

Political Philosophy and Migration: Contemporary Debates Within the Framework of Methodological Nationalism*

[English version]

Filosofía política y migración: debates contemporáneos
en el marco del nacionalismo metodológico

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Abstract

This article examines three of the most prolific debates (due to their abundant academic production) within contemporary philosophy on migration: the dichotomy of closing or opening borders, the expansion of the conception of justice and, briefly and introductory, the ethics of migration. **Objective:** The objective is to show how these debates are articulated with the conceptual tendency of methodological nationalism, both in its structuring and in the attempts to overcome its consequences. **Methodology:** A literature review was carried out on the responses of the different schools of philosophical thought -namely, communitarian,

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nationalist and liberal cosmopolitan- to the huge migratory flows. **Results:** The literature reviewed maintains the figure of the State as the only recognized actor to morally validate the management of human mobility. **Conclusions:** Methodological nationalism has contributed to hiding the reality of the cross-border connections and processes that should guide theorists in the study of migration. Furthermore, to overcome the cognitive bias of methodological nationalism, the incorporation of approaches from the social sciences is proposed, in order to better address the conceptual and ethical challenges involved in human displacement.

Keywords: political philosophy; migration; methodological nationalism (obtained from the UNESCO thesaurus).

Resumen

En este artículo se examinan tres de los debates más prolíficos (por su abundante producción académica) dentro de la filosofía contemporánea sobre migración: la dicotomía cierre o apertura de las fronteras, la ampliación de la concepción de la justicia y, de manera breve e introductoria, la ética de las migraciones. **Objetivo:** el objetivo es mostrar cómo estos debates se articulan con la tendencia conceptual del nacionalismo metodológico, tanto en su estructuración como en los intentos por superar sus secuelas. **Metodología:** se realizó una revisión documental sobre las respuestas de las diferentes escuelas de pensamiento filosófico —a saber, comunitaristas, nacionalistas y cosmopolitas de corte liberal— ante los ingentes flujos migratorios. **Resultados:** la literatura revisada mantiene la figura del Estado como el único actor reconocido para validar moralmente la gestión de la movilidad humana. **Conclusiones:** el nacionalismo metodológico ha contribuido a ocultar la realidad de las conexiones y procesos transfronterizos que deberían guiar a los teóricos en el estudio de la migración. Además, propone, para superar el sesgo cognitivo del nacionalismo metodológico, la incorporación de enfoques provenientes de las ciencias sociales, con el fin de abordar mejor los desafíos conceptuales y éticos implicados en los desplazamientos humanos.

Palabras clave: filosofía política; migración; nacionalismo metodológico (obtenidos del tesoro UNESCO).

Resumo

Este artigo examina três dos debates mais prolíficos (pela abundante produção acadêmica) dentro da filosofia contemporânea sobre migração: a dicotomia entre fechamento e abertura das fronteiras, a ampliação da concepção de justiça e, de maneira breve e introdutória, a ética das migrações. **Objetivo:** O objetivo é mostrar como esses debates se articulam com a tendência conceitual do nacionalismo metodológico, tanto em sua estruturação quanto nos esforços para superar suas consequências.

Metodologia: Foi realizada uma revisão documental sobre as respostas das diferentes escolas de pensamento filosófico — a saber, comunitaristas, nacionalistas e cosmopolitas de orientação liberal — diante dos intensos fluxos migratórios.

Resultados: A literatura revisada mantém a figura do Estado como o único ator reconhecido para validar moralmente a gestão da mobilidade humana. **Conclusões:** O nacionalismo metodológico tem contribuído para ocultar a realidade das conexões e dos processos transfronteiriços que deveriam orientar os teóricos no estudo da migração. Além disso, propõe, como forma de superar o viés cognitivo do nacionalismo metodológico, a incorporação de abordagens das ciências sociais, a fim de melhor enfrentar os desafios conceituais e éticos envolvidos nos deslocamentos humanos.

Palavras-chave: filosofia política; migração; nacionalismo metodológico (obtidos do tesouro UNESCO).

Introduction

Scholars Andreas Wimmer and Nina Glick Schiller (2003) are considered pioneers in the critique of methodological nationalism, a conceptual and analytical trend that has profoundly marked the development of social sciences, especially by challenging the reductionism that dominated studies on international migration for more than a century. According to the authors: “methodological nationalism is the naturalization of the global regime of nation-states by the social sciences” (p. 576). This approach, deeply rooted in the academic tradition, tends to interpret migration from a perspective that places the nation-state as the sole and primary framework of analysis, which limits the possibilities of understanding the transnational dynamics underlying migratory movements.

The influence of this paradigm has not been limited to the social sciences alone, but has also reached philosophical studies on migration. Although the migration phenomenon has been relatively recent in this latter field (without systematic developments in this regard), the conceptions derived from methodological nationalism have deeply shaped the scarce reflections on international mobility (Sager, 2021). This cognitive bias has given rise to a series of categorizations that, although challenged, continue to permeate reflection on migration (Velasco, 2010). The vision of homogeneous societies, delimited by borders, has marked the agenda of a lot of political philosophy, leading to the consideration of the international mobility of people as an exceptional or anomalous condition, which, although it does not affect theory, must be eradicated in practice (Loewe, 2009). Philosophical debates have thus oscillated between ignoring the phenomenon or reinforcing a State-centric bias that has clearly lost its validity in the face of new migration challenges: the intensification of border measures and management, the creation of binational containment spaces where migrants in transit suffer serious violations of their human rights, and the instrumentalization of asylum regimes to guide the selectivity of asylum seekers.

Sager (2017) argues that these neglects are due to the remarkable slowness with which political philosophy has assimilated empirical literature, that is, how migration phenomena are presented and developed in the real world through direct observation, data analysis, or field studies. However, this does not imply that the few philosophical debates on migration lack significance. In fact, they turn out to be valuable insofar as they question the theoretical and practical validity of the concepts, tensions and assumptions that underpin not only the discipline, but also the foundations of contemporary forms of social and political organization.

In this sense, reflecting on *migration* means rethinking the State and at the same time questioning the conceptual system that political philosophy has built over the centuries. The problematic aspect of the matter is that, instead

of questioning, most philosophical theorists have chosen to prop up fences and barriers that further legitimize the taxonomies imposed by States in their desire to ensure conceptual consistency and maintain a concentric order (Di Cesare, 2020).

It follows from the above that the debates that currently enjoy greater acceptance in political philosophy respond to the structures that arise from the strict logic of the national. At the same time, new theoretical-normative horizons emerge, albeit timidly, that point to the transformation or overcoming of this logic (Nail, 2015). At this point, it is important to highlight that overcoming the conceptual scheme of methodological nationalism is compatible with the position that the nation-state is and will continue to be the dominant institution in the international sphere (Beck & Sznaider, 2006; Chernilo, 2011; Sager, 2016).

The article reconstructs the debates raised by contemporary political philosophy, appealing to the theoretical-argumentative structures that arise in response to the migration phenomenon. To this end, the article examines how methodological nationalism has shaped the most prolific discussions. It is divided into three parts: the first deals with the debates that comprise the dilemma of closing or opening borders, which is at the heart of liberal theory and democracies; the second part addresses the discussions on migration that take place from the cosmopolitan perspective of justice; finally, the third part briefly addresses the interest in overcoming the consequences of methodological nationalism within the debates on the ethics of migration.

The Constitutive Dilemma of Liberal Theory. The Debates Over the Closing or Opening of Borders

The justification for the closing or opening of borders is perhaps one of the most intense debates in the Anglo-Saxon and German contexts, and it is the one that best captures the effects of the state-centric model on the understanding of human mobility (Di Cesare, 2020; Sager, 2017). This debate brings back not only a tension but a direct contradiction between two fundamental premises of liberal theories: on the one hand, the universalist postulates championing respect for human rights and freedom of movement; on the other, sovereign self-determination that restricts the space of the obligations of justice to that circumscribed by the borders of States (Benhabib, 2005; Loewe, 2020). At this point, the center of the controversy, rather than in the abolition of political borders, is the question of the state-centric model, which is based on the principle of the state-centric model – where the dilemma takes shape – is placed in the control that should be exercised over these for the passage of human beings

(Velasco, 2012). The responses raised confront fundamental moral questions and assumptions in political, economic and democratic spheres that are supported by the claims and rights of those who request admission with the concerns of governments and citizens to control the quality and quantity of those who are admitted (Abizadeh, 2008; Weiner, 1996).

While this is happening, the discussions –which in theory have adopted liberal nationalist, communitarian or statist positions– have had, even in a pragmatic way, realistic institutional effects, since they tacitly indicate the guidelines of the current exclusion policies (Zapata-Barrero, 2012). By virtue of the above, borders have become the cornerstone of state-centrism, shaping the criteria of belonging (“inside”/“outside,” “members”/“foreigners,” “permanent”/“temporary,” “legal”/“illegal”) that configure and condition the modern political space, while materializing the processes of segregation on a global scale (Velasco, 2022). The unilateral right of states to control their borders, in conjunction with birthright citizenship, plays a decisive role both in determining who belongs or not to a political community and in conditioning – by way of stratification – the life opportunities of individuals and thus reproducing structural and historical injustices on the global political stage (Owen, 2020; Solanes, 2016).

The point is that for a little over three decades, philosophical debates on migration have had as their epicenter the role played by borders in establishing on a normative level what constitutes a just order (it should be noted that, at the time, this was not even a topic of discussion for legal and political theories) (Bosniak, 2006). To this extent, political philosophy has focused on the reasons that articulate both the arguments in favor of maintaining an open border policy—which is based on the recognition of the existence of global responsibilities in a context of inequalities between countries— and the criteria of migratory selectivity that safeguard the security, political culture and stability of the economic systems of political entities (Wellman & Cole, 2011). At the level of normative theory, the positions between the sides (that is, whether borders should remain open or closed) represent a broad scenario of academic discussion among theorists who make up the schools of political philosophy: libertarians, utilitarians, communitarians and liberal nationalists, whose analytical frameworks are governed and reproduced in the strict logic of the national.

Within this diverse group of theoretical schools, John Rawls has been a starting point for both later developments and for questioning many fundamental assumptions of his own theory. In relation to the dominant tradition in Anglo-Saxon political philosophy—taken up by the European and, especially, the German academy—the resource of a closed society, in the strict Rawlsian sense, provided a frame of reference to reason about justice and to establish the State as its unit of analysis (Di Cesare, 2020). According to Rawls (1999), the

pressure to emigrate is an anomalous condition, which can only indicate that people have not adequately taken care of its internal policy, hence it does not contemplate the migratory phenomenon beyond discarding it. In his view, the responsibilities for this neglect cannot be transferred to other societies that have managed to regulate their collective life fairly. At most, these might have a duty of assistance toward disadvantaged societies, helping them to become decent peoples. In a society of liberal and decent peoples, following a realistic utopia (absence of wars, persecutions, famines, oppression and inequality), the problem of immigration would be practically non-existent. Starting from this omission, Joseph Carens, “radicalizing Rawls’s intentions against Rawls himself”, carries out pioneering work by drawing different conclusions from the Rawlsian premises and, in particular, from the “original position” (“veil of ignorance”) “to think in depth about the principles of justice from the point of view of the refugee, the immigrant and the asylum seeker” (Benhabib, 2005, p. 76).

Carens (1987) argues that while principles of justice need to be thought of within the confines of a closed society, they should be extended and applied universally to different societies. To support his reasoning, he applies the device of the “veil of ignorance” —which limits the knowledge available when choosing principles of justice— to make an argument in favor of open borders, since there is little justification for restricting immigration. Simply considering it as one more right in the system of basic liberties could be essential to improve the conditions of the most disadvantaged.

At this point, Carens (1987) stresses that the circumstances of birth are undeserved —being born in a peaceful, democratic and prosperous country or in a poor, authoritarian one with serious civil conflicts— but at the same time they are determinants of what individuals can achieve in life. So, if the “original position” of the Rawlsian theory of justice is to be considered, it would have to minimize the effects of such contingencies on the distribution of social benefits. Thus, “open borders would allow those born in disadvantaged countries to improve their position by moving to a place where they would have greater opportunities” (Weiner, 1996, p. 174).

Zolberg (2012) points out that Carens’ position in favor of open borders —one that he maintains in later publications (Carens, 1987; 1988)— is not a realist position, but rather a guide for politics in order to question the “status quo” of a world divided into mutually exclusive national communities. Furthermore, that the rise of writings on migration in political philosophy over the last three decades is largely due to these questions is worth highlighting, as the topic had been overlooked by other political theorists and philosophers who took for granted state discretion in migrant admission policies (Di Cesare, 2020).

Carens' perspective lies not so much in the defense of open borders (strongly contested), but in the way in which it gave rise to a previously neglected area of research with radical consequences (Sager, 2017). Among these consequences, Zapata-Barrero (2012) highlights “the inconsistencies between the reality of border control and a liberal tradition that has difficulty justifying the very existence of borders and their function of exclusion and control” (p. 42). Nevertheless, there are those who find great injustices in the argument—which some consider cosmopolitan—that suggests that borders should remain open.

Michael Walzer is one of the theorists who best captures these debates, which are part of what can henceforth be considered a common response pattern among communitarian theorists, although it can also be identified with some variations within liberal nationalists. Amongst them, “important concerns are raised regarding the need for democratic self-government and the legitimacy of borders” (Benhabib, 2005, p. 88). Walzer (1983) introduces his reflection on membership—based on critical and democratic principles of a communitarian nature—into theories of justice and debates on migration. The concept is the most invoked by immigration scholars to normatively justify the closing of borders. It must be noted that communitarianism, in which some of the most prominent exponents, Michael Sandel, Charles Taylor, and Walzer (who do not call themselves communitarians), arises as a reaction to the work *A Theory of Rawls's Justice*, as well as Rawlsian universalism, offering an alternative position that considers the particularisms of communities (Misseri, 2019).

In his argument, Walzer identifies an *asymmetry* between “emigration” (recognized as a human right) and “immigration” (recognized as a state issue or prerogative) to establish differences between *members* of a political community and *strangers*. From this reasoning it follows that states have the power to welcome foreigners in a limited way and that the criteria for their admission, control and restriction must be established collectively by its members, in accordance with the vision of justice that they have already built in the political culture (values, norms and traditions) of the community they wish to have. To this extent, Walzer understands that a state is a community of members who, by their primacy as citizens, have the right to shape it according to their own interests (backed by cultural homogeneity), which enables them to control its borders and establish admission policies for its preservation.

However, Walzer's position constitutes an unavoidable point in that it offers, in normative terms, a well-argued and complete sovereigntist perspective with repercussions in practical terms, indicating, albeit tacitly, the patterns of current exclusion policies (Di Cesare, 2020). Carens (1987) points out that Walzer's contribution represents a shift from Rawlsian questions of distributive justice addressed from a “veil of ignorance” to incorporate the perspective of belonging

to a political community (citizenship), in which people share the same culture and a common understanding of justice. In practical terms, as Bosniak (2006) argues, Walzer's analytical account of "membership" broadly corresponds to the body of US immigration laws that regulate both the admission and exclusion of foreigners, and thus turns out to be a frame of reference for understanding its complexities.

It is worth noting that, in the practice of liberal democracies, issues associated with borders are resolved through references to the principles of nationality. In this sense, Walzer's thesis has served as a hinge, allowing other theorists to consider the self-determination of the political community as an argument for closing borders and rejecting immigrants. Thus, the discretionary power of States through citizenship in matters of immigration is adopted by political philosophers such as Christopher Heath Wellman (2008), and liberal nationalists such as David Miller (1995) and Will Kymlicka (1995) to justify closing borders and the limits of the obligations of justice.

Wellman's (2008) argument is similar to Walzer's in that it considers that national communities have the right to create policies to admit, control and sometimes restrict the flow of immigrants. However, Wellman distances himself from him in this respect: what leads members of a community to restrict political membership is not a matter of preserving a particular culture, but their right to association. "Wellman concludes that just as an individual has the right to determine with whom he would like to associate, a group of fellow citizens has the right to determine whom they would like to invite into their political community" (Wellman & Cole, 2011, p. 2). From this it follows that freedom of association brings with it the right to exclude. According to Wellman, this inference alone would be sufficient to dismantle the aforementioned tension between universalist postulates and sovereigntist institutionalizations with respect to immigration: "it would be a universal liberal principle (freedom of association) that would grant states the power to exclude immigrants at their discretion" (Loewe, 2020, p. 194).

Miller (1995), who is considered a "weak" cosmopolitanism, also argues in favor of closing borders. According to this author, it is not possible for the interests of foreigners to count as much as those of citizens, an idea that is contrary to the premises of a "strong" cosmopolitanism, which grants equal value to individuals regardless of the nation to which they belong. Miller's nationalist defense of closing and controlling borders is accompanied by a series of arguments that have varied over time: admission priorities among different categories of migrants, overpopulation and the refusal of developing countries to "export" their surplus population to the rest of the world (Miller, 2015; 2004).

These arguments are especially controversial in the context of recognition and special treatment for refugees. Like Walzer and other philosophers, Miller defends the thesis that links the self-determination of the community of destination with the right of citizens to prioritize and maintain the “composition of the civic body” over immigrants. In relation to these, the government of a nation-state would be, at best, obliged to weigh and evaluate the reasons they present to justify their entry and offer a response (Bravo, 2021). However, this does not necessarily imply their entry, but refers to a series of justifications to legitimize the interests of the state and its citizens, which must prevail over the wishes of those seeking entry, to support the immigration policy adopted (Bravo, 2021).

Following Miller’s line, Kymlicka (1995) also leans in favor of state control of borders by virtue of the existence of certain shared values (a common language). However, unlike other nationalists, he does not promote the defense of a single national identity, since he advocates the consideration of minorities as “full citizens whose interests must be duly considered and not weighed on the basis of how they will affect the dominant national group” (Kymlicka, 2001, p. 262). This consideration plays an important role in his theory, since it establishes differences between minorities—who can legitimately demand self-government rights—and migrants, who can claim rights that facilitate their integration into the host societal culture (Loewe, 2019). Regarding immigration, Kymlicka (2001) maintains that the goal would be to guarantee that all people can live a dignified life in their respective countries of birth, without having to leave their culture. For this to be possible, rich countries would have to be willing to share their wealth and thereby acquire the right to restrict admissions through their borders. If states were to comply with these obligations of international justice, they would be allowed to regulate admissions in order to preserve the national community.

So far, none of the mentioned political philosophers considers that foreigners have the right to be admitted into a state; in other words, none of them are in favor of opening borders. With this panorama of political philosophy, as has been suggested, not only has there been an attempt to generate a normative tendency that supports a particular vision of borders in the face of immigration, but essential definitions have also been proposed that guide the law and selectivity in contemporary immigration practices and policies.

However, increasingly transnational spaces and the emergence of global actors and forces challenge the state-centric paradigmatic conception in multiple ways. This has implied, among other things, the questioning of the basic categories of contemporary forms of organization, as well as the emergence of other analytical and discussion frameworks, which, without denying the importance of national States, deal with the restrictions imposed on the configuration of

citizenship, the limits of belonging and the scope of justice in migration contexts; which will continue to be explained.

Cosmopolitanism: Debates on the Scope of Global Justice

Just like the chapter on membership in Michael Walzer's *Spheres of Justice* was a starting point for immigration-skeptics and border-closing scholars, Joseph Carens' *Aliens and Citizens: The Case for Open Borders* was also a starting point for cosmopolitans (Seglow, 2005). Clearly, since then, the moral argument in favor of free movement across open borders has been oriented extensively toward a regime of global justice and expanded conceptions of citizenship and democratic theory whose boundaries no longer fit with the borders of nation states (Abizadeh, 2008). It is worth noting that conceptions of global justice —within the cosmopolitan paradigm— do not imply open borders in immigration matters, which is why the need to eliminate the causes of forced migration is frequently argued (Taraborrelli, 2022). In this way, a series of arguments can be found, such as the allocation of resources to counteract global inequalities (Pogge, 2001) and distributive justice (Fraser, 2007; Shachar, 2009), articulated with new forms of political membership (Bauböck, 2009; Benhabib, 2005).

On the one hand, while issues of justice have always remained on the agenda of political philosophy since Hobbes —and given the revitalizing character that the introduction of Rawls's domestic approach meant— the changes grouped under the label of globalization have forced an expansion of its frame of reference (Risse, 2012). On the other hand, the problems associated with methodological nationalism have become increasingly evident, as the assumptions of nations based on fixed communities (territories) that share language, culture, and history become unsustainable. As Ulrich Beck (2007) points out, one of the most pressing needs of contemporary times in the study of social processes is to break down social and state borders around the static figure of the national state.

This should not be confused with the thesis that supports the end of nation-states, but it can be taken as a decisive point in the face of the increase in interdependence between social actors across national borders, which can only be observed from a cosmopolitan approach (Beck & Sznaider, 2006). To incorporate this new perspective, Beck and Sznaider (2006) consider that it is necessary to break away from utopian notions anchored to moral ideals about the existence of a global citizenship —so familiar to philosophers since ancient times— in order to conceptualize a set of dynamics, identities, social spaces, situations and processes, whose impacts are real and not reducible to the national spectrum.

This transition has been, at least partially, consistent with the questions that cosmopolitan philosophers have raised regarding the deontological arguments in favor of open borders. Along these lines, contemporary debates on migration have proposed the establishment of redistributive principles as a measure to reduce people's incentives to leave their communities of origin. This, in concrete terms, aligns with contemporary development aid schemes based on conditionality (León, 2024). For Sager (2016), although these positions recognize certain global dynamics, they reproduce the bias of methodological nationalism by conceiving migration as a response to abnormal situations, such as poverty or persecution, insisting that the desire to migrate would disappear completely once such circumstances were addressed. This assumption has contributed to supporting the idea of a supposed balance between migration and development; that is, development aid could be offered instead of granting visas (Cavallero, 2006; Kymlicka, 2001; Wellman & Cole, 2011).

There are even those, such as Brock (2010), who argue that even considering the removal of immigration restrictions (without taking any or sufficient measures to improve the life prospects of the countries where people want to migrate) may constitute a step backward in matters of justice. From this perspective, state borders are configured in at least two ways: 1) concentrating opportunities in some countries while limiting them in others, and 2) preventing individuals from less advantaged societies from having access to the opportunities available in more prosperous societies (Cavallero, 2006). Thus, it is assumed that the more advantaged countries that are under pressure from immigration are responsible for remedying the inequalities of those that generate such pressure.

Pogge's (2001) position is perhaps one of the most representative, considering that inequalities in access to wealth and life opportunities are the result of systemic factors inscribed in the global economic order, such that the establishment of redistributive criteria—such as compensatory duties—would eliminate not only poverty, but also the incentives of the most disadvantaged to migrate. His thesis responds to a list of reasons to justify that the opening of borders would be ineffective against poverty to the extent that, if applicable, the number of people that a country can admit would be tiny compared to the number of people desperate to immigrate, and that the establishment of a generous admission policy would free governments from responsibility to deal with the endogenous causes (corruption, incapacity, political culture) that affect and expel their populations (Taraborrelli, 2022).

For Peter Singer (1995), the argument in favor of distributive obligations—unlike Pogge—has nothing to do with the obligations of compensation for externalities arising from the organization of the international context. From his

position as a utilitarian cosmopolitan, the moral duty to help one's fellow human beings in difficulty wherever they may be, prevails. Consequently, it follows that it is possible to provide assistance to the most disadvantaged occasionally, which in no case implies giving the green light to immigration.

Singer (1995) disagrees with those who advocate a world of open borders when analyzing the situation and treatment of refugees. For him, the "status quo" privileges the political interest and convenience of national systems. Although rich countries have a moral responsibility to help those who have been forced to flee their communities due to war, political persecution, violence or climate change, the admission of those most in need is seen as a mere "*ex gratia act*". In this sense, refugees will not be admitted until the point where the negative effects on residents outweigh the positive.

Another position that tends to consider the issue of open borders in terms of utility, but to the extreme of making cosmopolitanism compatible with liberal nationalism, is that of Brock (2010). For this author, the assumption that a cosmopolitan must be in favor of open borders —or more open— and against immigration restrictions —in an ideal theory— is recurrent. However, this is not always the most appropriate, since this type of position regarding migratory flows can be much more inconvenient for the most disadvantaged countries, among other things, because it can considerably worsen the situation of the people who reside there and cover up the failure of some governments to guarantee decent living conditions for their populations (if it is assumed that migrations are an exclusive matter of international institutions). While Brock's position reflects the need for global institutions, it also calls for international interventions (political, economic or military) if necessary, which can put pressure on the governments of the sending and less favored states to make changes that would be much more effective in combating poverty, rather than adopting measures to relax immigration policies on behalf of the host states.

Each of the above-mentioned philosophers advocates the transformation of institutions at a global level and suggests the development of distribution mechanisms that regulate economic and social inequalities in states, reducing the causes of migration to poverty. For Kukathas (2016), this theoretical discussion on distribution has failed in the case of refugees, since wealth transfers cannot help those whose suffering is rooted in the collapse of institutions in their countries of origin. "Refugees represent exceptional cases for which help can be provided not by a transfer of funds, but through emigration" (Kukathas, 2016, p. 264). In this way, this type of argument transforms the right to migrate, moving from being a subsidiary aspect – for those who advocate distributive principles – to occupying a central position, to the extent that "immigration is accepted as an effective mechanism to achieve the ends of global justice" (Loewe, 2012, p. 484).

Along these lines, Whelan (1992) and Wilcox (2009) argue that prosperous liberal democratic societies are morally obliged to admit needy immigrants as a partial response to global injustices such as poverty and human rights violations, which does not constitute a defense of the right to freedom of international movement *per se*. In particular, Whelan is averse to traditional aid coming from those who defend distributive principles, represented by direct transfers of aid (both material and technological or in the implementation of international taxation schemes). This stance is due to the frequent inefficiency of such methods, which are often affected by poor management or by the misappropriation of funds by unscrupulous individuals. Instead, Whelan opts to promote immigration opportunities that would directly benefit the people who take advantage of them.

Wilcox's (2009) position, on the other hand, focuses on the obligations of liberal democratic states to compensate victims of human rights violations through resettlement. To illustrate, Wilcox uses the situation of an army that has damaged the infrastructure of another country and that causes its civilian population to suffer from food and medical shortages. In this case, following his argument, if the damage cannot be repaired before more violations of the human rights of these people occur, then the responsible society must offer them admission as immigrants.

In another instance, Owen (2021) draws a distinction between global justice in migration and through migration. For this author, the approach that has prevailed is based on the right of people to participate in transnational migration or on the state right to control it, when in reality migration is an instrument to achieve or accomplish other ends. Owen alludes to the migration of qualified professionals (brain drain) as an individual matter where people pursue their own conception of the good life, but also of justice from the perspective of less developed states that benefit from remittances. Specifically, this has been a topic of philosophical debate (of limited normative interest) on which some theorists (Brock & Blake, 2015; Ypi, 2008) show concern about the distributive effects of this type of migration for the countries of origin. The fear is based on the belief that skilled workers are the people most likely to build and sustain governments, schools, hospitals, and businesses that promote development in poor countries; hence the direct response is to prevent their emigration so as not to jeopardize their development prospects (Sager, 2014).

Broadly speaking, there is a tendency in these positions to shift issues of justice to the sending communities, within the framework of methodological nationalism, in order to establish not only duties to compatriots in relation to the restriction of emigration, but also compelling arguments for adopting some restrictions on immigration. This is problematic, since the discussion ignores

the responsibilities of global institutions and policies that systematically shape migration and unfairly disadvantage many societies around the world.

The Ethics of Migration and its Debates

The anomalous and exceptional nature of the treatment of international migration from a political perspective has restricted the debate to a supposed dichotomy between open and closed borders, often between nationalists and cosmopolitans, which rests on the conceptual framework that delimits the nation state (Sager, 2016; 2017; 2021). For both sides of the debate, states—in a logic between senders and receivers, sometimes described as poor, rich, deteriorating or well-governed—are considered the main actors that act in accordance with their right to exclude potential immigrants, who are conceptualized as abstract bearers of human rights, and who are distinguished from each other only by the status granted to them by borders: refugees or economic migrants (Jaggar, 2020).

Despite the unsustainability of such a vision, it is assumed that humanity is divided into a limited number of nations whose borders serve as a stronghold to safeguard political communities that share culture, history and, probably, language and physical appearance (Glick et al., 2006). Added to this is the tendency of political theory of migration to be directed toward Western, liberal and democratic societies. Importantly, the main categories of analysis that political philosophy employs to theorize human mobility, including political authority, legitimacy, democracy, sovereignty, and distributive justice, have emerged during centuries of nation-building, leaving it ill-equipped (intentionally or not) to understand the complexities of social and political life in the contemporary world (Sager, 2021).

For Jaggar (2020), philosophers certainly recognize that the real world operates outside the kind of abstractions they use to represent their basic reasoning schemes. However, as Sager (2021) argues, political philosophy has used these assumptions to promote and legitimize nationalist and statist ideologies from which it has benefited, since its most prominent theorists understand that what is at stake goes beyond academic debates. Indeed, with their actions, researchers and scholars of migration are inscribed “in the same sociopolitical processes and struggles through which the ‘national’ configuration of ‘society’ (or the social field) is reified and actualized as a territorial expression of state power” (De Genova, 2013, p. 251).

It is no coincidence then that the questions raised about migration and mobility revolve around the ways of governing and regulating migrant “flows” while a

fruitful philosophical production focuses on legitimizing, from the perspective of the state, the exclusion of newcomers to the territory (Boudou, 2021; Di Cesare, 2020). From there, the dominant discourse maintains that migrations represent a tragedy for welfare states and a threat to the values, integrity, and security of the most prosperous communities, which “is aggravated by academic funding regimes, both national and philanthropic, which have fueled the understanding of certain types of human mobility as a ‘problem’ to be solved” (Anderson, 2019, p. 3).

Little or nothing is said about the conditions of production and reproduction of migration (emigration-immigration) or the ways and conditions of entry of migrants into the destination country, which include countless obstacles: border devices, bureaucratic obstacles, long stays in refugee camps or immigrant centers with the purpose of discouraging their entry (Niño, 2022; León, 2024). The conversation is exclusively about the context in which the settlement processes (immigration) take place; that is, the processes to try to become a member of a new state in a unidirectional sense (from poor countries to rich ones). This contrasts with the little or no interest in emigration, which only comes into play in relation to discussions about brain drain (Sager, 2017). The preponderance of some issues over others would therefore be the most evident proof of the pernicious effects of the “state-centric myopia” that provokes methodological nationalism (Llopis, 2007). The consideration of the State —a fixed, autonomous and sovereign society— as a “natural” framework for analysis supposes a “territorial trap” that can only be sustained from certain control strategies based on which the political community, authority, and justice are conceived within state borders (Agnew, 1994).

Cosmopolitans, who are not immune to the bias of methodological nationalism, recognize the need for a methodological shift, given the emergence of new social dynamics and actors outside national borders. Their discussions of global justice structure and accept the terms of the debate established by the assumptions provided by this approach, namely, a basic structure of society that implies thinking about the extension of domestic standards of justice on a global scale, and the existence of moral duties or special obligations that assume distinctions between compatriots and other human beings who do not share the same state affiliation. Even the paradigm remains intact when some theorists argue that the project of cosmopolitan justice can and should be achieved through reforming the state system, rather than projecting new post-national laws or simply questioning the epistemic assumptions about politics, society, belonging, territory, and sovereignty, which lead to discussions of migration in the contexts of nation-building or in an international framework of autonomous and sovereign states.

All this marks a breaking point between two types of debate on migration in contemporary political philosophy: one on “the ethics of immigration” —which has been developing here until now— and another in what is called “ethics of migrations” or “ethics of mobility”. The latter is not a proper field of philosophy, since it has been constituted independently since the 1980s. However, renewing the normative approach of political philosophy written mainly from the perspective of a host state that evaluates the claims of immigrants (Boudou, 2021) is proposed.

Amy Reed-Sandoval (2016) delineates this transition in terms of a shift in methodological and argumentative perspective between the Classical Open Borders Debate and the New Open Borders Debate. With this classification, Reed-Sandoval (2016) does not refer to an old philosophy of immigration, but structures a series of recent works that show a pattern of response on mobility and migration within contemporary political philosophy. The new debate introduces a considerable complexity of normative discussions, not only on mobility across state borders (as the classical debate usually portrays), but also on that which takes place within states and that which occurs to and from cities, as a consequence of the processes of urbanization, gentrification and destruction of peasant economies, among others.

The ethics of migration proposes escaping from methodological nationalism by questioning the uncritical stance that involves academics in the processes of building the nation-state, while promoting the incorporation of analytical approaches and methodologies that do not neglect nor distort the conceptual, ethical and theoretical challenges regarding human mobility (Anderson, 2019). This emerging area of normative study of migration aims to overcome the unidisciplinary myopia that has prevailed in political philosophy, facilitating a dialogue between it and the social sciences.

Although it must be acknowledged that political philosophy has remained relatively disconnected from this type of discussion, recently the dialogue and commitment established with the social sciences has allowed it to recognize new perspectives, categories and resources aimed at thinking realistically about the type of debates that should be on the table today; as well as abandoning those discussions with a level of abstraction so broad that it has left aside the concrete experience of immigrants and the real practice of immigration and refugee policies (Sager, 2020).

Conclusion

The critique of the nation-state as a natural form of society and the epicenter of the study of social processes has led political philosophy to uncritically accept the structural injustices imposed by the migration governance regime, which is restricted to the unilateral right to control borders, a narrative that its theorists have tried to legitimize for years. Broadening the approaches within the discipline, establishing a more fluid dialogue with the social sciences, would allow for formulating deeper questions and generating more fruitful debates about the nature and differentiated effects of migration processes on various communities, as well as their moral implications.

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