

Borders and Migration

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Course Description

Today, the movement of peoples across the Earth and consistent attempts to control or prevent that movement are ubiquitous global phenomena. There is hardly any land on the planet that is not claimed as the territory of one state or another. Borders have become the most common, although by no means only, site in which states try to assert their power over movement. The causes, impacts, and ethical stakes of border crossings have become fixtures of both national and international political discourse.

This course will examine questions about the politics and ethics of borders and immigration in the modern world. To inform our discussion, we will engage with ideas from a variety of disciplinary perspectives, including political theory, history, law, political science, and sociology. While this course will focus on the US context and pay special attention to the history and dynamics of US immigration policy, we will also survey how immigration and borders intersect with global politics.

This course is designed to be a 6-week intensive class. The first two weeks concern foundational questions and key concepts. These include the question of what constitutes membership in a political community (citizenship), what exactly borders are and what functions they serve. Week 3 turns to the question of why people migrate, what the most prominent migration policy regimes are, and the history and present state of American immigration policy. Week 4 turns to the moral question of whether states *should* be entitled to their territory, and if so, whether they have a right to control their borders. We will examine debates both for and against open borders. Week 5 examines further questions on who immigration regimes prioritize and who they do not. Week 6 turns to the causes, law, and ethics of refugees and asylum seekers.

Learning Goals:

After taking this course, students should be able to:

- Identify and debate the historical and contemporary stakes of immigration politics.
- Be conversant in legal and theoretical debates over the idea of borders and citizenship.
- Evaluate and compare important theories of borders and immigration, including the foundations of the territorial rights of states.
- Present cogent assessment of border policies from a national and international perspectives.
- Critically assess articles and research on borders and immigration, especially in the American context.
- Understand the origins and international legal frameworks governing refugees and the key debates over international responses to refugee crises.

Assignments and Grading

- Attendance and Participation (15%)
- Presentation & Reflection (20%)
- Short Response Papers (20%)
- Memo (20%)
- Analytic Paper (25%)

Attendance and Participation

Students are expected to attend and participate in every class. Active participation means coming to class having completed all assigned readings and prepared to discuss them.

Presentation and Reflection Paper:

Each student will have to present for 10-12 minutes at the start of class during one of our class days. They will present the main arguments and key issues of the assigned reading. You are encouraged to use PowerPoint or any other visual aid alongside your presentation. Students will also be asked to write a short (2-3 pages) reflection paper on how they think the reading contributes to larger themes in our class.

Short Response Papers

Students should submit 5 response papers, due midnight before class, for any five readings during the semester. The response papers should be a 1 full page initial reaction to at least one (or more) readings from since the previous session. These will be easier the earlier you do them, and they make participating in class much easier!

Memo Assignment

Write a letter to a policy leader (the US President or the UN Secretary-General) addressing any recent on ongoing crisis of border crossing and/or (im)migration. The topic and viewpoint of the memo is up to you, but it should include the following elements:

- Begin with an overview of the problem or event, explain why the addressee must act, and outline your recommendations.
- Provide any historical or legal context that is necessary for the argument to hold. This needn't be a drawn-out explanation, but a pithy account.
- Present your recommendations for your addressee should respond. Justify them as the best course of action and why they are feasible.

Analytic Paper

Students will have to complete one analytic paper (4-5 pages) drawing on the empirical and theoretical readings of our course. The paper will stake a claim in one of the moral debates that we survey (e.g., the meaning of citizenship, the case for/against open borders, the territorial rights of states, the rights of refugees, etc.) and make a case for one particular viewpoint. That argument will also use the legal and/or empirical sources of the class as supporting evidence.

Resources

There are myriad resources to learn more about issues surrounding contemporary immigration and migration politics. In class you may be directed to research using these resources, especially for the *memo* assignment.

- [The Refugee Studies Centre](#)
- [Migration Policy Institute](#) and [US Immigration Policy Program](#)
- [US Immigration Policy Center](#) (UC San Diego)
- [Women's Refugee Commission](#)
- [Refugee Council USA](#)
- [The UN Refugee Agency](#)
- [The International Organization for Migration](#)
- [The Nauru Files](#)
- [Global Detention Project](#)

Class Schedule (6- Week Intensive)

Week 1: Introduction & Key Issues

Questions:

- What are the key issues concerning immigration, migration, and movement across borders? What are the stakes of current debates? What are the main institutions by which states control their borders? What exactly is a border, anyway, and what functions does it serve?

Class 1: Key Issues and Concepts

- Douglas Massey, "Why Does Immigration Occur? A Theoretical Synthesis." In *The Handbook of International Migration*, p. 34-52.
- Sarah Song. 2018, *Immigration and Democracy*, pp. 1-10.

Class 2: Borders and the institutions of migration control

- Thomas Nail, *The Theory of the Border*, "Introduction: Moving Borders"
- Wendy Brown, *Walled States: Waning Sovereignty*, Introduction
- Douglas Massey, Jorge Durand and Karen Pren. 2016. "Why Border Enforcement Backfired" *American Journal of Sociology*. 1557-1600.
- Charles Maier, *Once Within Borders*, Introduction
- John Torpey, *The Invention of the Passport*, pp. 4-20, 57-92, 111-121.

Week 2: Citizenship: History and Theory

Questions

- What does it mean to be a member of a political community? What do people try to acquire it? How should one gain citizenship? What does membership have to do with borders? Do citizens have a right (or an imperative) to control who crosses into a territory? What is the relationship between citizens and non-citizens?

Class 1: What does citizenship mean? What has it meant?

- Michael Walzer, "Membership," *Spheres of Justice*, 31-63 (1983).
- Linda Bosniak, 2006. "Defining Citizenship," in *The Citizen and the Alien*, (pp. 17-36)
- Linda Kerber, 1997. "The Meanings of Citizenship," *Journal of American History*, 84(3), 833-54.
- Irene Bloemraad. 2006. *Becoming a Citizen: Incorporation Immigrants and Refugees in the US and Canada*, Ch. 2.

Class 2: *Jus soli* & *Jus Sanguinis*

- Ayelet Shachar, *The Birthright Lottery*, selections
- Ayelet Shachar and R. Hirschl, "Citizenship as Inherited Property." *Political Theory* (2007).
- Peter Schuck & Rogers Smith, *Citizenship without Consent*. Chapters 1, 4, 5 (1985).
- Audra Simpson, "Paths toward a Mohawk Nation: Narratives of Citizenship and Nationhood in Kahnawake," in *Political Theory and the Rights of Indigenous Peoples*.

Week 3: Migration and Immigration: Policies and Debates

Questions: What leads people to migrate? How is migration different from immigration or from asylum-seeking? What legal and political regimes govern migrants?

Class 1: Why do people migrate?

- Carling Jørgen. 2021. "[What Makes People Want to Migrate? One Chart Sums It Up.](#)" *Medium*.

- UN Human Development Report (2009), Ch. 2: “People in Motion: Who moves when, where and why,” pp. 21-46. [Link](#).
- Sarah Song. 2018. “Political Theories of Migration,” *Annual Review of Political Science*.
- US immigration law 1790-2006 ([link](#)), and since 1986 ([link](#))
- Walters, William. 2010. “Deportation, Expulsion, and the International Police of Aliens.” In Nathalie Peutz and Nicholas De Genova (eds.) *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*. Durham, NC: Duke University Press: 69-100. Chapter 1.

Class 2: Contemporary US immigration

- James Hampshire, *The Politics of Immigration* (2013), Ch. 1
- Kunal Parker, 2015. *Making Foreigners: Immigration and Citizenship Law in America, 1600-2000* (Ch. 5-6)
- Naturalization: Heba Gowayed, “The Case for Abolishing the Citizenship Exam” on [Slate](#).
- Amanda Holpuch. 2021. “‘This is Literally an Industry’: Drone Images Give Rare Look at For-Profit ICE Detention Centers.” *The Guardian*. 29 January 2021. [Link](#).

Week 4: Nation-States, Borders, and Immigration

Questions: What entitles states to the land that they occupy? If they are entitled to it, what powers and privileges go along with it? Should this include an entitlement to police their borders? If so, on what grounds?

Class 1: Foundations – What entitles states to their territory?

- Malcolm Shaw, “Territory” in *International Law* (6th edition, 2008).
- Avishai Margalit and Joseph Raz, “National Self-Determination.” *The Journal of Philosophy* (1990).
- Arash Abizadeh, “Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders.” *Political Theory* (2008).
- David Miller, “Territorial Rights: Concepts and Justifications.” *Political Studies* (2012).
- A.J. Simmons, “On the Territorial Rights of States.” *Philosophical Issues* (2001).

Class 2: Does justice demand open borders?

- The Case for Open Borders
 - o Joseph Carens, *Ethics of Immigration*. Chapters 11 – 12 (2013).
- The Case Against Open Borders
 - o Stephen Macedo, “When and Why Should Liberal Democracies Restrict Immigration?,” in Smith (ed.) *Citizenship, Borders, and Human Needs* (2011).

Week 5: Different borders for different people

Questions: Who should be let through a border? What attributes have been prioritized in immigration regimes? On what basis might we invite some immigrants and ban others?

Class 1: Who gets in? Who doesn't?

- Sarah Song, “The claims of family” in *Immigration and Democracy*, 132-150.
- Ayelet Shachar, “Selecting by Merit: The Brave New World of Stratified Mobility,” in *Migration and Political Theory*, 175-200

Class 2: Kinds of Refugees

- Andrew Shacknov, “Who is a refugee?” *Ethics* (1985).
- Kenneth Weiss, “The Making of a Climate Refugee,” in [Foreign Policy](#), 2015.

Week 6: Refugees and Asylum

Questions

- What counts as a refugee? Should they have special status in immigration considerations? Are there needs that transcend borders?

Class 1: Legal and Historical Perspectives

- Guy Goodwin-Gill, "Introduction to Convention and Protocol Relating to the Status of Refugees," *United Nations Audiovisual Library of International Law*, [link](#) (2008).
- Convention and Protocol Relating to the status of Refugees, [link](#) (1951 & 1967)
- Hannah Arendt, "The Decline of the Nation-State and the End of the Rights of Man." *Origins of Totalitarianism*. (1966).

Class 2: Normative perspectives

- Joseph Carens, "[What's Philosophy Got to Do With It?](#) – On Morality and the Refugee Crisis," Interview with University of Toronto student newspaper, on YouTube.
- Joseph Carens, "Refugees," in *Ethics of Immigration* (192-224).
- Matthew Gibney, "Liberal Democratic States and Responsibilities to Refugees." *The American Political Science Review*, (1999).
- Seyla Benhabib, *The Rights of Others*. Chapter 2 (2004).
- Chandran Kukathas, "Are Refugees Special?" in *Migration and Political Theory*