
Phillip Cole: Philosophies of Exclusion, Liberal Political Theory and Immigration

Selma Muhić - Dizdarević

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This book deals with a question that might seem very specific, almost reduced. The question is whether a liberal political theory allows for immigration controls. Should a state according to liberal theory restrict or regulate immigration into a country or not? Having read this book, we might in advance state that Cole comes to a conclusion that from the strictly liberal point of view, there can be no reasons for those who call themselves liberals to accept any of the arguments in favor of regulating immigration. He even claims that "...liberal political philosophy, supposedly triumphant over other ideologies, cannot cope with this phenomenon within its own theoretical limits."

But this question involves a much broader range of issues, the most important being: definition of a membership in a community, rules of being accepted as a member, inclusion rights, but also, like in almost all liberal theories dealing with differences, it involves the issue of how differences fit into universal human value, which is presumed to be a basis for equality and freedom. In that sense, as Cole says, "boundaries of membership" seem to be far more important than physical boundaries. It seems that principle of equality, the core stone of liberal political philosophy is possible only under supposition of exclusive membership practices, i.e. political community within boundaries. At the same time, Cole quotes Walzer, who says that "The community itself is a good - conceivably the most important good - that gets distributed." That wouldn't matter much and would be a matter of philosophical discussion if there were not at least two challenges demanding a policy-relevant conclusions: migrants within liberal states and at their borders and supranational and globalization pressures on a concrete political community organized as a state.

Let me immediately draw a table, which should classify types of positions of liberal theorists and name some of the consequences of their positions, according to Cole. The table is mine, but it concisely presents the relevant positions:

Criteria for membership	Consequence
All criteria are arbitrary	Anybody can be a member
Some criteria are non-arbitrary, but nation is arbitrary	Restrictions - but it is not clear on the basis of what
Nation is non-arbitrary	Criterion of membership would be participating in the nation. Problem: there is no non-arbitrary concept of nation
All criteria are arbitrary, but the need for a political community must keep the borders closed, important, but based on contingency	Does this position lead to racism? It seems that only the chosen ones can be members.

As Cole states, there are two dimensions of citizenship, external and internal, the former drawing a line between members and outsiders, actually drawing a line around community and the latter drawing a line between citizens and mere subjects, within society. This is the position in the society of so-called denizens, who are deprived of rights entitled to citizens, rights to political participation mainly. They are at the same time within society and outside of it. In addition to that, liberal theory demands that the line cuts across an individual, who is at the same time subject and sovereign (a citizen). That's why Frances Webber speaks of euro-racism, because he thinks that the guest workers remain hostage to the "host" community in the EU, while member state citizens are privileged. Existence of resident aliens is a problem for a liberal theory and in that case institutional racism is inevitable.

So, if there are no reasons inherent to the liberal theory to restrict immigration, we might opt for the following pessimistic conclusion of a Hobbesian type: liberal theory is confined to national borders, despite the fact that adherence to nation is arbitrary. Internationally, there is no liberal theory to pursue, therefore immigration policy of the liberal state should just consider best interests of its citizens, but it can't be ethical. In other words, international order is of a Hobbesian type, therefore we cannot extend liberal principles on it and the states are absolutely sovereign, therefore there can be no international justice.

Cole questions the last presumption, saying that the type of the state we are discussing is labeled as Westphalian model dating from 1648. Nowadays issues that challenge this type of sovereignty are: human and minority rights, fiscal responsibility and international stability and environmental issues. Globalization is marked by a deterritorialization of politics, rule and governance. Proportion of national legislation which reflects international legal standards has increased significantly over a century.

Now, if we take a position that immigration should be regulated according to interests of the citizens of the host country, there is always the question of cost and benefit. It is generally assumed that immigrants are a burden to the welfare system. It is illuminating to know that someone took an effort to do the research on the issue and to compare contribution of immigrants to the welfare system through taxes and benefits received in Western Europe and Canada. The result is that contributions might be positive, but they are definitely not negative.

Further in the book, Cole disputes Walzer's arguments for immigration restrictions. Walzer claims that political community needs a shared identity and therefore has the right to choose members, like a club, where members define admittance criteria. At the same time, alien groups already within national borders cannot be expelled, because they have "territorial or locational right". The community has the right to protect its members' conception of themselves and the community as a whole, therefore:

if the borders are open, then there will be more control on a local level, therefore freedom of movement would be restricted for everybody

welfare reasons: influx must match tax collection

distinctiveness of culture: self-conception of a group must be guarded by immigration control.

These are Walzer's arguments, but Cole suggest a regional model, where local authorities have demands on citizens, but do not decide about membership. In addition to that, Cole criticizes Walzer's analogy of a membership in a community and membership in a club, because clubs are also restricted by external rules and the whole idea is based on a "first come first served" rule. It is not clear why would those who have arrived earlier be entitled to change the admittance rules for those who have arrived later.

As for fears from open borders related to the effect on labor market and wage level, the fear of overloading public institutions and social welfare programs, and the consequences for the political character of the liberal egalitarian state (for people it is easier to live with someone who is like them), Cole has to say that they are based on speculations, not facts. For the facts, it is necessary to quote the Held study, together with Cole: "Studies of the impact of immigration on overall wage rates in a host economy, and the differential impact of immigration of the wage rates of different class and ethnic groupings in national labor markets, suggest marginal but arguably constructive impacts."

Cole also discusses whether a nation could be the concept to outweigh the concept of humanity.

Some authors also divide immigrants to liberal and nonliberal, the latter being from non-Western countries, who are hard to tolerate and assimilate (only political assimilation is in question) claiming that the influence of those could undermine the system from within. I will refrain from criticizing this point of view here.

So the key-question of this work "can there be a consistently liberal solution to the question of membership of political communities" gets a negative answer from Cole. What he pleads for is "international constitutional order based on human rights".

I might say that this book represents an excellent overview of the relevant issues, problems, positions, studies and authors on this delicate and pressing issue. It also gives a deeper insight into the consequences of liberal theory in respect to membership issues, but also inspires into further research on how the respect for equality should be promoted in societies with such diversified interests.

Cole, p.2

Cole, p.4, see also Michael Walzer (1983), Spheres of Justice: A Defense of Pluralism and Equality, (Martin Robertson, Oxford)

An expression designating resident aliens, a term used by Tomas Hammar: denizens as opposed to citizens, residents with permanent residence without citizenship, he estimates that it is the half of the foreign population in Western Europe in 1987. In T. Hammar (1990), Democracy and the Nation-state: Aliens, Denizens and Citizens in a World of International Migration (Avebury, Aldershot)

Cole, p. 9, see bibliography for details

See Cole quoting Krasner, Stephen D. (1999), *Sovereignty: Organized Hypocrisy* (Princeton University Press, Princeton), p. 18

For example, Great Britain is a member of the following institutions, which influence its legal system: the International Monetary Fund, the World Bank, the World Trade Organization, the G8, the Organization for Security and Cooperation in Europe, the Council of Europe, the European Union, the United Nations and the Commonwealth. P. 22

Cole, quoting a study by Held et. al. , see bibliography for details.

D. Held, A. Mc Grew, D. Goldblatt and J. Perraton (1999), *Global Transformations: Politics, Economics and Culture*, (Polity Press, Cambridge) p. 324

Frederick Whelan

Selma Muhić - Dizdarević