of the appearance of reality. If science is forced to explain the area of noumena, then it will get lost in antinomy, while the ratio in the noumena region, it will get lost in paralogism. Thus, according to Kant, only one way to enter the neumena region is "practical reason." This is the beginning of the emergence of the Kantian ethical concept.

Kant's ethics has three basic principles that are interrelated with one another, including the principles of universalism, humanism, and autonomy. He revealed that good human actions must fulfill the element of maxims, which were then accepted to be general and universal. Universal principles can be observed in Kant's categorical imperative concept. This concept explains that universal ethics must be based on the a priori elements which manifest as representations of "good will." This reflects that humans have the highest degree because they have transcendental scales, so Kant calls it humanism. Besides, in Kant's ethics, autonomy is defined as the principle of high morality. Humans as representations of good will have autonomy of will, which means that the ability to obey the moral norms that they make themselves.[4]

Kant's ethics offers people to do good based on their autonomy of will. However, it is not solely that Kant's ethics offers agency freedom as a whole, but rather to universal maximal communication. The broad and universal regional dimensions and frequency range binds everyone in the world to act morally. This ethical universalism underlies the concept of "hospitality" as the right of the Cosmopolitan society.[5] In the essay "a perpetual peace: a philosophical sketch" published in 1795, Kant explained his idea of the cosmopolitan right to hospitality. This idea effectively describes Kant as the philosopher who bases the right of friendliness on the ethics of universalism. Every human being has the right to get the freedom to visit every country in the world because the earth is common property. Communal ownership of this earth and human interaction that upholds shared ethics and morals will have an impact on a harmonious life.[6]

Kant's ideas show two different logic. On the one hand, it gives the right to each individual to visit the hemisphere, but on the other hand, he recognizes the rights of the nation-states that have sovereignty over their territories. Thus, according to Kant, it is necessary to have international

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[4] Kant's Moral Philosophy, *Stanford Encyclopedia of Philosophy* (in the network), July 7, 2016, <https://plato.stanford.edu/entries/kant-moral/>, accessed on July, 15, 2019.
[5] R. Beardsworth, *Cosmopolitanism, and International Relations Theory*, Polity Press, Cambridge, 2011, p. 19-20.
[6] Beardsworth, P. 20.

institutions as instruments to regulate the criteria for visiting each individual in each country so that this cosmopolitan society can get the same right of hospitality. This concept of cosmopolitanism to hospitality rights gives individuals the freedom to visit with the guarantee of international institutions as an instrument to apply human rights. This means that the visit of each individual should not be prohibited by the recipient country as long as he has good motivation based on universal ethics and moral goodness. In defining "the condition of universal cosmopolitanism," Kant divided the two domains including the right of the state to place fundamental norms as rational political authority, namely the form of a legitimate civil constitution and international rights. The argument illustrates that the condition of cosmopolitanism rights to hospitality has two domains, namely individuals and countries.

However, the state can prohibit individuals from visiting their sovereignty areas on the grounds of state security, or they have the potential to create a threat to state security. Thus, Kant's idea of the cosmopolitan right to hospitality has several criteria, namely, First, the cosmopolitan right to hospitality is a universally good ethic; Second, every individual has the right to visit other countries; Third, the state has the right to refuse any individual visit on the basis of state security. Kant's idea was criticized by Derrida.

3. Jacques Derrida's Hospitality

Derrida's brilliant hospitality idea was based on deconstruction readings on the hospitality rights sparked by Kant. Deconstruction is Derrida's scientific form. Deconstruction has two basic arguments, namely, deconstruction is a double reading strategy that shows the other side of the meaning of a text. According to Derrida the meaning is not universal, but always has a different interpretation of meanings or multiple interpretations. Each text does not have the meaning "fixed, stable, and true." However, it has different meanings of truth because the relationship between the text produced by the agent and the meaning of other agents is "non-permanent." Also, deconstruction opposes western metaphysics which assumes a reality in binary opposition. In the western tradition "existence" is interpreted as "presence."[7] Thus, a reality is seen as a "given" natural process. This refers to the expression of Rene Descartes, "I think I exist." This western metaphysics carves modern knowledge about binary opposition, where reality is seen from aspects

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[7] J. Derrida, *Of Hospitality*, Stanford University Press, California, 2000, p.3-4.

of good and evil, black and white, threats and protects, friends and enemies, us and them, and others.

Derrida's deconstruction of Kant's ideas centered on the essay "perpetual peace," which states that "the law of world citizenship shall be limited to the conditions of universal hospitality." The deconstruction of Kant's ideas shows another meaning behind the text of hospitality. This is evidenced by Derrida's multiple reading strategies by showing binary opposition in hospitality texts. The main focus in deconstruction is to question the relationship between "guest" and "host." In the 'perpetual peace,' Kant put forward his idea by defining hospitality rights "the right of foreigners not to be treated hostile." "The host may not treat guests as an enemy." This text is Derrida's focus in exploring other meanings hidden from the relations of host and guest.[8]

Derrida's construction reveals that Kant hospitality has a binary meaning. On the one hand, it is called hospitality and the other hand, it creates hostility. Derrida gave an example to explain it - when a stranger came to be a guest, the host would question firstly: "Where do you come from?" and "What is your name?" These questions indicate that "guests" will always be treated as foreigners so the host can be friendly. Certainly, the question above is based on a national identity that always considers foreigners as guests and is always a guest whose arrival is limited by time at a certain place. This limited condition shows hostility for foreigners.

This opposition is also revealed in Kant's writing "Metaphysics of Morals: They have a right to try to enter into it, without the foreigner being justified in confronting him as an enemy. This means Kantian ethical universalism means more opposition, namely friends and enemies. If Kant builds his hospitality on universalism ethics, Derrida's deconstruction shows cracks in such universalism. The following is Derrida's criticism of hospitality:[9]

> *I remember a bad day last year: It just about took my breath away, it sickened me when I heard the expression for the first time, barely understanding it, the expression crime of hospitality [delit d'hospitalité]. I am not sure that I heard it, because I wonder how anyone could ever have pronounced it [...] no, I did not hear it, and I can barely repeat it; I read it voicelessly in an official text. It concerned a law permitting the prosecution, and even the imprisonment, of those who take in and help foreigners whose status is held to be illegal. This "crime of hospitality" (I still wonder who dared to put these words together) is punishable by imprisonment. What becomes of a country, one must wonder, what becomes of a culture, what becomes of a language when it admits of a "crime of hospitality," when hospitality can become, in the eyes of the law and its representatives, a criminal offense?*

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[8] Derrida, p. 69.

[9] J. Still, "Derrida: Guest and Host," *Edinburgh University Press*, vol. 28, no. 3, 2015, p. 89-90.

In "Jacques Derrida on The Ethics of Hospitality," He said that the logic of the concept of hospitality is governed by absolute antinomy or aporia. On the one hand, there is an unlimited law of hospitality that regulates the unconditional acceptance of strangers. On the other hand, there is a conditional hospitality law, which relates to conditional law through the imposition of terms and conditions (political, juridical, and moral). For Derrida, responsible actions and decisions consist of the need to continually negotiate between these two heterogeneous requirements. In "hospitality ethics", Derrida reveals the metaphysics of Kantian's hospitality presence that hides the meaning of hostility in the ethics of universalism. Thus, the limited conditions in the Kantian hospitality show that hospitality is only an abstract concept in international institutions.[10]

In the context of unconditional friendliness, Derrida gave his criticism of Kant's writing on "perpetual peace" in his third article entitled:

> The Law of World Citizenship Shall Be Limited to Conditions of Universal Hospitality of his essay Towards Perpetual Peace, defines "universal hospitality." Kant writes The right of a stranger not to be treated as an enemy when he arrives in the land of another. One may refuse to receive him when this can be done without causing his destruction; but, so long as he peacefully occupies his place, one may not treat him with hostility.[11]

Kant's idea limits the right to friendliness to the right to visit, this right is only limited to the joint ownership rights to the earth as its universalism idea, not the right of residence. Therefore, the right of residence requires specific criteria from the nation-state for each individual who visits a country. For this reason, Derrida offers a reference to Kant's writing, namely pure and unconditional hospitality, without the criteria to identify foreigners, even though he/she is not a citizen. Thus, according to Derrida, unconditional hospitality provides a new understanding of hospitality. Derrida reveals it in the *ethics of hostipitality*:[12]

> ... *absolute hospitality requires that I open up my home and that I give not only to the foreigner (provided with a family name, with the social status of being a foreigner, etc.), but to the absolute, unknown, anonymous other, and that I give place to them, that I let them come, that I let them arrive, and take place in the place I offer them, without asking of them either reciprocity (entering into a pact) or even their names.*

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[10] G. kakoliris, *Jacques Derrida on the Ethics of Hospitality*, Palgrave Macmillan (in the network) 2015, < https://sci-hub.se/htt/link.springer.com/chapter/10.1057/9781137472427_9>, Accessed July, 15, 2019.

[11] G. Kakorilis, *Jacques Derrida on the Ethics of Hospitality* (in the network).

[12] G. Kakorilis, *Jacques Derrida on the Ethics of Hospitality* (in the network).

Thus, the cosmopolitanism rights of hospitality must be absolute, pure and unconditionally ethical because according to Derrida, hospitality exceeds Kantian universalism ethics which has the criteria to accept the right of hospitality as a foreigner. However, it does not mean Derrida ignores conditional hospitality. Derrida built a bridge to connect the conditional hospitality and unconditional hospitality.[13] Therefore, he argues that in practice friendliness cannot be interwoven purely. Humans in interaction across national borders will follow the logic of law and ethics. A friendly action is not done purely, but it is done because of ethical and legal orders. Thus, there will always be violence and hostility from the host to the guest. This hospitality paradox will continue to exist if hospitality is only regarded as part of abstract international law and is only universalistic ethics. The impact is that there will always be the superiority of the host to guests. In the end, Derrida called hospitality as hostipitality.

4. Donald Trump's Travel Ban Policy: A Review of Hospitality Rights

Discussing Kant and Derrida's hospitality ideas is interesting in the phenomenon of populist Donald Trump's antagonistic foreign policy. Therefore, it is necessary to explain in advance the appearance of Trump in the arena of power struggles, namely the simulation of discourse played by TV media. The development of information technology has an impact on the emergence of post-truth populism in various parts of the world including in the United States. Donald Trump as a populist figure won the battle in power struggles through a discursive strategy managed by the media from 2004 to 2017, Trump actively involved in reality TV Show - The Apprentice.[14]

During the first fourteen seasons, Donald Trump was the host of this TV show. Trump understands TV media and TV media can play the role of simulated power. In the post-truth and post-politics regime, genuine and false reality cannot be distinguished, even the fake ones are more original. This shift from a truth regime to a post-truth regime provides an advantage for Trump to build popularity through reality simulations. The Apprentice graced Trump's name as a successful entrepreneur and billionaire who was full of authority, even though in reality he was not.

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[13] Beardsworth, P. 220.

[14] B. Butler, 'Everyone is still trying to figure out what Donald Trump executive producer title means for 'Celebrity Apprentice,' *The Washington Post* (in the network), December 9, 2016 <https://www.washingtonpost.com/news/arts-and-entertainment/wp/2016/12/09/everyone-is-still-trying-to-figure-out-what-donald-trumps-executive-producer-title-means-for-celebrity-apprentice/?noredirect=on&utm_term=.98ddac6f66ad>, Accessed, July 17, 2019.

The Apprentice turned Trump from a New York tabloid figure into a famous TV star in the "red country". The red-state itself is a term for Republican supporters. Trump, who is famous in the region, has a big influence on the results of the presidential election. Red states or the Midwest are important areas in the Trump campaign and have managed to get a lot of votes from the region. This is due to Trump's discourse strategy that attracts public attention such as political language or political Trumpetization: "*Today's ceremonial, however, has a very special meaning. Because today, we are not merely transferring power from one administration to another or from one party to another. But we transfer power from Washington, D.C., and return it to you.*"[15]

The Apprentice has succeeded in changing Trump's image with television simulations so that television viewers have difficulty distinguishing between the real and the unreal. This forgery of reality is called simulacra politics or hyperreality. Trump's victory is closely linked to the high interest of the US public in reality shows that have been hosted by Trump from 2004-2017. Referring to Castells, "*new technologies, such as television, telephone, internet, and air travel, increasingly connect up to distant times and places, and 'shrink' the globe so that it becomes increasingly accessible through a 'networked' or virtual society.*"[16]

Trump's victory as a US president attracted the attention of academics in the world, because of his controversial foreign policy formulation, especially "travel ban 3.0." The formulation of foreign policy that prohibits immigrants from certain countries has a long process of endorsement. Trump's proclamation experienced several revisions including executive orders 13769, 13780, and 9645. Proclamation 9645 was the president's proclamation which was ratified by the US Supreme Court on June 26, 2018, which stipulates that the Proclamation is the implementation of legitimate authority from the President under the Immigration Act and Nationality of the United States. Therefore, departments must obey the proclamation by processing visas according to the Presidential Proclamation for citizens from seven countries affected by the travel ban policy. Since December 8, 2017, the Department has fully implemented the 9645 Presidential Proclamation. It banned immigrants from Somalia, Iran, North Korea, Venezuela, Syria, Libya, and Yemen.

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[15] S. Jones, President Trump: 'We Are Transferring Power from Washington, D.C., and Giving It Back to You, the People,' *cnsnews.com* (in the network), January 20, 2017, <https://www.cnsnews.com/news/article/susan-jones/president-trump-we-are-transferring-power-washington-dc-and-giving-it-back>, Accessed July 17, 2019.

[16] Kendal, Woodward, & Skrbis, p. 2.

The American Immigration Lawyer Association (AILA) document states that the current travel 3.0 ban policy imposes state-specific restrictions on citizenship for all certain immigrants and non-immigrants from six countries: Iran, Libya, North Korea, Somalia, Syria, and Yemen. This also imposes restrictions on certain visitors from Venezuela. Previous versions of Traven Ban 3.0 included banning immigrants and non-immigrants from Chad from visiting the United States, but this country has been bleached from list 3.0 on April 10, 2018. The president's proclamation has exceptions for certain individuals, such as permanent residents who are legally and Double citizens traveling with a passport from a country that is not included in the travel ban 3.0 list. The ban applies to foreign nationals from countries included in the ban list. There are several conditions in the 3.0 ban, including First, being outside the US on the effective date; Second, do not have a valid visa on the effective date; and Third, not fulfilling the requirements to get a return visa or other travel documents revoked based on the Presidential Executive Order 13769.[17]

Also, the National Immigration Law Center (NILC) states that Trump's presidential proclamation 3.0 is a discriminatory policy aimed at banning Muslim immigrants and targeting immigrants who have different skin colors. NILC noted that on March 15, 2017, the US Secretary of State called for enhanced screening of 6 (six) citizens included in the Muslim 2.0 ban. On May 23, 2017, the Office of Management and Budget approved the use of discretion "extreme checks," including questions to social media accounts and extensive biographical and travel information from the last 15 years. The impact of the policy included a drastic reduction in visa applications, further delay in issuing visas to citizens of Muslim-majority countries targeted by Muslim prohibitions, and discriminatory practices when issuing visas. On September 19, 2017, a few days before Sudan was excluded from the list of prohibited countries under the Muslim 3.0 ban, the Trump administration announced the end of the Temporary Protected Status (TPS) for Sudan, effective November 2, 2018.[18]

On November 9, 2018, President Trump issued a new ban targeting asylum seekers on the southern US border. Trump set a new ban based on the same provisions of the immigration law which he uses as legal authority for Muslim bans. The new ban targeting asylum seekers does not

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[17] Practice Pointer: Applying for a Waiver Pursuant to Presidential Proclamation 9645 (Travel Ban 3.0), *American Immigration Lawyer Association* (in the network), November 29, 2018, <https://www.aila.org/infonet/applying-for-a-waiver-pursuant-to-presidential>, Accessed July 17, 2019.

[18] Understanding Trump's Muslim Bans, *National Immigration Law Center* (in the network), March 8, 2019, <https://www.nilc.org/issues/immigration-enforcement/understanding-the-muslim-bans/>, Accessed, July 17, 2019.

target the Muslim community directly to get Supreme Court approval. The impact of the policy is very significant. On September 27, 2017, the Trump administration of annual refugee acceptance dropped dramatically from 110,000 refugees to 45,000 refugees. This is the lowest limit since 1980. In 2018, only 22,491 refugees were accepted in the US. In 2019 there was a slight increase to 30,000 refugees.[19]

Travel ban 3.0 has contributed to prohibiting the world community from getting the right to visit. The conditional conditions decided by Donald Trump reinforce the theoretical debate of agents and structures in international relations. Pre-assumption that underlies travel ban policy is a condition that allows the issue of individual freedom to get the right of hospitality in visiting a country. This is a representation of Kant's idea that the state has the right to refuse any individual visit based on state security. However, on the other hand, it also contradicts the ethics of universalism which upholds hospitality towards foreigners. Rethinking the hospitality crisis due to the emergence of Trump's populism raises problematic agents and structures that are not certain.

Kant's idea of the ethics of universalism became an aporia. Data shows that the travel ban policy has "buried" international legal efforts in realizing the cosmopolitanism right to hospitality. From 2017 until 2019 there has been a decline of immigrants/refugees to 30,000. This limitation illustrates that the structure of international law is weak if it is faced with the sovereignty of the nation-state. In this case, raising questions, who is more dominant in international politics? Certainly, the role of the agency is stronger in burying the dream of cosmopolitanism rights to hospitality. Kant, in his idea, hoped that there would be a strong hospitality formula from international law, but the rise of populism prevented the realization of world society without discrimination and hostility. Sovereignty becomes a powerful regime in disciplining immigrants. More accurately, this is a call to explore pre-assumptions about banning visitors from countries on the travel ban list.

Kant's regulations allow us to think about aporia and contradictions and theoretical problems that are conceptually difficult to solve because we are dealing with sovereignty as a regime of truth. However, this contradiction can be solved theoretically without being trapped in a resolution effort that tends to generalize or idealize the Kantian regulative style. In this regard, according to Badredine Arfi, "*it is important to think of agency as a negotiation that is impossible but necessary between an unconditional agency event and conditional agency as an originer*

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[19] Understanding Trump's Muslim Bans, *National Immigration Law Center* (in the network)

performativity of initial interpretation." [20] The Travel ban 3.0 allows us to rethink Kant's hospitality ideas that offer universal cosmopolitanism rights. As Kant mentioned, quoted by Richard Beardsworth in "cosmopolitanism and international relation theory", namely; [21]

> "*for Kant, the right to the earth's surface is grounded in the spherical nature of the globe, people cannot disperse over an infinite area, but must necessarily tolerate one another's company…. Such a stay would, for Kant, depend on a prior agreement between the state from, and to which, the visitor and traveling, because it depends on political treaty between sovereign nation states.*"

Kant's argument indicates the creation of an international cosmopolitanism institution that embodies and promotes world peace based on hospitality. However, the institution considers the political aspects of a sovereign state. The cosmopolitanism right to hospitality in visiting the world is based on the agreement of the nation's sovereignty. This is evidenced in the phenomenon of prohibition triggered by Donald Trump about the Presidential Declaration 9645. The proclamation contains a ban on immigrants to Somalia, Iran, North Korea, Venezuela, Syria, Libya, and Yemen. The ban is a state policy to respond to the threat of global terrorism that continues to emerge in various countries. This reflects "the other" as an indicator of the hospitality crisis, so Derrida's view of the phenomenon of travel ban 3.0 is hostipitality. The concepts of "us" and "them" as fragmentation of state identity are built based on nationalism which contradicts universal hospitality efforts.

Derrida's Deconstruction finds that Kant hospitality has contradictions because it is based on the ethics of universalism. Derrida argues that hospitality has a deeper meaning than ethics. Ethics is only a manifestation of hospitality. This universalism will create hostility if it is confronted with a regime of the sovereignty of truth. The Leviathan will continue to maintain the "logic of his fear." Travel bans are a logic of fear of sovereignty's representation of the threat of terrorism. It embodies binary opposition - Americans & non-Americans, friends & enemies, and terrorism & not terrorism. According to Derrida, the pre-requisite regulation in realizing the cosmopolitanism right to hospitality will be colored by superiority. Donald Trump's sovereignty representation has created conditions that regulate the ban on millions of global human visits in

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[20] B. Arfi, *Re-Thinking International Relations Theory Via Deconstruction*, Routledge, New York, 2013, Translated by E. Setiawan & R. Fajar, *Teori Dekonstruksi Hubungan Internasional*, Pustaka Pelajar, Yogyakarta, 2017, p.161.
[21] Beardsworth, P. 220.

the travel ban list. As stated by Derrida quoted by Richard Beardsworth in "cosmopolitanism and international relation theory" namely;[22]

> *It is a question of how to transform and improve the history of space that takes place between the law of unconditional hospitality, offered a priori to everyone, to newcomers, whomever they may be, and the unconditional law of hospitality would be in danger of remaining pious and irresponsible.*

The hospitality crisis in the United States and the travel ban 3.0 nested in theorizing shells that question the role of agencies and structures. Nevertheless, Derrida tries to provide an enlightenment paradigm through deconstruction. He found that hospitality must be done in practical actions, it is not something abstract in international institutions. The hospitality crisis in the United States can be seen since the restrictions and enactment of a travel ban 3.0. This crisis has a significant impact on immigrants and refugees. For example, according to the Institute of International Education (IIE), new foreign student enrollment in the US declined to 6.6 percent in the 2017-2018 academic year, double the previous year's rate of decline. Furthermore, according to Rachel Banks, public policy director at NAFSA: Association of International Educators, the total number of international students in the US grew slightly. The decline in new enrollees is the biggest since 9/11. The decline seems to be continuing this year. NAFSA report attributed the drop to multiple factors, including visa delays and denials, the "social and political" environment and the cost of attending a U.S. school. The administration's hard-right immigration policies, such as banning people from Muslim-majority countries and separating children from their parents at the border, make prospective students and their parents feel "that we're not a hospitality country".[23]

Rachel Bank's argument confirms the claim of this research that the United States has a hospitality crisis which is the right of the cosmopolitanism community. Trump's policy has an impact on conditions that allow the creation of "friends" and "enemies." Thus, it is necessary to develop theorizing with various conceptualizations of cosmopolitanism rights to hospitality, without being trapped in efforts to resolve truth regimes and binary opposition, such as agents and structures, but more contributing to the historical discontinuity of single knowledge.

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[22] Beardsworth, P. 221.

[23] Trump War on Foreign Visas Leads to Less Student Travel to the U.S, *Skift*.com (in the network), January 18, 2019, <https://skift.com/2019/01/18/trumps-war-on-foreign-visas-leads-to-less-student-travel-to-u-s/?utm_source=HospitalityNet&utm_medium=referral>, Accessed July 17, 2019.

5. Conclusion

Cosmopolitan right to hospitality is inevitable in global politics. This inevitable thing was mentioned by Kant as a universal right. Cosmopolitanism has become an important issue in global politics. Nevertheless, in practice, it requires the approval of the sovereignty of the nation-state. Kant said that hospitality has several criteria that must be fulfilled by the cosmos community, including the cosmopolitan right to hospitality is a universal ethic of goodness; each individual has the right to visit other countries; the state has the right to refuse any individual visit based on state security. Kant's hospitality conceptualization seeks to realize the creation of cosmopolitanism rights to hospitality in international law / international institutions.

Kant's cosmopolitanism to hospitality was criticized by Derrida. According to Derrida, Kant's hospitality is a paradox. On the one hand, it is unconditional, namely giving freedom to humanity to visit other parts of the world, because the world belongs together. On the other hand, it is conditional because a global community is only given the right "to visit," not "to settle," and the global community visiting other countries must obtain the approval of that country. These contradictions create binary opposition in the conceptualization of hospitality, thus creating hostility and hospitality or hostipitality. Kant's Hospitality is only abstract in international institutions and Derrida offers his deconstruction findings. According to Derrida, to fulfill cosmopolitanism rights to hospitality, each group of individuals must practice directly without identity conditions. Guests must be considered as hosts.

Nevertheless, reality shows a difference. Donald Trump's travel policy has created a crisis of hospitality in the United States and countries included in the list of travel 3.0 bans. The policy strengthens the behavior of American and non-American, terrorism and non-terrorism, friends and enemies, us and them. This binary opposition eliminates the cosmopolitanism right to hospitality because it is conditional. Travel ban countries are prohibited from visiting the United States for the reasons of national security. These regulations have limited the visit to the global community. Thus, the theorization of the interpretation of the conceptual rights of cosmopolitanism to hospitality is buried in the practice of lupus as a Leviathan representation. The US response to the global community through understanding binary knowledge, namely "you are with us, or you are our enemy."

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Journal Article

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