

18. IMMIGRATION: WHAT DOES GLOBAL JUSTICE REQUIRE?

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In most countries the access to the territory of the state is limited by immigration laws. Those who enter and live on the territory without the permission of the state's authorities are labelled 'illegal aliens'. Coercion can be used against them in order to expel them from the country. Trying to avoid such a fate, most illegal aliens undergo all the pains and risks which are associated with the condition of being an 'outlaw'.

The denial of legal personality to illegal aliens and the use of coercion against them in order to restrict their freedom of movement are grounded on the right of states to limit immigration. Such a right, which is clearly assumed by all the so-called First World countries in their foreign policy, is implicitly recognised by the *Universal Declaration of Human Rights*, where no mention is made of the freedom of movement into a country from another country.

In the following pages I will consider the legitimacy of restrictions on immigration from the perspective of global justice – that is, from the perspective a global citizen should adopt. As we will see, this will imply some limitations on the kinds of arguments which can be employed in defending such policies. Before illustrating the meaning of these limitations, let me spend a few words on the definition of 'freedom of immigration' I am assuming here.

LEGAL IMMIGRANTS, CITIZENS, REFUGEES

By 'freedom of immigration' to a foreign country I mean the freedom to live and work within its borders, being subject only to the same restrictions to personal freedom that apply to the rest of the resident population.

Freedom of *immigration* must be distinguished from the right to *naturalisation*. Naturalisation is the acquisition of citizenship – that is, of full membership within the political community and of the rights and duties which are attached to it. The rights enjoyed by citizens usually extend much further than the mere freedom to live and work within the borders of the country. They include the right to benefit from the welfare system, the right to public health care (where it exists), the right to public education and, in sum, all those rights which in the classical distinction by T. H. Marshall are called ‘social rights’, as well as the rights of participation in political decision-making, those known as ‘political rights’ (Marshall 1973). Granting the freedom to immigrate does not necessarily entail granting social and political rights, that is, full membership in the political community. The question of whether free immigration should be allowed, then, should be kept separate from the question of whether citizenship and the rights attached to it should be extended to foreigners who desire it.

If justifying freedom of immigration implies less than arguing for the right to naturalisation, it implies more than arguing for the right to admission claimed by refugees. Such a right can be recognised at least by anyone who acknowledges the duty to rescue necessitous strangers who are in danger. But freedom of immigration and the correlative duty to allow it are much broader in scope: they concern anybody who decides to move to a foreign country for any reason whatsoever. Since moving to a foreign country implies enormous costs and losses, people have generally very serious reasons for doing so. But not all immigrants are refugees and an argument for free immigration does not imply that immigrants must be in extreme need.¹

Given this definition, asking whether restrictions on freedom of immigration are legitimate amounts to asking whether states are justified in denying non-citizens the right to move to their territory and the right to work within their borders.

STATE PARTIALITY AND THE GLOBAL PERSPECTIVE

What does it mean to ask this question from a global perspective? It means to impose some limitations on the kinds of arguments that can be offered for and against free immigration. One of the central features of the understanding of justice from the perspective of a global citizen is the requirement to give equal consideration to each one’s rights, interests and well-being independently of nationality, religion, ethnicity, or any other distinction within the universal category of ‘humanity’. We can call this the requirement of impartiality.² When we assess alternative immigration policies from a global perspective, we ask whether they can be justified from such an impartial standpoint.

Now at first sight it might seem that, once we adopt the requirement of impartiality, the choice between different immigration policies is easily made in favour of open borders. Anti-immigration policies are by definition about

the state being 'partial' as to the distribution of the right to move freely and work within its territory.³ But we should be careful in drawing this conclusion for it is grounded on an interpretation of the requirement of impartiality that is too demanding, and, what is more important, fundamentally misleading. Such interpretation implies that from the perspective of global ethics we must judge that no kind of differential treatment is *ever* justified and that *all* our actions should be inspired by an impartial consideration of the interest of all human beings.

The interpretation in question makes the commitment to global responsibilities unattractive to most of us. We all have special bonds to particular people: the members of our family, our friends, the people we have promised to help, the people we have associated with for trade or other purposes and so on. Having these bonds involves having special obligations towards the people we are bound to and having special obligations entails that, when considering what course of action to adopt, we should give special consideration to the interests and well-being of the people in question. This is a form of partiality. But we value these special bonds and obligations and our capability to establish them. If the commitment to global responsibilities required us to give up our capability to enter special relations with other people or make contractual agreements with them, we might well think that this would be too high a price to pay to become a global citizen.

Second, and most importantly, this strict interpretation of the requirement of impartiality would miss a fundamental point about the nature and the justification of the special bonds in question. For it is false that they cannot be justified from an impartial perspective. Having the ability to establish or entertain those bonds is a good that is valuable to every human being. Other things being equal, a world in which people can establish special relationships with friends and relatives or enter agreements and contracts with other people is a world that everybody would prefer to one where entertaining such special obligations were impossible. So even though the existence of such practices constitutes a ground for partial treatment, in so far as they confer rights on certain people but not on others, at a more fundamental level they can be justified by impartial considerations: they constitute a good that furthers the interest and the well-being of *every* human being and therefore the right to create or fulfil such special obligations can be equally recognised to every human being with equal strength and for exactly the same reasons.

It might be argued that the partial treatment the state reserves for its citizens can be grounded on impartial assumptions in a similar way. This is, in fact, the strategy many advocates of restrictions on immigration have adopted. They have claimed that the partial treatment the state reserves for its members can be grounded on either of two universal rights that should be recognised in relation to all human beings: the right of association and the right to belong to a community. Freedom of association can ground the state's partiality towards its members if we see it as a free cooperative enterprise, where by

'cooperation' we mean not only economic cooperation for the production of wealth, but all the forms of regulated social interaction which give shape to the institutions of a society. In the same way, if we understand the state as a 'community' – that is, as a group of people who are bound together by a common history and a common understanding of the basis for social co-existence – then we can ground its partiality towards citizens as a consequence of the exercise of the right to belong to a community.

As Michael Walzer has pointed out, if we understand the state as a community or as an association (Walzer 1983: 35–42),⁴ the requirement of impartiality is misplaced not only because it is in the nature of the bonds in question to be partial but also because the very goods which are partially distributed constitute a product of such entities, so that if people were not allowed to be partial in the sense specified the very goods that are at stake would not exist.⁵ Not only wealth and social rights but peaceful coexistence and economic relations are not 'natural goods'; rather they are the product of the cooperative effort of people bound together by special obligations. For these reasons it would be wrong to treat the issue of the distribution of the rights attached to citizenship as if it concerned a mere problem of unequal distribution of natural goods.

According to this perspective, freedom of association and freedom to belong to a community do not only justify the state's partial treatment towards its citizens, they also imply the right to decide who the citizens are. This is another kind of partiality; not all human beings are eligible to receive the partial treatment that the state reserves for its members. Also this sort of partiality is essential to the rights in question: my freedom to associate with other people through contractual agreements would not be such if I did not have the right to decide with whom and for what purposes I want to associate. The same holds for the right to belong to a community: it would be pointless if anybody could decide to enter it. The criteria for membership are chosen by the existing members of associations and culturally inherited by the existing members of communities. We can call this the principle of self-determination of political communities (PSD).

Even though global citizens share a strong commitment to impartiality, and in considering political issues they accord equal consideration to the interests and needs of all human beings, being a global citizen is not incompatible with valuing the special bonds and relationships that may make our social life richer and fuller. This means that, in so far as PSD does not conflict with the basic principles of global justice, a global citizen does not have to but can accept it as a principle for the distribution of the relevant rights.

IMMIGRATION AND THE LAND

All this means that as global citizens we cannot reject anti-immigration policies on the sole ground that they are not impartial between citizens

and non-citizens, since there are forms of partiality which can be justified also from a global perspective. On the other hand, this truth is not sufficient either to establish that anti-immigration policies are always justified. If the state's partiality towards its citizens is justified by the value of the bonds which are established and created by the existence of the political community, anti-immigration laws are justified only in so far as immigration can be proven to be conflicting with the existence of such bonds or undermining of them.

A simple argument that has been advanced in this direction is the following: the particular kinds of communities and associations that states are need to have a territorial basis. If we want to recognise such communities' right to exist, then we must recognise their right of control over a certain territory. This means that we must allow them the right to exclude non-members from that territory (Walzer 1983: 44).

Is this a binding argument? Its first assumption is controversial, since territoriality is not a necessary condition for a political community to exist. But it is true that the modern state is a particular kind of political community that must necessarily have (and that many political communities do, in fact, have) a territorial basis. Even in these cases, though, the conclusion that non-members should be denied access to the territory does not follow. In this argument two different meanings of 'control' are confused. The first meaning refers to the right of a community to rule over a certain territory. In modern times such a right has been recognised to the state as one of its main prerogatives and we can imagine that in many cases such a right is necessary for a political community to exist as a specific form of social organisation.⁶ Granting a political community such a right does not mean, of course, recognising it has the right to use coercion in order to enforce any system of rules, including cruel and oppressive ones. But justice can be administered in many different forms and legal systems can vary greatly in content and shape from place to place, depending on the prevailing culture and history of the country and the material conditions existing at a given time. Allowing political communities the right to enforce their rules over a certain territory can be essential to their continued existence; it implies that, once a political community has established its rule over a certain territory, nobody can try to enforce a rival system of rules over the same area. This implies, then, that immigrants should accept to subject themselves to the rules already existing in the host society.

But this must be distinguished from a different interpretation of the idea that a political community must have 'control' over a certain territory. In this second sense 'control' is interpreted as meaning 'exclusive enjoyment'. Now even if we concede that 'control' in the first sense explained might be vital to the existence of a political community, there is no ground for also claiming that the exclusive enjoyment of the land is to be considered as essential to it. Nor is the enjoyment of the land among the products of social cooperation, which means that we can't argue for the right of exclusive control by the

members of a community on the same ground as for the right to distribute membership and the social rights attached to it.

Some libertarians have tried to argue for the right of exclusive enjoyment by appealing to the natural right to hold property: if we ascribe such a right to the members of a community then we must recognise the right of the community as a whole to own – and then to enjoy exclusively – the portion of land which is constituted by the sum of its citizens' properties.⁷

Besides the controversial nature of the libertarian assumptions about property rights, this argument cannot hold. If all the territory of the state were a common or collective property of its citizens then there would not be any private property within the state. If only the public areas were considered as common property of its citizens, then it should be possible for immigrants to access them at least in so far as this would be instrumental to the enjoyment of the rights that they could legitimately acquire by buying, renting or simply lawfully occupying some private property within the territory (Carens 1987; Hudson 1984; 1986).

In conclusion, arguments against free immigration cannot be grounded on the state's right of exclusive enjoyment over its territory, since such a right cannot be derived from the rights of association and of membership in a community that we have considered as the foundation of the state's partiality toward its members.

Furthermore, arguing this way seems to miss the point of the discussion about immigration. For immigration is not about the enjoyment of land and immigrants do not move to a foreign country in order to exploit its natural resources. They are not colonisers.⁸ Focusing on land overlooks the social dimension of immigration: immigrants do not only move to a different land, but also to a different society, and this is the real source of all troubles.

IMMIGRATION AND MEMBERSHIP

A more complex argument against open borders,⁹ which takes into account the social dimension of immigration, can be put as follows.

A fundamental principle of justice (let's call it the principle of political justice, PPJ) requires that whoever is permanently subject to the laws of a country should have a voice in their making and that whoever takes part in the economy of a country should also participate in the social benefits deriving from the economic cooperation. This principle is intended to prevent differential treatment among the members of the same society – that is, the existence within the society of a class of people who, while sharing the same burdens as the rest of the population, do not share the same benefits arising from the social cooperation. Such a political arrangement could plausibly be considered exploitative and unfair.

Allowing foreigners to establish themselves on the national territory, the argument continues, means allowing them to subject themselves permanently

to the laws of the country and to take part in the local economy. This amounts to allowing them to become beneficiaries of the social and political rights which are granted by the principle of political justice. Granting these rights, though, means no less than granting them *citizenship* – that is, full membership in the political community. Such a result clearly conflicts with the principle that communities have a right to shape their membership (PSD).

So even though the right to free immigration does not in itself violate the right of self-determination of political communities, as a matter of fact, through the operation of the principle of political justice, the conflict is inevitable; and if we recognise the right to immigrate we cannot but deny the right of the political community to determine membership. If we want to preserve the latter, conversely, we need to suppress the right to immigration.

About this argument two points need to be made. First of all, much of its plausibility comes from the appeal to the principle of political justice; but such an appeal, in this context, is misleading. The argument assumes that establishing oneself on the national land and becoming a beneficiary of the principle of political justice are one and the same thing. This is the reason why the argument assumes that by banning immigration to the national land one prevents foreigners from becoming beneficiaries of PPJ. But at a closer inspection we find that this is implausible. PPJ applies to anybody who contributes to the national economy and is subject to the laws of the land, independently of where the people involved are located. There is no reason, for example, why someone who is employed by an Italian factory in Hong Kong or Thailand should not fall under the scope of PPJ, as applied to the Italian society, as much as someone who is employed in a factory in Italy. If we want to prevent the principle from being applicable to foreigners, we should not limit ourselves to banning immigration but should ban any form of social and economic cooperation with foreigners.

A similar line of reasoning also holds for political rights. The principle of political justice far from implying any ban on immigration, would require all the people who are concerned by the immigration laws of a country – that is, all foreigners – to have a say in their making. It is plausible to assume that this would not result in the kind of heavy restrictions on freedom of movement which are enforced in the present world.

At a closer look, then, we realise that PPJ does not play any role in the argument considered. What is implicitly assumed in the argument, rather, is a completely different principle, that is the principle of territoriality (PT), which states that whoever lives on the national land should be conferred social and political rights. PT, as far the argument we are considering is concerned, makes PPJ completely irrelevant. Only if we assume PT as a principle for the distribution of membership it is plausible to argue that the presence of non-authorised foreigners on the national territory leads to conflict with PSD.

Once we have clarified the argument in this way, though, it looks much weaker. PT is a much less appealing principle than PPJ and looks much more

difficult to justify, not only from the global perspective we are assuming but even from communitarian perspectives. Why should entitlement to social and political rights be conditional upon the crossing of a border, independently of one's relation with the community who is established on the territory?

For the sake of the argument, though, let's assume that we can accept PT as a valid criterion for the conferral of political and social rights, and let's address the central issue of this discussion. PT conflicts with PSD and it is evident that the conflict would never arise in practice if no foreigner ever crossed the national borders; is this a sufficient reason for the adoption of anti-immigration policies?

Clearly, it is not. To realise it, it is sufficient to ask where PT comes from. If we answer that it is a principle of justice which holds independently of any political decision then PSD does not hold: it is false that membership is *entirely* a matter of choice or of cultural tradition. If we answer that PT is chosen by the political community itself then it falls under PSD but it becomes clear that all the troubles come from the fact that the community chooses conflicting membership criteria: a principle of territoriality on one hand and traditional, cultural or economic criteria on the other. No matter how we want to rank these criteria, one thing is clear: we should make up our mind. We cannot write on our borders 'whoever enters this land will enjoy full social and political rights' and then use coercion against whoever tries to enter, since we feel in our heart that only the members of our ethnic group or our economic partners are entitled to full membership within our community.

IMMIGRATION AND EXPLOITATION

The preceding arguments have been grounded on the conceptual distinction between the freedom of immigration (that is, the right to move to a foreign country and live there) and the right to naturalisation (that is, the right to enjoy full membership in the political community and all the benefits attached to it). The argument did not take sides on the issue of whether all immigrants should be naturalised. Of course, those who think that political communities should enjoy an absolute right to determine their membership will deny that all immigrants should be received as members. This implies that, at least in principle, they must recognise the right of a community to keep on its territory resident workers without granting them the social and political rights that are recognised in relation to the citizens. They cannot ban immigration on the ground that this kind of partiality is unfair and exploitative, since it is implied by PSD itself.

Presumably, a global citizen will not adopt this view and will think instead that each country should follow the mandate of PPJ, extending all the rights and benefits attached to membership *at least* to all its resident workers. For PPJ is a basic political principle that, forbidding any unfair distribution of the burdens and benefits of social cooperation, responds to the requirement of impartiality. We should note here that PPJ does not deny that we can be

partial as a consequence of having established special relationships with other people (in other words, it does not deny PSD); what it requires is that, when we do establish such special relations, like when we have someone work for us, or we impose our laws on someone else, we treat all the people involved by the same standards.

However, there is an impartial argument for restricting membership that is binding even for those who accept PPJ. As a matter of fact, there might be structural limits to how many people can resort to the institutional tools which the state sets up in order to secure the enjoyment of social and political rights. Since depriving of them those who are already members would be more traumatic than denying them to those who are not, this latter seems to be the only possible policy to be followed. If we allow free immigration in these circumstances we will necessarily have on the same territory and within the same society two classes of people who, while sharing the same duties and the same burdens, will not enjoy the same rights. Should not global citizens, who accept the principle of political justice, believe that immigration should be restricted at least in these cases in order to prevent a situation that, according to such a principle, should be seen as exploitative and unfair?

On this topic various points need to be made. First of all, it is very likely that our projections about the impossibility of extending membership to all the actual alien residents, and the a fortiori impossibility to extend it to all those who would become residents if free immigration were allowed, are not grounded on sufficient empirical evidence. Actually, it has been proven that, far from putting any real strain on the welfare system, in many countries the presence of immigrant workers has contributed greatly towards relieving precarious financial conditions (Trebilcock 1995).

In the same way, there is no evidence of the fact that the extension of political rights to resident aliens would put the democratic system in danger. In truth, the few experiments that have been tried in some European countries do not reveal any evidence of a destabilising impact on the democratic system. Even if immigrants had a tendency to opt for destabilising political choices, this would not be sufficient for them to constitute a serious danger for the democratic regime of the receiving countries. For even though it is true that in many Western countries the proportion of the population represented by resident aliens would be large enough to influence the political outcomes, we must remember that in a developed democracy not only numbers count; what is really important, in many cases, is political organisation. As a matter of necessity newcomers are not politically organised and it is plausible to expect that it would take them a long time before they could organise.¹⁰

Finally, the projections about the numbers of people who would immigrate to First World countries if they adopted a policy of free immigration are mainly based on statistics about population growth and trends in the economies of Third World countries.¹¹ There is no doubt that these can be among the major factors of emigration. But no precise correlation has been

established yet between these numbers and the flow of immigration to First World countries and no precise forecast can be established about the development of the situation in ten or twenty years. To all this we should add that it is misleading to assume that the trends of population growth and economic development are determined independently of what the rest of the world will do in order to make them follow a more beneficial course.

The second point that needs to be made concerns the assumption that citizenship must be an all-or-nothing issue. In truth, when problems of scarcity and overcrowding arise there is no reason why social and political rights should be denied or granted as a whole package. It is very likely that different institutions (health care system, school, welfare and so on) will have different levels of saturation, which can be fluctuating and changing. This means that, where the exclusion from membership depends on structural limits of the sort considered here, there is no need to imagine that a two-class society will form. Rather, the result would be a multi-layered and complex structure of rights which would not create the kind of social stigmatisation which is accompanied by the division of society in the two separated classes of the citizens and the resident aliens.

A third point concerns the legitimacy of what appears to be a paternalistic restriction of the immigrants' freedom of choice. Some authors have argued that closing borders in order to prevent people from being exploited is unjustified, since it denies the principle that people are the best judges of their own interest.¹² In truth, even though there are grounds for believing that usually the immigrants' choice to move to a different country is rational and informed,¹³ this is not a valid reply. Sometimes preventing people from being exploited, even when by doing so they improve their situation, is a justifiable means for putting them in a stronger bargaining position, providing them with an alternative that is both non-exploitative and subjectively preferred. This could be the case with immigrants. By accepting unfair terms of cooperation the immigrants might improve their personal condition at the cost of worsening the general condition of the international working class or of their nationals back in their home countries; this might have them end up with a worse result than what they would achieve if the bargaining position of foreign workers as a class were strengthened by bans on immigration.¹⁴

This argument, though, does not apply to the case we are considering. By definition it is impossible to avoid exploitation by granting citizenship to everybody, so that strengthening the immigrants' bargaining position would not improve their condition in this respect. As far as the effects on the bargaining position of the labour class as a whole are concerned, it must be noted that for the bans on immigration to be effective as an antidote to the exploitation of cheap foreign labour they must be combined with bans on the exportation of capital and trade, and with bans on the importation of manufactured products from less developed countries. Both policies seem to be unlikely to be adopted and might have adverse effects in some other respect.¹⁵

Finally, if the argument for closed borders is grounded on the concern for the exploitative nature of a 'two-track' society, where different classes of people are differently entitled to the enjoyment of social and political rights, we should recall that closing the borders to immigrants necessarily implies creating a 'two-track' society where the lowest class of residents, the illegal aliens, are exposed to the most demeaning forms of exploitation and abuse. If the army is efficient enough, the number of the exploited might be lower than in the first case but the forms of exploitation will be much worse. Banning immigration is not an efficient way to reduce exploitation.

CONCLUSION

Restricted membership in a political community, and the special rights attached to it, can be considered as an instance of partiality that, in so far as it does not conflict with the requirements of global justice, can be legitimated also from a global perspective and can be justified also by a global citizen. We have considered two main impartial arguments for justifying it. On one hand, one can appeal to the right people have to establish special relations with other people of their choice. On the other hand, one can appeal to the fact that there are structural limits to the extension of the rights which are attached to citizenship, so that if political communities must exist at all they must necessarily be limited in size and scope. Both these impartial arguments for the limitation of membership in a political community do not constitute sufficient grounds for restricting immigration. In truth, the anti-immigration arguments which appeal to the existence of a conflict between the right of self-determination of political communities and the principle of political justice only show that, for global citizens, who must accept PPJ, the idea of the state as a private club or as a traditional community is substantially unacceptable.¹⁶

People can have very different reasons for leaving their countries but it is well-known that economic imbalances and disparities are among the main causes of emigration. Global citizens should give their support to redistributive activities and all the forms of international cooperation that are meant to improve the living conditions in the poorest countries of the world. While contributing to the removal of the economic and political causes of immigration, global citizens should take action to bring their countries to adopt the most liberal immigration policy they can afford.

QUESTIONS

1. If all the members of the world population could decide together upon an ideal system of immigration laws, to be adopted by all the countries of the world, which system of rules do you think they would choose?
2. Do you think global justice would require the richer political communities to contribute to the removal of one of the main causes of immigration, that is economic disparity between the world's countries? Do you think that, if they did, that would entitle them to ban immigration to their lands?
3. Do the arguments against immigration which are the most popular in your country fulfil the requirement of impartiality?
4. Is the principle of political justice compatible with the requirements of global justice? Is it mandated by them?
5. Is there anything you can do to improve conditions for immigrants in your own country? Do you think a global citizen has the duty to contribute to such improvements?

NOTES

1. Of course, it is true that many immigrants move to a different country because they are in need. But not all of them are in desperate conditions, even when in the new country they accept living standards that to our eyes look desperate. Grounding an argument for free immigration on the assumption that immigrants must be people in serious need would produce at least four undesirable consequences: (i) it would narrow the number of eligible people; (ii) it would create endless discussions about what 'need' means; (iii) it would endorse the stereotypical picture of the immigrant as a seriously destitute and resourceless human being, that is, someone who can be seen only as a burden for the host society; and (iv) it would fail to recognise the existential and psychological complexity of human beings – including those who are born in 'Third World' countries – and of their reasons for taking such dramatic decisions.
2. For a specific account of the requirement of impartiality and of its role within the notion of global justice see N. Dower's 'Global Ethics and Global Citizenship' in Chapter 11 of this reader, and especially points 3(i) and 3(ii) about the common core of global ethics.
3. Many writers, in fact, have argued against anti-immigration policies by appealing to the requirements of impartial justice. For a very clear example of such a strategy cf. Ackerman 1980: 88–95. For useful discussions of the issue, cf. Beitz 1983; Shue 1983; King 1993.
4. Cf. also Coleman and Harding 1995; Finnis 1992. The two views of the state do not usually go together. The view of the state as an association established through a more or less explicit contract among individuals is typical of the classical liberal tradition and is usually supported today by libertarian writers. The view of the state as a community is typical of communitarian writers, who sometimes reinterpret in this way the republican tradition. In Walzer's argument the two views of the state are combined; I will follow such an approach, since for the purpose of my argument they are essentially interchangeable, grounding in a similar way the partiality of the state on impartial moral assumptions.

5. There are serious doubts to be advanced about the accuracy of such a description of how the social goods enjoyed by First World countries are produced. Besides the fact that it could be reasonably argued that many of them are the product of exploitative activities, it would be extremely arduous to claim that the production of such goods does not require the cooperation of foreigners. But challenging these arguments for the state's partiality on empirical grounds is not my present purpose.
6. What I have particularly in mind are small communities that would be endangered by the presence of foreigners who were following and enforcing a different system of social rules.
7. On illegal immigration as trespassing cf. Joppke 1999: 44.
8. For this important distinction see Kymlicka 1995: 15.
9. Walzer 1983: 52–63 argues along these lines.
10. Against the idea that immigrants constitute a threat for the stability of Western Democracies cf. Kymlicka 1996.
11. Two other grounds for building projections about immigration flows are the number of work visa applications from source countries and the trend that emigration has displayed in countries where emigration to a wealthier country is possible, like Puerto Rico. In both cases, though, it is very difficult to assess the relevance of the concurring factors and of the specificity of the situation, and generalisations appear to be quite arbitrary. For a survey of studies of immigration flows to highly developed countries since 1945 cf. Castles and Miller 1993: 65–97.
12. Hudson 1986 argues in this sense, also pointing out that the immigrants' choice to undergo exploitation in a foreign country represents a Pareto improvement.
13. This does not necessarily mean that moving to a foreign country always improves a person's life conditions. Some immigrants undergo a period of work in a foreign country in order to collect the financial means that will allow them to start a better life in their homeland. Some undergo an initial worsening of their life conditions because they reasonably hope to improve them later. Some are just granting a better life for their relatives back in their country. All these reasons are rational but do not imply an immediate improvement of the life conditions of the immigrant workers.
14. This is actually the main point of some Marxist views of the issue. Importing cheap work from poor countries is a means by which Western capitalism can procrastinate its own inevitable collapse. If such a solution were impossible, the end of capitalism and the improvement of the working classes which would follow would come sooner (cf. Brown 1992a).
15. On these aspects of globalisation in trade and finance, see David Newlands' paper 'Economic Globalisation and Global Citizenship' in Chapter 16 of this reader.
16. On this point cf. Hampton 1995.