

The Graduate Center, City University of New York
Prof. Carol Gould
PHIL 77600 /Pol Sc 87800
Fall, 2016
Tuesdays 2-4
Room 7314

Borders, Boundaries, and the Ethics of Immigration

Description

This seminar will address the hard theoretical questions that arise from the pervasive distinction between citizens and aliens, especially with regard to the exclusion of immigrants from liberal democratic states and the subsequent treatment of the undocumented within them. The course will investigate the notions of external borders and internal boundaries between groups, within the framework of a social ontology. It will take up the much-debated normative questions concerning the rights of states to exclude and the rights of people to migrate, whether as political, religious, or climate refugees, or due to poverty, unemployment, or other immiserating conditions. Here, core concepts of political theory and the (alternative) justifications for them require investigation: self-determination (as collective or national), legitimacy, citizenship, rights to freedom of movement, and economic and social human rights. The implications of justice, both domestic and cosmopolitan, will be considered, along with remedial responsibilities of powerful states arising from historical injustice and from the structural inequalities within the contemporary political economy. Throughout, our discussion will bring feminist theory to bear in regard to the differential impacts of migration and immigration restriction on women and children.

Books and articles:

All course materials will be available through via a shared Dropbox folder, or at the websites indicated.

Course Requirements:

1) Oral presentation (20% of the grade):

Analysis and critique of the central arguments in a single course reading, using PowerPoint (or Prezi), including graphics where possible. The presentation should be limited to 15 minutes, and should aim to raise questions and key issues for the subsequent class discussion.

2) Research and analytical paper (60% of the grade):

On a topic of the student's choice related to the course themes. Students are encouraged to write on a matter of research significance to them from within or outside the course. The paper should

display an acquaintance with the relevant literature and should develop an original argument. Creativity in the selection of topics and in the execution of the paper is expected. Approximately 7500 words (including notes).

A one-page proposal stating problem to be addressed and provisional thesis, with an appended bibliography is due on or before November 15th. (Students are encouraged to submit this considerably before the final deadline.) The paper is due on December 13th by 2:00 p.m. as an email doc attachment (one single doc, including bibliography). Please also leave a hard copy in Prof. Gould's mailbox.

Please submit the proposal and the paper by email as attached word documents, as well as in hard copy (double-spaced with 1" margins, 12 pitch font). University of Chicago Manual of Style social sciences format is preferred (endnotes and bibliography), but any recognized and consistently applied style and reference format is acceptable.

3) Attendance and participation (20% of the grade):

Attendance: Required for all registrants taking the course for credit. If medical or urgent family issues, or a job interview requires an absence, please notify the professor by email, if at all possible in advance of the class meeting. Also, please inform the professor of any anticipated absences due to religious observance as close as possible to the start of the semester (also by email).

Participation: Students are expected to have read all assigned materials for each seminar meeting and to participate fully in the discussions. If a student does not have adequate opportunity to intervene in the class discussion, posting on our Blackboard Discussion Forum will count toward the participation portion of the grade. (Please note that the oral presentation alone does not satisfy the requirement for participation.)

Additional Requirement: Please maintain a functioning email address through blackboard and check it regularly for communications from the professor. Also please check Blackboard frequently to keep up to date with any discussion board posts.

Course Outline:

(Note: The recommended readings listed below are chosen because they are helpful and relevant, and may be useful for your papers, but they are optional. Although our class discussions will focus on the required readings, students should feel free to introduce considerations from the recommended readings, being sure to briefly summarize the arguments as needed.)

August 30th: Introduction to the issues of and plan of the course. Discussion of course requirements and assignment of oral presentations.

September 6th: Democracy and Boundaries

Arash Abizadeh, "Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders" (2008).

David Miller, "Immigration: The Case for Limits" (2005)

Seyla Benhabib, *The Rights of Others*, Introduction

Recommended:

David Miller, "Why Immigration Controls are Not Coercive: A Reply to Arash Abizadeh" (2010).

Arash Abizadeh, "Democratic Legitimacy and State Coercion: A Reply to David Miller" (2010).

Douglas Massey, "Why Does Immigration Occur? A Theoretical Synthesis"

September 13th: Borders, Boundaries, and Territory

Anna Stilz, "Nations, States, and Territory" (2011)

Etienne Balibar, "What is a Border?" in *Politics and the Other Scene* (2002), chapter 4.

Mathias Risse, "Taking Up Space on Earth: Theorizing Territorial Rights, the Justification of States and Immigration from a Global Standpoint" (2014).

Bridget Anderson et al, "Editorial: Why No Borders" (2009).

Recommended:

John Torpey, *The Invention of the Passport*, pp. 4-20, 57-92, 111-121.

Achille Varzi, "Boundaries, Conventions, and Realism" (2011).

Sarah Song, "The Boundary Problem in Democratic Theory: Why the Demos should be Bounded by the State" (2012).

David Miller, "Territorial Rights: Concept and Justification" (2012).

Linda Bosniak, "Being Here: Ethical Territoriality and the Rights of Immigrants" (2007).

September 20: Between National Self-Determination and Cosmopolitan Obligations

Avishai Margalit and Joseph Raz, "National Self-Determination" (1990).

Eric Cavallero, "An Immigration-pressure Model of Global Distributive Justice" (2006).

John Exdell, "Immigration, Nationalism, and Human Rights" (2009).

Eva Kittay, "The Global Heart Transplant and the Ethic of Care" (2008).

Recommended:

Alex Sager, "The Implications of Migration Theory for Distributive Justice" (2012)

Recommended, Talk to follow seminar--

4:30- 6:00 p.m., **Alan Patten (Princeton University)**, at the Center for Global Ethics & Politics

September 27th: The Case for Open Borders

Joseph Carens, *Ethics of Immigration* (2013), chapters 11 & 12.

Phillip Cole, in Wellman and Cole, *Debating the Ethics of Immigration* (2011), chapters 11, 12 and 15.

October 14th: Arguments for Restricting Immigration; the Right to Exclude

Michael Walzer, "Membership," *Spheres of Justice* (1983), 31-63.
Christopher H. Wellman, "Immigration and Freedom of Association" (2008).
Peter Higgins, "Open Borders and the Right to Immigration" (2008).

Recommended:

Sarah Fine, "The Ethics of Immigration: Self-Determination and the Right to Exclude" (2013)
Michael Blake, "Immigration, Jurisdiction, and Exclusion" (2013).

October 18th: Continuing the Debate

Shelley Wilcox, "Do Duties to Outsiders Entail Open Borders? A Reply to Wellman"
Sarah Fine, "Freedom of Association is Not the Answer" (2010).
J. Hidalgo, "Self-determination, Immigration Restrictions, and the Problem of Compatriot Deportation" (2014).

Recommended:

Phillip Cole, "Taking Moral Equality Seriously: Egalitarianism and Immigration Controls" (2012)
Stuart White, "Freedom of Association and the Right to Exclude" (1997).
Jonathan Seglow, "The Ethics of Immigration" (2005)

Recommended: Talk to follow seminar—

Michael Walzer at the Center for Global Ethics & Politics, October 18th, 4:30-6:00

October 25th: Refugees and the Right to have Rights

Hannah Arendt, "The Decline of the Nation-State and the End of the Rights of Man," *Origins of Totalitarianism* (1966), chapter 9.
Hannah Arendt, "We Refugees," in *Altogether Elsewhere: Writers on Exile* (1994).
Giorgio Agamben, "We Refugees" (1995)
Seyla Benhabib, *The Rights of Others*, chapter 2.

November 1st: Refugees and Asylum

Joseph Carens, *The Ethics of Immigration*, chapter 10.
Matthew Gibney, *The Ethics and Politics of Asylum* (2004), Introduction & chapter 8.
Andrew Shacknove, "Who is a Refugee?" (1985).

November 8th: Citizenship—Birthright and Naturalized

Joseph Carens, *The Ethics of Immigration*, chapters 1-2

Linda Bosniak, “Varieties of Citizenship” (2007)

Ayelet Shachar and R. Hirschl, “Citizenship as Inherited Property” (2007).

Recommended: Ayelet Shachar and R. Hirschl, “On Citizenship, States, and Markets” (2014).

November 15th: Treatment of Immigrants—Culture and Inclusion

Joseph Carens, *Ethics of Immigration*, chapters 4 & 8.

David Miller, “Immigrants, Nations and Citizenship” (2008)

Samuel Scheffler, “Immigration and the Significance of Culture” (2007).

November 22nd: Undocumented Immigrants

Linda Bosniak, “Amnesty in Immigration,” (2013).

Joseph Carens, “The Case for Amnesty,” *Boston Review* (2009), available online.

Joseph Carens, *The Ethics of Immigration*, chapter 7.

Patti Lenard, “The Ethics of Deportation in Liberal Democratic States” (2015).

Recommended:

Matt Whitt, “Sovereignty, Community, and the Incarceration of Immigrants” (2015).

Luis Fernandez and Joel Olson, “Critical Exchange on Arizona and the Struggle for Locomotion:
To live, love and work anywhere you please” (2011)

November 29th: Guestworkers and Other Temporary Migrants

Patti Lenard and Christine Straehle, “Temporary Labor Migration, Global Redistribution,
and Democratic Justice” (2012).

Rhacel Salazar Parrenas, *Servants of Globalization: Migration and Domestic Work*, chapter 1.

Robert Mayer, “Guestworkers and Exploitation” (2005).

Recommended:

Kristin Surak, “Guestworkers: A Taxonomy” (2013).

Joseph Carens, *The Ethics of Immigration*, chapter 6.

December 6th: Concluding Discussion