

Open Borders¹

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1. Introduction

Gabriel Hernández Cortez is a Mexican citizen from Guanajuato in central Mexico. In Guanajuato, Gabriel worked in construction and earned a few dollars daily. Gabriel's son, Carlos, became ill and was hospitalized. The cost of Carlos' medical care was ruinous for his family's finances. His wife and two children had to move in with her parents. Meanwhile, Gabriel set out for the United States to earn more money. Gabriel says: "I prefer to stay home. But the only way to make it is to come north...I just want a very tiny slice of pie. I just want to work for a little bit of money."

But Gabriel couldn't reach the United States. Gabriel tried crossing the border four times. Each time American immigrant agents caught him and turned him back. In one case, border agents caught Gabriel as he was climbing a barbed-wire fence. An agent grabbed Gabriel by his hair and the barbed wire cut his leg. He says: "I don't blame la migra. They're just doing their jobs, enforcing the laws that come down from above." Gabriel remained in Naco, Sonora and slept out in a central plaza in the city, pondering how to cross the border. I don't know what happened to him.²

Here's another case. Gloria lived in Phoenix with her four children where she worked as a housekeeper. She was a single mom and she was also undocumented. One day she was

arrested. Her employer had been operating drop houses where unauthorized migrants would stay after crossing the border. Gloria says that she had nothing to do with it, but she was charged as an accomplice. After serving time in prison, she was deported to Mexico and lost custody of her children. The children were separated and put into foster care. Gloria now lives in Nogales, Mexico. She works in a factory for \$15 per day and lives in a plywood shed. Gloria rarely sees her children. Gloria says: “when I was young and my kids were little, I thought that I could never live without them. I never thought that one day they’d grow up and I’d be far away from them. But you have to learn how to live like this.” Her children visit her at the border where they can talk through a mesh fence, but these visits are infrequent. Gloria’s son says: “I just sometimes feel like I’m a stranger to her. And sometimes she’s a stranger to me.”³

The laws and policies that forbid migrants like Gabriel from crossing borders and that deport migrants like Gloria are immigration restrictions. Immigration restrictions stop foreigners from crossing borders and permanently residing in another state’s territory. There’s nothing special about the United States, of course. Every state enforces immigration restrictions.

Are immigration restrictions justified? My answer: generally speaking, no. My overall argument goes like this. Immigration restrictions interfere with valuable freedoms, such as freedom of association and occupational choice. So, there’s a presumption against immigration restrictions. Other moral considerations can in principle defeat this presumption. But they usually don’t. We thus have reason to conclude that actual immigration restrictions are unjust.

2. Freedom of Movement is Valuable

Let’s start with the claim that immigration restrictions interfere with valuable freedoms. To motivate this claim, let’s consider a thought experiment.

Imagine that tomorrow you wake up in the morning and you start getting ready for work, just like every other day. As you're pulling out of your driveway, you notice something strange. You see walls topped with barbed wire encircling your neighborhood. You also notice police officers patrolling the area around the walls, and pulling down people who try to scale them.

You angrily ask the police officers why they're doing this. They respond: "The local government has determined that the members of your community are taking jobs from other citizens and using too many welfare benefits. Besides, your community is culturally distinct from the broader community and we can't have your community changing our culture in bad ways. Finally, doesn't the rest of the community have a right to self-determination? We can decide who we want to associate with and we've decided that we don't want to associate with you!"

Needless to say, you don't accept these arguments and you're eager to escape your neighborhood. You need to get to work, for one thing. But you also want to visit friends and family members in other parts of the city, attend concerts and classes, eventually move to a new apartment across the city, and so on. But state officials stop you from leaving. You might be injured if you evade these officials and scale the walls. Maybe you'll cut yourself on barbed wire. If you are undeterred and try to leave anyway, these officers will overpower and imprison you. Moreover, state officials will probably track you down and return you to your neighborhood even if you do manage to escape. Finally, let's suppose that public officials make it illegal for people outside of your neighborhood to interact with you by employing or sheltering you. Let's call this case: *Neighborhood*.

At first glance, the actions of state officials in *Neighborhood* seem seriously wrong. Why's that? Well, we have strong moral reasons to refrain from coercing and harming other people. Almost everyone thinks that assault and violent threats are usually wrong. The reasons

against coercion and violence speak against the actions of the state employees. After all, state officials threaten you with physical force in Neighborhood and deploy this force against you if you disobey their commands.

The deeper story is that state employees infringe on valuable liberties when they prohibit you from leaving your neighborhood. If you're unable to leave your neighborhood, you can't search for work, you can't associate with your friends and family, you can't attend your church, and you can't explore cultural opportunities outside of your neighborhood. So, state employees seem to violate your rights to freedom of association, occupational choice, religious freedom, and so on. Your personal liberties in Neighborhood are curtailed by restrictions on freedom of movement.

Reflection on Neighborhood suggests that freedom of movement is intimately connected with core freedoms. To exercise occupational freedom or religious liberty, we must have the freedom to move around. Your religious freedom is impaired if the state forbids you from traveling to the church of your choice. You lack occupational freedom if other people stop you from searching for a job or traveling to employers who are willing to hire you. The state should respect basic liberal freedoms like freedom of conscience, freedom of association, freedom of speech, and occupational freedom. And, if the state should respect these basic liberties and freedom of movement is necessary for people to exercise their basic liberties, then the state should allow freedom of movement. So, we can conclude that the state should allow freedom of movement.

You might concede that it's wrong for state officials to restrict your freedom of movement in Neighborhood. But you might argue that this is an extreme case. Sure, it's wrong for governments to put you in prison without justification. It hardly follows from this that states

are obligated to respect your freedom of movement in general. Instead, maybe states are only obligated to ensure that you have an adequate range of options. The government avoids violating your rights if it restricts your freedom of movement *and* you already have an adequate range of options to live a decent life. So, this objection says that it's wrong to restrict your freedom of movement if you lack enough options to live a decent life. Otherwise, though, it can be permissible to restrict your freedom of movement.

The problem with this line of argument is that we have strong reasons to avoid restricting freedom of movement even when people already have adequate or decent options. Let's consider a new variation on Neighborhood. Imagine that you live in a major city—say, Los Angeles. You have plenty of good options in this city. You can access a range of jobs, associate with a wide variety of people, and access many different cultural opportunities. After all, there are more people in Los Angeles county than there are in many countries, such as Denmark or New Zealand. So, you can have a decent life if you stay in Los Angeles. But imagine that state officials decide to stop you from leaving the city or that all other towns and cities in the United States deny you admission. If you try to get to San Francisco, the police will track you down and force you to come back to Los Angeles. Let's call this case: *City*.

It's less bad for officials to stop you from leaving Los Angeles than it is for someone to prevent you from leaving your neighborhood. It's still wrong, though. This indicates that, even if you have decent options where you live, states should still respect your freedom to move. To drive this point home, let's compare freedom of movement to other freedoms, such as freedom of occupational choice. Suppose that you already have a good job and you can easily satisfy your basic needs. You are a tenured college professor, say. But you want to pursue a new career in a different industry because you are bored with your work and you want a career that you'll find

more meaningful. Let's imagine that the government forbids you from changing jobs.

Government officials explain: "you already have a job, plenty of decent options, and you already have enough options to live a good life. So, it's permissible for us to prohibit you from quitting your tenured professorship."

This is a bad argument. It's wrong to stop you from exercising your occupational freedom even if you can already satisfy your basic needs or have decent options. The same point again applies to other valuable liberties. Take freedom of religion. It's unjust for the government to forbid me from practicing the Jedi religion, despite the fact that I have plenty of other religious options. We can apply this point to freedom of movement too. States should still respect your freedom of movement regardless of whether you are already well-off or not.

With these clarifications on the table, let's now turn to immigration restrictions.

3. Against Immigration Restrictions

Immigration restrictions infringe on freedom of movement. Immigration restrictions coercively stop many millions of people from moving to other countries, and they in effect forbid citizens of states that restrict immigration from associating with foreigners.

Let's return to the case that I discussed in the beginning of this chapter: the case of Gabriel Hernández Cortez. To recap: Gabriel is a Mexican citizen who lives in poverty and who wants to immigrate to the United States. He tried to cross the border, but border agents used physical force to stop him, imprison him, and deport him back to Mexico. Most people would judge that the conduct of state officials in Neighborhood and City is wrong. But many people also endorse immigration restrictions that prevent people like Gabriel from crossing borders.

Why, though? If it's wrong to restrict your freedom of movement in Neighborhood and City, then why is it permissible for American officials to prevent people like Gabriel from immigrating to the United States? Here's my view: the same reasons bear on each of these cases. Public officials have strong moral reasons to refrain from restricting your freedom of movement in Neighborhood and City and, if public officials have these reasons, then the United States government has strong moral reasons to refrain from restricting Gabriel's freedom of movement, too.

Let's consider some different ways of blocking this conclusion. An objector might argue that governments lack obligations to maximize the freedoms of foreigners. This critic might reason as follows: "It would be *nice* if the United States allowed Gabriel to immigrate. But the United States only has obligations to expand and protect the freedom of Americans, not the freedoms of foreigners. So, it's permissible for the United States to refuse to allow Gabriel to immigrate. In contrast, state officials have duties to respect the liberties of their citizens. These duties explain why it's wrong for state employees to forbid you from leaving your neighborhood or city."

It's false, though, that governments only have obligations to respect the freedom of their own citizens. They are obligated to respect the liberty of foreigners too. This is so because we have "negative" duties to other people. Negative duties are duties to refrain from harming or coercing people. Negative duties are universal. They apply to all other people simply in virtue of their humanity. The reason I ought to refrain from beating other people up is simply that they're people, rather than because they're my compatriots.

Here are some other examples to illustrate the point that our reasons to avoid coercing and harming people don't depend on whether they're foreigners or not:

- (A) Imagine that a Mexican police officer, Fernando, decides to assault and imprison an American tourist, Tracy, while she is visiting Mexico.
- (B) An American public official, Roy, goes on a vacation to Mexico and he assaults Mexican citizens without provocation.
- (C) American public officials decide to forcibly round up foreign tourists in the United States and place them in a prison camp.
- (D) The president of the United States orders a military strike on a Mexican city, killing hundreds of non-combatants. This strike is unprovoked.

The actions (A-D) seem wrong. But why? The answer again is that we have negative duties to refrain from interfering with other people, even if they're foreigners. We might say that the negative duty to refrain from harmful interference is a "general" duty, a duty that we *prima facie* owe to all other people. So, we can't coerce, assault, or imprison foreigners without a good justification.

What about Gabriel's case, though? It looks like state officials in this example are violating negative duties here, too—in particular, their negative duties to refrain from coercing Gabriel. Maybe this duty is overridden by other considerations. But at first glance officials do have these duties. After all, if the people in (A-D) have duties to respect the rights and liberties of foreigners, then it stands to reason that immigration agents have these duties, too. The point generalizes. The United States government has obligations to respect the freedom of Gabriel and others who want to immigrate. These obligations are moral reasons to oppose immigration restrictions.

You might object to my argument by pointing out that rights to immigrate involve more than just the permission to enter a territory. When someone immigrates, they also become

entitled to public services, such as police protection and access to the courts, and eventually other resources, like welfare benefits. These benefits can be costly. Citizens might need to foot the bill for public benefits in the form, say, of higher taxes. So, the decision about whether to admit Gabriel into the United States is not just about the decision to refrain from forcibly stopping him from immigrating. It's also about whether citizens are obligated to bear the costs of allowing Gabriel to immigrate. For this reason, you might reasonably doubt whether we can ground the right to immigrate solely in the negative duty to refrain from coercing foreigners.

Maybe allowing Gabriel to immigrate would impose costs on citizens. Yet this fails to break the analogy between immigration and Neighborhood and City. If the police allow you to leave your neighborhood or city, then your movement might impose costs on other people. Suppose that, if the government lets you leave your neighborhood or city, then you will move to a nearby city. And, once you live in this town, you'll become entitled to public services there. You will be entitled to police protection, access to the courts, and so on. This may impose costs on the other residents of the town where you now live. Yet the actions of state officials in Neighborhood are unjust nevertheless. Gabriel's immigration seems no different. It looks like it's wrong to deny a person freedom of movement just because this person *might* impose costs on others.

Suppose that you agree with me that it seems unjust for the United States to exclude people like Gabriel. But you could deny that this judgment generalizes to immigration restrictions more broadly. You could argue that it's wrong to exclude Gabriel, because Gabriel is unable to satisfy his basic needs or the basic needs of his child where he is currently situated. Maybe Gabriel lacks adequate options to live a decent life. He's unable to find a decent job and source of income. However, you might claim that it's permissible to restrict the immigration of

someone who is already well off. Thus, Gabriel's case fails to ground a *general* objection to immigration restrictions. So, on this line of argument, it's wrong to deny admission to foreigners if this imperils their ability to satisfy their basic needs, but it may be permissible to restrict their entry otherwise.

Yet it seems wrong to restrict the immigration even of people who are already well off. Let's return to my thought experiment City. To recap, you live in Los Angeles, you are already well off, and you have plenty of options for living a decent life. Nonetheless, it seems unjust for government officials to trap you in Los Angeles. Thus, despite the fact that you have decent options where you live, the government should still respect your freedom to move. The same goes for foreigners. Even if Gabriel were well off, there would still be strong reasons to allow him to immigrate to the United States. Like other liberties such as occupational freedom, states have good reasons to respect your freedom of movement regardless of whether you already have plenty of options.

That said, it *is* morally worse for the United States to stop Gabriel from immigrating than it is for United States to prevent the immigration of someone who is already well-off. Everything else being equal, it's worse to coercively stop a person from moving from one place to another if this person's interest in doing so is stronger. Gabriel has a strong interest in moving to the United States. If Gabriel had the chance to immigrate to the United States, this would make him much better off. Thus, the United States has an especially strong reason to admit him. And it turns out the same point applies for millions and millions of foreigners. Migrants like Gabriel are desperate and destitute. These cases are not exceptional. States prohibit many destitute and desperate foreigners from immigrating. So, actual immigration restrictions set back the urgent interests of many people.

To get a sense of how harmful immigration restrictions are, let's consider how much people would benefit from immigrating. The economist Branko Milanovic finds that location of birth is the biggest predictor of a person's lifetime income.⁴ Your prospects in life are probably determined less by your class or sex than by the place where you were born. If location determines your prospects in life, then this suggests that moving your location could improve your prospects. And this is what economists find. Estimates indicate that low-skilled immigrants from Mexico raise their wages by over 400 percent after they migrate to the United States. Unskilled Salvadorians increase their annual incomes from about \$1,200 to \$18,000 by moving to the United States.⁵ In general, low-skilled workers in poor countries can more than triple their real earnings by moving to the United States or a similar country.

Why do migrants benefit from immigrating? Here're a few reasons. Richer states tend to have better institutions. They do a *relatively* good job of protecting property rights, implementing the rule of law, and avoiding inefficient regulations. Rich states also tend to have more human capital, better technology, and superior infrastructure. These attributes help people to become more productive when they move to rich countries. Productivity is the main determinant of income. So, we should expect that moving people from a poor to a rich country would significantly increase their incomes. In fact, migration from, say, Nigeria or Chad to an affluent country massively boosts people's standard of living. To take another example, computer programmers earn dramatically more in the United States than they do in India, even though they're performing similar tasks.⁶ Thus, to the extent that immigration restrictions prevent these people from moving, these restrictions deny foreigners large benefits.

There is more to life than money, of course. People want to immigrate for non-economic reasons, too. People move in order to escape authoritarian governments, political instability, and

violence. Authoritarian regimes rule a large fraction of the human race. The residents of these countries often want to immigrate to states that protect civil and political liberties. Many people also live in societies with high rates of violence. For example, many Latin American countries experience high rates of drug-related violence. This violence has caused hundreds of thousands of people to immigrate to other countries, such as the United States. Civil wars in the Middle East have recently generated millions of refugees who desperately want to find safety abroad.

So, it appears that a large number of people would benefit a great deal if they could immigrate, but they cannot do so. But you may still harbor doubts that borders should be left relatively open even if immigration is such a good deal for the global poor. One common concern is that, if states allowed more immigration, then skilled workers from poor countries would immigrate. If skilled workers left, this would deprive poor countries of human capital. The most talented entrepreneurs and the most educated citizens would seek their fortunes in rich countries. Poor countries would thus lose their most skilled citizens. Wouldn't this make the global poor worse off?

Economists actually disagree about the effects of skilled migration. While some economists think that the emigration of skilled workers has negative effects on poor countries, others believe that this emigration has neutral or even positive impacts.⁷ Skilled workers may benefit the compatriots that they leave behind by forming technological and trade networks between their new and old countries. They also spread valuable ideas and send home remittances. Also, migration is often circular. Skilled people might work in, say, Britain for a few years and return home with more education and skills. Anyway, the current order makes it much easier for skilled workers to immigrate to rich countries. Rich countries are eager to recruit doctors and computer programmers from poor countries while they shun construction workers

and taxi drivers. Even if skilled migration creates more overall harm than benefit for the global poor, people in poor countries would benefit if more *unskilled* workers had the legal opportunity to immigrate to rich countries.

To sum up, immigration has large benefits for migrants and immigration restrictions deny these benefits to many millions of people. This information is relevant because it tells us something about the magnitude of the harms that immigration restrictions inflict. Immigration restrictions curtail valuable freedoms and this fact grounds a powerful objection to these restrictions. I think that immigration restrictions are unjust even if they avoid trapping people in poverty or oppression. But it's morally worse to coercively stop people from immigrating if their interest in doing so is stronger. People have weighty interests in substantially improving their standard of living, escaping authoritarian governments, and living in conditions free from violence. Actual immigration restrictions trample on these interests.

5. Objections and Responses

Commentators in public debate often defend immigration restrictions by pointing out that immigration can harm our fellow citizens. Immigrants compete with citizens for jobs and this competition drives down wages, which creates more poverty. Immigrants end up using welfare and other public benefits and this strains government budgets. And maybe immigrants cause other problems too, such as crime and terrorism. Many people say that governments should restrict immigration to prevent these bad things from happening. Let's call this *the bad consequences objection* to open borders.

The bad consequences objection says that immigrants harm the societies that admit them. Yet people frequently exaggerate the costs of immigration. Consider the effects of immigration

on wages. Most economists who study the labor market effects of immigration conclude that immigration has small effects on the wages of citizens.⁹ Foreigners often don't compete with citizens for jobs. Instead, foreigners have different skills and attributes than many citizens and this leads them to complement the labor of citizens. Consequently, immigration can actually raise the wages of citizens. Or take the fiscal effects of immigration. Many people worry that immigrants will end up using a lot of public services and welfare benefits, thereby imposing costs on the rest of us. But, in reality, researchers find that the effects of immigration on public finances are small and hard to detect.¹⁰ Most immigrants find work and pay taxes; immigrants usually pay their own way.

Think about it this way. Imagine that half of the population of the country where you lived disappeared right now. Would you be better off economically? Probably not. That's because all those other people add something to the economy. They buy stuff, which creates demand for your labor. And their talents and knowledge on the whole make your country more productive, which increases your wages in the long-run, too. Immigrants are people, too. It stands to reason that they also add something to a society's prosperity. And this is what economists find. More immigration tends to make societies wealthier and better-off.¹¹

What about the threat that immigration poses to our physical security? Popular opinion is also wrong about the relationship between immigration and crime. Most studies on the relationship between immigration and crime conclude that immigration does not increase crime and may in fact reduce it.¹² Or consider terrorism. The number of immigrants who are terrorists is infinitesimal. The United States admitted 3.25 million refugees over the past four decades and only twenty of them have been convicted of attempting or committing terrorism on U.S. territory. The chance of an American being killed by a foreign terrorist is about 1 in about

3,600,000.¹³ Falling furniture is much more likely to kill you than an immigrant terrorist, to say nothing of car accidents, ordinary homicides, or heart disease. The lesson is that, when you review the evidence and compare this evidence to popular perceptions about immigration, you'll find that people tend to overestimate the costs of immigration and underestimate its benefits.

Let's suppose though that immigration does have serious costs for citizens. We still need to ask ourselves: is it necessary to restrict immigration in order to prevent bad outcomes or is there another alternative? For example, let's assume that immigrants end up consuming a lot of welfare benefits and straining the government's budget. It doesn't follow that we should restrict immigration. Here's another option: states can deny immigrants' access to public services and welfare benefits. You might object: "that's unfair!" But surely it's better than excluding immigrants outright. If so, we can address the problem without restricting immigration. And the same goes for most other potential costs of immigration.

Let's assume though that immigration does harm some citizens and that we can't find a feasible way to avoid these costs. Even then, immigration restrictions would be unjustified. Notice that the bad consequences objection assumes that, if immigration imposes costs on citizens, then that's a good reason to restrict immigration. Yet there's a problem with this assumption: it ignores immigrants. The rights and interests of immigrants matter too. As I argued earlier, we have obligations to refrain from harming and coercing other people, including foreigners. And these obligations can trump our obligations to our fellow citizens.

Here's an analogy. I think that I owe more to my children than I owe to random strangers. I should show more concern for my children than I should show for other people's children. Nonetheless, it would be wrong for me to coerce, kidnap, or assault strangers in order to benefit my children. Suppose that, if I mugged strangers on the street, I could afford to buy my children

presents that they really wanted. Obviously though, that wouldn't be okay. The economist Bryan Caplan observes that “almost everyone knows that ‘it would help my son’ is not a good reason for even petty offenses—like judging a Tae Kwon Do tournament unfairly because your son’s a contestant.”¹⁴

The same point applies to governments. Many of us think that governments owe more to their citizens than they owe to foreigners. Governments have stronger obligations to benefit their own citizens. But there are strict limits on what governments can do to help their citizens. If it’s wrong for me to coerce and assault strangers in order to benefit my children, then it is hard to see why it would be fine for the government to coerce and assault foreigners for the benefit of citizens. But that’s just what immigration restrictions do: immigration restrictions involve coercion and violence. So, even if immigration restrictions are necessary to benefit citizens, we should still doubt whether it’s morally okay to enforce them.

Here’s another common objection to open borders: some people argue that states should restrict immigration in order to preserve a society’s national culture. Foreigners have different values and cultural practices. If they immigrate, then this will change a society’s culture and identity. But we have good reasons to preserve our culture. So, we should restrict immigration. Let’s call this: *the cultural objection* to open borders.

One response to the cultural objection is to point out that most immigrants assimilate and adopt the cultural practices of recipient societies.¹⁶ Another response to the cultural objection is to ask: so what if immigration causes cultural change? The exercise of many individual rights can change a society’s culture and identity. Consider rights to free speech. Free speech can change a society’s culture by encouraging people to adopt new values and practices. Suppose that Mormons are successful at persuading many Americans to convert. This could change a

society's culture—let's assume that Mormons have somewhat different values and practices than the dominant culture. But it would clearly be wrong to forbid Mormons from proselytizing.

Or consider rights to reproductive freedom. Imagine that Muslims are a minority in a society, but Muslims have more children than the rest of the population and most of these children adopt the practices and values of their parents. As a result, Muslims' exercise of reproductive freedom generates cultural change. We should clearly condemn any restrictions on Muslim's reproductive freedom that aim to stop this change. Individual rights trump the goal of cultural preservation. Foreigners' rights to immigrate should override this goal as well. Thus, the cultural objection to open borders is unsound.

Let's consider one final objection to open borders. Some people think of states like private clubs or property. We can rightfully exclude people from our private associations and property. Suppose that you and your friends form a chess club. It seems okay for you to refuse to allow strangers to join your club. Or assume that you own your house. You are within your rights to prevent homeless people from sleeping in your home. Maybe we can defend immigration restrictions on similar grounds. States might be analogous to private clubs or perhaps states have property rights in their national territories. If that's true, then we can exclude immigrants just as we can exclude people from our clubs and houses. Let's call this: *rights-based objection* to open borders.

But here's the problem with the rights-based objection. If states have rights to freedom of association or property rights over their territories, then states can permissibly do more than just restrict immigration. They can restrict all individual rights. To illustrate, consider that private associations, such as clubs, churches, or businesses, can permissibly exclude non-members. For example, the Catholic Church can permissibly refuse to baptize Satanists. In this sense, the

Catholic Church has the right to exclude people. But private associations can also regulate the behavior of their members in illiberal ways. This is why the Catholic Church can forbid its members from using birth control, having sex out of wedlock, worshipping Satan, and so on.

Now, suppose you think that states are like private associations in that both can permissibly exclude non-members. Well, if states really are like private associations, then states should also be able to regulate the behavior of their members in the same way that private associations do. States should also have the right to forbid citizens from using birth control, having sex out of wedlock, or worshipping Satan. Thus, the same logic that justifies immigration restrictions also implies that states can restrict any liberty, such as freedom of speech or sexual freedom. If states are like clubs, they might exercise their rights by excluding outsiders. Or states may exercise their rights to freedom of association by curtailing the individual liberties of their members.

Suppose, alternatively, you think that citizens collectively own their territories or institutions and that these property rights permit the exclusion of outsiders. On this view, countries are like big private estates. And aren't private estates well within their rights to exclude trespassers? The problem is, once again, that this justifies too much. Consider a private establishment, like a restaurant. A restaurant may have a dress code that forbids customers from taking off their shirt, wearing clothes with profanity on them, or wearing baggy pants, and that requires workers to wear a uniform. They can also forbid people from such activities as staging a political protest in their restaurant. Why is it permissible for a restaurant to do this? Ownership rights. Private property rights give people the right to control what happens on their property, within some limits. If countries are essentially private property, then they should be able to

forbid residents from wearing baggy pants, uttering profanity, holding political protests, and so on.

I submit that these are not policies that we should accept. It would be unjust for states to behave in these ways. But, to reject the implications that countries can act in illiberal ways, we must also reject the view that countries are analogous to private property or private clubs. And, if countries are not like private property or clubs, then we can't appeal to these analogies to justify immigration restrictions. For this reason, the rights-based objection to open borders fails.

6. Conclusion

Advocates of open borders aren't crazy. They acknowledge that immigration can cause problems and that, in rare cases, there are good arguments for immigration restrictions. If allowing immigration would cause disaster, then that's a solid reason for restricting it. But open borders advocates just happen to believe that a careful evaluation of the evidence reveals that immigration has far fewer downsides and many more upsides than most people think. Once you work through the evidence, you find that most people's fears about immigration are exaggerated or even baseless.

So, what would a world with open borders look like? You're already familiar with it. You know how you can just move around your country freely? Tomorrow you can wake up and decide to move to another city or town. I live in Richmond, Virginia. If I wanted to, I could get up right now, buy a plane ticket to Alaska, and move there. Advocates of open borders say that the whole world should be like that.

Sometimes when I lecture about immigration, I show the audience pictures of what open and closed borders look like. Here's a picture of an open border:¹⁷



This is the border between Germany and Switzerland. Germany on the left side of the street and Switzerland is on the right side. Here's another picture:¹⁸



This is the border between Spain and Portugal. Spain and Portugal are members of the European Union, which has open borders between member states. What do we observe in these two

pictures? Not much. Just countryside and open roads. It's peaceful. No walls, guns, or border guards.

Now, contrast these pictures with this one:¹⁹



This is the border between Hungary and Serbia, which is not an open border. Notice the high fences topped with razor wires and the police officer ready to stop migrants from crossing. Or consider this picture:²⁰



This is the border between Texas, United States and the Mexican state of Chihuahua. Also not an open border.

Think about what kind of world you want to live in. Do we want to live in a world where borders look like the first two pictures? Or do we want to live in a world where borders look like third and fourth pictures? I hope to have given you some reason to prefer the first two.

¹ This chapter draws heavily on my past work, particularly: Javier Hidalgo, “The Libertarian Case for Open Borders,” in *The Routledge Handbook of Libertarianism*, ed. Jason Brennan, Bas Van der Vossen, and David Schmidtz (New York, NY: Routledge, 2017), 377-389.; Javier Hidalgo, *Unjust Borders: Individuals and the Ethics of Immigration* (New York, NY: Routledge, 2018), chapter 1.

² This story is reported in: Margaret Regan, *The Death of Josseline: Immigration Stories from the Arizona Borderlands* (Boston, Mass.: Beacon Press, 2010), pp. 16-20.

³ This story is from: This American Life, *The Walls*, March 18th 2018, accessed June 1, 2018, <https://www.thisamericanlife.org/641/the-walls>.

⁴ Branko Milanovic, “Global Inequality of Opportunity: How Much of Our Income Is Determined By Where We Live?,” *Review of Economics and Statistics*, 2014.

⁵ Lant Pritchett, *Let Their People Come: Breaking the Gridlock on Global Labor Mobility* (Washington, D.C.: Center for Global Development, 2006), p. 22.

⁶ Michael A Clemens, “Why Do Programmers Earn More in Houston than Hyderabad? Evidence from Randomized Processing of US Visas,” *American Economic Review* 103, no. 3 (2013): 198–202.

⁷ For contrasting perspectives on skilled immigration, see: Devesh Kapur and John McHale, *Give Us Your Best and Brightest: The Global Hunt for Talent and Its Impact on the Developing World* (Baltimore, MD: Brooking Institution Press, 2005); Michael Clemens, “Losing Our Minds? New Research Directions on Skilled Emigration and Development,” *International Journal of Manpower* 37, no. 7 (2016): 1227–48.

⁹ Giovanni Peri, “Do Immigrant Workers Depress the Wages of Native Workers?” *IZA World of Labor* 42 (2014): 1–10.

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