

Philos 117AC, Fall 2017

Main text:

Joseph Carens, “The Case for Open Borders”

Basic claim: “[B]orders should generally be open and people should normally be free to leave their country of origin and settle in another.” “Discretionary control over immigration is a deep injustice.”

Strategy of argument: Begin with the moral principles that most people think apply *within* a nation’s borders. Show that they apply *across* borders too.

Arguments:

1. Closed borders violate rights to freedom of movement. All agree that citizens should be free to move within borders. But all the reasons for freedom of movement within borders are also reasons to move across borders: e.g., career, love, family.

Does the analogy break down somewhere?

- a. Internal freedom of movement protects groups within a state from discrimination.
 - b. What matters is *adequate/sufficient* freedom of movement, and internal freedom of movement is adequate/sufficient.
 - c. Internal freedom of movement is more important than external freedom of movement.
 - d. Internal freedom of movement is not unrestricted. It is limited by “respect for private property, imprisonment and parole for criminal offense, medical quarantines, prohibitions on settling on indigenous lands, traffic regulations...” — True, but this is true of other freedoms, e.g., freedom of speech. And many of these restrictions—e.g., traffic restrictions—are designed to improve overall freedom of movement.
 - e. Internal freedom of movement can be limited by lacking the resources to make use of it (e.g., gas money).—Agreed, but why isn’t that an argument for supplying people with the resources to make use of their freedom of movement?
2. Closed borders violate equality of opportunity: “access to social positions should be determined by an individual’s actual talents and effort and not limited on the basis of birth-related characteristics such as class, race, or gender.” Closed borders uphold something like feudal birthright privilege. Where you are born limits what you can become.

Questions:

1. Carens writes: “Having borders that are open is not the same as having no borders.” What’s the difference?
2. Both Wellman and Carens appeal to certain core ideas of liberal democracies to argue for and against borders, respectively. Whereas Wellman appeals to freedom of association, Carens appeals to freedom of movement and equality of opportunity. Does the case for or against borders, then, depend on whether freedom of association is or is not more important than freedom of movement and equality of opportunity?