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Debating Brain Drain: May Governments Restrict Emigration?
GILLIAN BROCK AND MICHAEL BLAKE New York: Oxford University Press, 2015; 304 pp.; 24.95 (paperback)

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Book Reviews/Comptes rendus

Debating Brain Drain: May Governments Restrict Emigration?

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The book under review is an interesting exploration of an issue that falls in the intersection of social philosophy, political philosophy, and applied ethics. The issue is whether it is ever justifiable to restrict emigration from a country, especially of the highly educated. Gillian Brock and Michael Blake have written a well-balanced book on the subject, with both sides getting a fair exposition.

Brock argues for the view that it is permissible for countries to restrict emigration of scarce skilled workers (especially doctors and nurses). In Chapter 1, she delineates seven questions for analysis: (1) do emigrants leaving a country damage it? (2) Is that damage compensated for by the benefits that come from emigration? Since she answers the first question affirmatively and the second one negatively, she further asks: (3) which policies would best minimize exit harms? (4) What may governments legitimately do to minimize exit harms? (5) How should the compensation burden for exit harms be distributed? (6) Is it permissible to have the emigrants pay compensation for exit harms? (7) How can we best support any distribution of the costs? She adds that she favours a right for anybody to exit under certain conditions; that she focuses on developing countries; that she does not believe setting exit conditions will address all global injustices; and that she focuses on cases where the emigrant practices the same profession after exit.

Brock lays out her case in Chapters 2 through 5. She starts by sketching out her theory of global justice as requiring developed countries to suitably help developing ones, for example, by levying global taxes to pay for aid to developing countries. She argues that developing countries often lose one third to one half of their physicians to the developed world, and that this is an enormous loss of financial assets, skills, services, and institution-building assets. She concedes there are benefits to a developing country when its professionals emigrate, such as the emigrants forming trade links with it, sending remittances home, and returning with enhanced skills. But she and Blake both agree that, when skilled professionals emigrate, there is a net loss to their original country.

Brock's preferred remedies are 'compulsory service programs' (i.e., requiring professionals to agree to serve a specified time practicing in-country before being

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allowed to leave), and ‘taxation programs’ (such as forcing emigrants to pay an exit tax or an extra income tax with proceeds going to the developing country).

In Chapter 4, she argues that the responsibility for remedying the losses due to emigration rests first with the emigrants, who were given life, protection, and training by their country of origin, but second with the country receiving those emigrants and the gains they bring. She adds that the poverty of developing countries is in great measure the fault of the developed ones because of the welter of unjust international institutions (such as accounting regimes and trade arrangements).

Brock anticipates and replies to possible objections in Chapter 5, and summarizes her arguments in Chapter 6.

In Chapter 7, Blake takes up the defence of professionals in developing countries to freely exit. He correctly makes a distinction between the *right to exit* (the moral right of anyone to leave a state—hereafter, the ‘RTE’) and the *right of renunciation* (the right of anyone to dissolve the bonds of obligation to the remaining citizens of that state). Blake urges that the right of renunciation is an essential part of the RTE. Blake starts his defence of the RTE by rebutting ‘backward-looking’ arguments against the RTE, which include one based upon reciprocity and one on community. The first urges that distributive justice requires the distribution of wealth should flow from the richer developed nations to the poorer developing ones, and brain drain is the reverse of that. The second urges that individuals are not atomic, that instead they grow up in communities, and develop duties to those communities. His rebuttal to the first point essentially is that to put the burden for rectifying global injustice on the backs of the relatively few skilled emigrants is disproportionate and amounts to viewing them as collectively owned property. His rebuttal to the second is essentially that, even if the emigrant owes much to a community, the act of emigration is only unvirtuous, not unjust.

In Chapter 8, he rebuts ‘forward-looking’ arguments against the RTE, i.e., those based on the idea that exiting emigrants consign the remaining citizens to such an unjust status that it warrants denying the RTE. Blake’s rebuttal in part involves reviewing the reasons economists tend to view the RTE as beneficial to the countries of origin, such as incentivizing remaining citizens to seek higher education and various ‘diaspora effects.’ It also involves a distinction between governmental controls on people’s incomes versus their life plans.

In Chapter 9, Blake argues directly in support of the RTE. He sketches three arguments: from practice; from interest; and from the separation of persons. The argument from practice is (in my terms) rule-utilitarian: there may be ‘ticking time bomb’ cases in which torture is justified, but generally torture is a bad practice. Similarly, there may be rare cases in which restricting the RTE may be justified, but generally it isn’t. Arguments from interest attack the notion that the state can legitimately stop a person from forming new relationships with others. The argument from separation of persons attacks the idea that a state can legitimately view any of its citizens as resources to be used for the betterment of others.

In Chapters 10 and 11, Brock and Blake respond to each other by restating and redefending their views. Brock also gives a brief review of some relevant empirical literature.

Brock and Blake have given us a wealth of pertinent arguments to consider. They are to be commended for their valuable work.