The Role of Political Philosophy
in the Process of Creating Immigration Policies

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Abstract

This article's aim is to examine the role of political philosophy and the possibilities of how it can help policy-makers to create and evaluate immigration policies more carefully. It should be shown that just policy needs to deal not only with the consequences which affect citizens but also with other impacts on foreigners. Philosophers can at least find ideals which reflect relevant liberal values and analyse if immigration policies and their implantation do not harm important liberal principles. They can also point out the problematic aspects of realistic and idealistic approaches to immigration policy. Then the equality and freedom of citizens and immigrants could be more respected. It is important especially for refugees because their situation can be very difficult when they are able to find a country where they can live.

Key words: immigration; political philosophy; realistic and idealistic approaches; justice

1. Introduction

Migration attracts attention because a lot of people move and in our time international migration has become more widespread. Some emigrate because they want to but others are forced. Migration brings new social and political challenges which states need to solve and at the beginning of the 1990s international migration became a key issue in international politics (Castels 2002: 1143). States try to restrict immigration when they believe that immigrants can harm their national interests. On the other hand, because modern liberal states do not deny that foreigners are free and equal people, immigration policy needs to examine these rights. It causes tricky political problems for many states. The issues also have important normative dimension. Political theories are one of the sources which can help to create and evaluate the policy. Political theorists often examine and generate ethical conceptions of migration from the state's point of view or they defend the immigrants' right to be admitted. Both approaches stress problems and interests and it is difficult to decide which one should be decisive.

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Appropriate theories need to integrate more than one standpoint and reflect theoretical presuppositions. However, some social scholars stress that an immigration policy or theory must be above all realistic and feasible. They even stress that the interests and demands of foreigners should not be viewed or included. Even if nowadays the majority of political theorists advocate a less restrictive immigration policy, a lot of states implement a restrictive one. And because the policy can have an impact on foreigners, politicians and political theorists should evaluate these consequences.

The main aim of the article is to stress the importance of political philosophy which can improve our understanding of political issues and show marginalized aspects. Firstly, this article examines the approaches which mainly emphasise the consequences of immigration policies. It will show some problems which complicate their use and we can see why we cannot find a theory or policy only for consequences which affect citizens. Then I will try to defend that appropriate theories of immigration need to deal with ideal aspects. Lastly, the text emphasises some shortages of ideal theories. If the attempt is fruitful, we will see that philosophy can avoid the one-sidedness which threatens when we omit either ideals or consequences.

2. The Ethic of Responsibility

Anybody interested in the ethic of migration usually meets with Joseph Carens' differentiation between realistic and idealistic approaches[1]. The realistic one emphasises several obstacles which do not permit the state to promote too liberal a policy. If the constraints were neglected, the ethics of migration could not serve as an effective guide to action (Carens 1996: 156). Carens refers to three groups of problems which every suitable migration theory must face: institutional, behavioural and political. They are assumptions which should be perceived as determinateness. For example states are sovereign and independent and "every state has the authority to admit or exclude aliens as it chooses since that authority is widely acknowledged to be one of the essential elements of sovereignty" (Carens 1996: 158). The state has the right to exist and it is impossible to generate theories which plan radical changes of the social world. Similarly, because people are not willing to change what they usually do, it is not appropriate to want too much.

According to Carens, we should begin our moral reflection on migration by thinking about who gains and who loses from a given migration policy. Politics is mainly about power and interests. He believes that there are a lot of "different sorts of power, and interests are not simply given but can be constructed, interpreted and combined in many different ways. But these factors are not infinitely malleable" (Carens 1996: 159). On the other hand Carens does not think that there is only one set of universal obstacles which have to be respected. To find out possible problems we should examine the culture of a given state. We cannot "abstract entirely from the culture and way of life in which our sense of right and wrong, good and bad, is embedded and still make moral sense" (Carens 1996: 163). He makes the connection between his method and Welzer's social critic and interpretation which stress that we should not construct abstract concepts of justice (Walzer 2000). And because Carens stresses the unstableness of constraints and their dependence on the given culture, we do not suppose that there can be only one theory of immigration. Moral standards are not transmittable from one

culture to another (Carens 1996: 164). In that case we should not judge another migration policy outside the given culture.

Even if we concede that the realistic emphasis on the limits of pursuing idealist ethics is important, we can have problems in deciding which aspects of social reality we should include and how to determine that a negative consequence is more decisive than a positive one. It is impossible without a rule. As our choice of reviewed consequences can markedly affect the result, we need to think about the nature of social facts. Are they simply neutral things or are they nothing without our interpretation? We cannot neglect perspectivism which stresses that cognitive statements and their assessment always belong to a certain framework which gives conceptual tools used to describe and explicate the world (Fay 2002: 93–98). One's perception of reality is not a ''pure'' description of the world; the facts do not tell us what they mean and what we should do. So this description reflects a normative and value base of an agent (Vaně 2007: 27–29, Dufek 2010: 41–42). These various problems complicate the perception of social reality as a clear fact. Our feelings, theories, etc. influence what we regard as important facts. Besides what should we take as the best method to find out what the reality is (opinion polls, case studies, etc.)?

Although dubiousness about ideals is typical mainly for realists, liberals are also careful about pursuing their conceptions. As Owen Parker and James Brassett (2005) stress, this separation between morality and politics is common even for liberals. For example Rawls[2], a liberal contract theorist, even if he stresses that each person is free and equal, believes in the importance of bordered policies. People should not have the right to immigrate as they like. Migration should not be free because nations have to take responsibility for their territories and size of their populations. "People must recognize that they cannot make up for failing to regulate their numbers or to care for their land by conquest in war, or by migrating into another people's territory without their consent" (Rawls 1999: 8). Thus Rawls has two sets of principles. The first set is for a national state which stresses free and equal persons and the second is not about people but about national states. Even though liberalism is founded on the moral equality of persons, most liberal theories end up as theories of moral equality of citizens (Shabani 2007: 90). So even if these liberals advocate ideal principles in practice, some kinds of liberalism are similar to the communitarian because they mainly defend the interests of a certain society. "For the communitarian, ideal theory must better engage prevailing realities – that individuals will only feel a degree of solidarity capable of precipitating a substantive notion of justice when it is based on local ties" (Parker and Brassett 2005: 244). So both liberals can advocate similar policy prepositions. In practice the opposition between their positions is less hard than their diverging arguments would imply (Zapata-Barrero and Pécoud 2012: 2).

However, Carens recognizes that a realistic approach needs a supplement or the opposite since he wants to exceed the limitations of existing arrangements. The idealistic approach tries to deal with questions about absolute justice but even this idealist ethic "does not abandon the notion that ought implies can. Rather it focuses on what is possible in principle or under the best of circumstances rather than here and now" (Carens 1996: 166). Nevertheless, the idealist approach can help to examine and evaluate the nature of the social world from the ideal point of view but this ethic also has its weaknesses, as Carens believes. This approach encourages ethicists to pursue the most fundamental questions. It is then hard to justify any constraints on

the inquiry and instead of focusing on migration the research investigates a wider area than is appropriate (Carens 1996: 167).

As said, Carens' method combines both approaches. Even if we concede that the realistic emphasis on the limits of pursuing of too idealistic ethics is important, we can have problems in deciding how both approaches should be linked. For example, what should we do if these approaches were in contradiction? Should we always prefer the realistic one? We then need to have some justification for placing our self-interest before the fundamental needs of refugees who suffer severely. On the other hand, the idealistic ethic can tell us what is important for refugees and what we can or ought to do even if the realistic one stresses that we are not ready to help them. We can also think about our responsibility towards other people and about reasons why we should or should not take care of them.

Another example of stressing the importance of reality is Myron Weiner's conception of immigration. According to him it is necessary to distinguish two kinds of ethic. It is Max Weber's ethic of ultimate ends which stresses an absolute ideal, and the ethics of responsibility. The latter emphasises that policymakers should primarily consider "whether there is a reasonable likelihood that a morally desirable objective can be achieved. The morality of an act should be judged by its probable consequences, not by its intent; good intentions are not a sufficient basis for choosing moral policies since many well-intended policies have had bad results" (Weiner 1996: 193). Governments need to evaluate all possible consequences to create public policy. For example, the more benefits a state offers to asylum seekers, the more people are likely to seek asylum. Weiner does not reject following any morality. It is possible when we make our personal choice but individual ethics should not be a basis for public choices because "they do not take into account the cost such policies impose upon others" (Weiner, 1996: 193). Both Carens and Weiner warn that ideal solutions can have serious consequences and it is not right to override them. The realistic approach and the ethics of responsibility stress the importance of social reality that limits the realization of ideal conceptions.

When Weiner writes about two ethics he does not say that we should not help refugees but it is important to have a precise definition for each category (asylees, refugees, etc.). The criteria and entitlements must be clear and the logic behind them morally defensible and administratively practical. He believes that much of the unease over migration and policies is the result of inconsistence. Weiner mentions cases when one type of refugee is treated differently. If someone comes to the United States as a refugee, his chance of obtaining the right to enter is better if he is from Cuba than from Haiti (Weiner 1996: 193–194). However, it is not the essence of his approach. More important is his remark about the ideal of treating all human beings equally without regard to their nationality and the impossibility to help anyone. But according to Weiner, "one ought not to render morally meaningless their basis in the ties of affection that bind families, communities, and citizens" (Weiner 1996: 195). First we have to care about "our" people and then, if possible, we can help others. This is because resources are limited and because one person's gain often entails someone else's loss (Weiner 1996: 195).

This stresses the importance of our community and our demands. On the other hand it is not easy to find what our common interest is because, for example, firms want or need to employ (illegal) immigrants but low-skilled workers believe that immigrants make their work situation worse. However, Weiner is conscious of this and reminds that a lot of ethical issues are difficult to resolve because there are conflicting claims, conflicting values, and conflicting

rights. We should consider each category of immigrant individually. "No principles of absolute justice can help us decide how many migrants should be admitted, whether preferences for admission should be given to people with skills and high levels of education or to the unskilled, whether preferences should be given to the spouses, parents and minor children of citizens but not to their siblings, whether or not a country should admit guest workers, whether refugee status should be granted to anyone whose human rights are violated or only to those who are persecuted or are threatened with violence, and what kinds of controls are appropriate for dealing with illegal migrants" (Weiner 1996: 195). These moral issues cannot be resolved without consideration of the impact of one policy upon another and upon the effects of policy decisions upon the larger society. According to Weiner migration and refugee issues cannot simply be reduced to moral questions, but neither are they solely questions of national sovereignty in which moral judgments play no role (Weiner 1996: 195).

We can see that whereas Carens does not reject the importance of ideals because there are obstacles which keep down their implementation, Weiner stresses national interests and potential problems which an ideal solution may cause. Another example which also uses Weber's conception of ethics is Giovanni Sartori's approach. But while Carens and Weiner stress mainly feasibility, Sartori defends a certain form of Western country. So he believes that a state, when it considers its immigration policy, should follow the ethics of responsibility. According to Sartori, if someone exerts the ethics of ultimate ends, they want to simplify their decision-making. And governments do not have enough information to find out what happens if they decide to do something because the world now is more complicated than it used to be. The second reason why the ethics of ultimate ends has a strong role is the increase of emotionality (Sartori 2005: 114–118). If governments of liberal states only take care of the ideal and not about maintaining liberal pluralism, their political systems could be threatened. According to Sartori, the trouble is that not all immigrants are able to integrate into pluralist societies (Sartori 2005: 65).

We cannot reject all warnings against the consequences but on the other hand Max Weber wants to say that if we follow only some abstract ideals without considering the results we could cause big problems. The ethic of conviction presupposes the reality of an ethically rational cosmos "where duties ultimately do not conflict and values are hierarchically ordered" (Starr 1999: 415). But because people do not share only one set of values then it is impossible to presuppose that each person will be willing to accept the consequences which are caused by implementation of the values. So if we consider how many immigrants should be admitted, it is important to think of all the possible results. A policy which does not respect basic national demands and which may cause a threat to security, etc. would not be appropriate to be implemented. However, we are not able to anticipate all the consequences especially when proceedings change the complex social world. Perhaps even Max Weber does not expect that politicians should hesitate to do what they consider is needed to be done. They cannot think only about all the possible results (Sokol 2003: 19–21). Moreover, just because societies are divided (not all people view some facts as bad consequences) if a state places one interpretation of immigration before others, at least it should explain why it is the right policy, etc.

Both the realistic approach and the ethics of responsibility point to why immigration should not be free because societies do not want it or countries could have problems. We can think that it is possible to create a good immigration policy if we think about the consequences. But

even the ethics of responsibility has its consequences. So we need to consider if a policy harms immigrants or if their principles break our conception of the liberal state. Therefore it is good if ideal aspects are not marginalized.

3. The Role of Political Ethic

Even if we do not follow any ideals it is impossible to constitute policies without considering some ethics. Some theorists even stress that it is not possible to pursue immigration theory separately from theories of justice[3]. At least we need to think about our values and goals. But we can ask if it is appropriate just to create immigration theories without considering the immigrants' viewpoint or if we are allowed to neglect their good. What may they do if a lot of states do not admit them? What can poor and low-skilled foreigners do if states prefer mainly rich and skilled immigrants? As Mark Gibney stresses that if we "demarcate our alien admission policy between various classes of claimants, we also tend to demarcate between when morality applies and when it does not. The net effect of this compartmentalization, however, is that it conveniently allows us to think that one category of admissions (i.e., asylum) raises ethical or moral concerns, but that other categories of admitting aliens do not" (Gibney 1996: 198).

Political ethic can help us to find possible problems of immigration policies. For example, although border controls impact markedly on a lot of people they are not allowed to articulate their opinion. Arash Abizadeh reminds us that according to the prevailing state sovereignty view entry policy should be under the unilateral discretion of the state itself. In this case, justification for particular entry is owed only to members. Foreigners are owed no justification and they should have no control over the state's entry policy. But a state demarcates its borders, which is one of the important ways that political power is coercively exercised over human beings, including immigrants. Modern border controls cover several coercive apparatuses such as police dogs, electric wires, incarceration, deportation, torture and shooting on sight (Abizadeh 2008: 37–46). A lot of migrants have died while trying to reach Western countries (Pécoud and Guchteneire 2006: 73). However, even frontiers are not self-evident and they should be justified. They are nothing without political powers and human history is also the history of the changing of states borders. And as the historical anthropologist Richard van Dülmen even reminds us, the distinction or boundary between one's own group and the alien has not been unchangeable (van Dülmen 2002: 73–75).

Moreover, the approaches which consider mainly consequences for citizens perceive some phenomena such as the reality or commonplace. For example, people who were born in a state acquired their citizenship without any effort but now they shape immigration policies. And if citizens say that they want to protect mineral resources, they mean that their state has the right to possess the sources[4]. These are two examples of unearned fortune and as Veit Bader says "one of the basic assumptions of recent moral theories is that people should not benefit or suffer from *morally arbitrary natural and social contingencies* like natural talents or handicaps or the good or bad luck to be born of rich or poor parents" (Bader 2005: 343). Some theorists do not think that the economic development of Western states is only the result of the effort of these countries. They colonized lands in the Americas, Africa, Asia and Oceania and profited[5]. Rich countries become more affluent due to economic globalization.

Now it is not important whether this kind of argument is convincing or whether they may mean that borders should be opened. More essential is that our authority to exclude foreigners is not undisputed. We should not establish our rights to exclude others because we settled the land first and that we have the potency to hold it. Immigration policy which only tries to maintain the status quo or ensure advantages for citizens and which does not reflect any theory of justice would not be just. We should not reject considering our actions especially if we could cause harm to other people (especially in the case of refugees). On the other hand the appropriate immigration policy or practical ethic should not examine only the problems of immigrants. Both groups should have their rights and freedom. And even if we only compare the consequences of a policy or theory we need to identify and integrate the criteria of comparison (Boot 2011). Without it we cannot say if a bad consequence for citizens is more serious than bad one for immigrants.

To implement a reasonable policy political theorists should examine all related arguments and potential problems and find principles which do not harm citizens and immigrants. One example of a disputable part of restrictive immigration theories can be their consequences. This kind of theories can stress for instance the importance of freedom, equality, plurality and liberalism, but not for all people. They consider the ideal conditions for inhabitants. However, we know that even sophisticated forms of controls do not stop immigrants (Pécoud and Guchteneire 2006: 71) and we also know that they live illegally abroad. They can be deported if they are revealed. And because many of them work illegally they are not protected against employers and their work conditions and wages are not appropriate. It can be a big advantage for firms.

Even if we define only one aim (the maximization of citizens' utility or the minimization of their harms) we need to identify the relevant criteria which should be applied to reflect the national theory of justice (such as a bill of rights). On the other hand this conception should not damage non-citizens. And because free immigration may not appear to be the appropriate policy (due to the quantity of people on the earth and different degrees of economic development, etc.) we need to have a second best conception which gives guidance in the case of non-ideal circumstances. This theory can be useful when it is needed to decide which groups of immigrants or refugees should be favoured.

4. Limits of Idealization

As we can see, the ethic of responsibility and the realist approach emphasises mainly the interest of citizens. It is also a very important aspect, but if we want to evaluate immigration theories, we need to assess more than only obstacles. There are many facts which we should investigate. Thinking only about willingness and problems of states cannot guarantee the viability of any just conception. The real world is too complex to be reduced to one aspect. If we consider a theory only for our own sake, it is not sure that we could create a real just theory. And what can a society think about itself in that case? Are we a good society? And what about a situation when we can help (we have the resources, room, etc.) but we do not want to? So we also need to know if we adjust our immigration policy to be good only for us without considering whether it does or does not harm foreigners.

However, theories ought to be adequately ideal. An example of one-sided idealization could be an interpretation of Nozick's conception of liberty if our theory stresses only freedom without examining other facts and important values. Nozick would restrict entry if a person is not peaceful and violates the rights of other individuals (Carens 1987: 253). However, this approach to immigration is not suitable if real states are not minimal but they give a lot of benefits. Therefore we usually consider the social situation of citizens and immigrants, cultural dissimilarities, economic conditions, etc.

To avoid the danger that we create too idealized theories we cannot examine thoroughly only the subject who could or should help and its situation. If we do not want to justify only why we cannot help immigrants, etc., we also need to know whether we are not creating "bad" idealisations. We should not only idealise our willingness to help but also not idealise our self-conception, possibilities of refugees to solve their severe situation and other social facts. According to Laure Valentini, even though all idealizations are false statements which make the world appear simpler or better than it actually is, she does not think that idealization itself is wrong. Whether an ideal theory is good or bad depends on whether it entails a false account of the subject to which it should be applied (Valentini 2009: 352–355). And because we think that migration is not only about citizens but also about aliens, we need to consider them both.

Valentini stresses that we should test theories if they are not morally irrelevant or even morally destructive. In short, there is a big gap between ideal theories and non-ideal circumstances and this gap cannot be bridged. So we should test the tenability of their idealised assumption against their respective aims, specifically the justification of the exercise of political power (Valentini 2009: 351). She thinks that bad or good idealizations can be recognized if we examine the duration of idealization. "Good ones do so only 'temporarily', at the stage of theory construction, while bad ones do so 'permanently', as they are an internal part of a theory's fundamental principles" (Valentini 2009: 352).

She illustrates this difference on two Rawls's theories. According to her, a good example is *A Theory of Justice* because John Rawls does not presuppose that racial and gender discrimination does not exist, but instead, his principles of domestic justice prescribe the absence of such forms of discrimination. She also believes that we can say the same about perfect rationality, mutual disinterestedness, ignorance about one's self and preference authenticity. Since they are introduced at the level of the original position, such assumptions are part of the theory. "What these thought experiments articulate are the circumstances *under which* it seems plausible to construct a theory of justice, not the subject or agents *to which* a theory of justice should apply" (Valentini 2009: 353).

On the other hand, *The Law of People* is an example of bad idealisation. Valentini asks if this book is irrelevant or misleading when it comes to the assessment of conduct of actual liberal societies, and the ways they exercise political power in the international realms. His theory assumes that there are *liberal* states and he wants to know how they should act towards poor societies and aggressive states. But the world is not inhabited by well-ordered liberal societies. Rawls does not respect the real nature of liberal states. "In real-world international politics, liberal societies take advantage of their superior bargaining power and negotiate 'terms of cooperation' that are particularly 'burdensome' to less powerful nations-terms which such nations cannot realistically remove themselves" (Valentini 2009: 348). So, in fact, well-ordered liberal societies contribute to the bad political and economic conditions of poor

countries. Moreover, we can understand this image of just liberal states as an ideology. Even if contemporary liberal states are far from well-ordered, Rawls's theory generates the impression that they are. It is not about what they should do to help them and they do not do it but they "actively place part of the burdens on them" (Valentini 2009: 348). So it is impossible to transfer an ideal theory to a non-ideal world. If we wanted to implement it, the transition would require abandoning the assumptions that liberal societies are well-ordered and almost self-sufficient. But idealisations are built into Rawls's international original position and are treated as facts for the agents and circumstances to which the theory is meant to apply. Well-ordered states do not exist in the world and we would need to change the theory to be implemented (Valentini 2009: 353–354).

Holly Lawford-Smith thinks that even if real states are not such as Rawls's theory assumes, it does not mean that this can be bad. The ideal theory can be used as a standard to "make judgements about non-ideal circumstances, and decide on issues of culpability" (Lawford and Smith 2010: 366). According to her, even "bad" ideals can sometimes provide guidance for action. However, even if we admit Lawford-Smith is right that the "bad" theories can provide useful standards, we should aim to create more or less feasible conceptions. Theories which defend, for instance, only unrestricted free movement cannot provide useful clues because not all foreigners can be admitted. We need to have principles which can help us to determine groups of immigrants that should be favoured. Immigration theories should not be created as ideal but we also need to consider possible limits.

5. Conclusion

Although creating immigration policies is a task for politicians, political philosophers can help them to find possible problems and find unjust elements. The theorists can unravel the various strands of relevant philosophical principles (King 1983: 532). They can also elucidate the normative presuppositions of immigrational conceptions because none of them is neutral. It would not be sufficient to consider only economic, political, social and other attributes. To be adequate, policies require evaluation from several relevant aspects, not only if there are consequences for citizens. Immigration policies may appreciably affect immigrants (bad work conditions, the coerciveness of border control, etc.). It should be one of the reasons why it is needed to justify any policies especially whether they may harm refugees who have to leave their motherland. These potential consequences should not be omitted in the first place by liberal theories and liberal states that proclaim the importance of the equality of all people. If they are not adequately sensitive to identify unjust principles and practices, they could harm themselves. Even if we admit that people's solidarity is limited, too large a dissimilarity between the liberal conceptions of national justice and immigrational justice could throw doubt on our set of values and principles. And immigration theories should reflect the fundamental ideals and values which societies approve.

So it is impossible to examine only the consequences without the clear conception of ethic. At least we need to know what our goals are and how much we are in solidarity with non-citizens. But to start, we could for example use John Rawls' original position which stresses the moral equality of each person (Rawls 2005). It can help us to examine whether

background conditions of our interactions across boundaries are fair; whether the force against other human beings is used justly. The use of the "veil of ignorance" can guarantee that even immigrants are treated as free and equal moral persons (Carens 1987: 255–256). Even if the device is not an indisputable tool, it may be good to obtain more a impartial fundament for creating immigrational theories and then it is still possible to regulate immigration when free movement causes problems.

The role of ethic is mainly to consider principles but it is impossible to do so without taking the consequences into account. But the result of it has to be an adequate ideal/just conception and political theorists should not think like politicians who are bound to realize the full version of an immigrational normative theory. Political ethicists should offer standards or inspiration for policy-making and for evaluating immigration policies. Perhaps these two tasks may be important, especially if political theorists also analyse the context of political processes. Then they can highlight and analyse policies when politicians restrict immigration due to their consequences even if politicians have other possibilities to solve problems without strict restriction (Caplan 2012) or when a government overstates the threats of immigration which makes liberalization of immigration policy impossible (Boswell 2007). They may also examine if a restrictive immigration policy, which can contribute to increasing illegal migration, has other unjust consequences to illegal migrants because they "bear most of the costs[6] and risks of 'control' while benefits flow impressively to employers and consumers" (Cornelius 2005: 790).

Notes:

1. I mention Joseph Carens' approaches not because he is a theorist who requires the strict restriction of immigration (previously he used to defend free movement and open borders, then he has stressed some issues which free movement could cause even if he is still a defender of a certain form of free movement) but because we can identify some differences in the approaches (Carens 1987, 1996, 1999).
2. Although Owen Parker and James Brassett include Rawls as a cosmopolitan liberal, which is quite problematic, but Rawls' case can show some characteristics of liberalism.
3. According to Jonathan Seglow, justice also concerns what we can do for others, whether they have been affected by our acts or omissions, and what we ought to do for fellow members of our common humanity (Seglow 2005: 318–319).
4. Critics reject the idea and stress that mankind as a whole owns the earth and its original resources in common. They are not an outcome of anybody and they are needed by all. According to Mathias Risse, it may be the reason why we could consider illegal immigration as a legitimate response if a country limits immigration in a manner that goes beyond what it is morally entitled to. However, he does not think that this collective ownership means establishing human despotism but to emphasize that all human beings are in some sense symmetrically located with regard to the earth's resources and cannot arbitrarily exclude them by accidents of space and time (Risse 2008: 27–28). Perhaps we can say that only some philosophers are able to justify this but at least we know that the concept "responsibility" cannot be used without problems. However, Risse does not want borders to be open. We could exclude other people from the space we occupy only if that space is populated by a sufficient number of people (Risse 2008: 29).
5. One can also feel that there are special obligations to help – some states to other ones. For example as Jürgen Habermas stresses advanced states due to their colonial history and capitalistic contemporaneity should feel responsibility for people who were harmed (Habermas 2001: 150–156).

6. We can also ask if the restriction of immigration can be a remedy which permits forcing illegal immigrants not to complain that their work conditions and earnings are not congruous.

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