Culture and Immigration: A Case for Exclusion?

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Abstract: A number of prominent political philosophers, including Will Kymlicka and Joseph Carens, have suggested that one reason for limiting immigration is to protect culture, particularly what Kymlicka calls “societal culture”: “a territorially-concentrated culture, centered on a shared language which is used in a wide range of societal institutions, in both public and private life (schools, media, law, economy, government, etc.).” I situate this claim in the context of liberal nation-building and suggest that the arguments for the protection of culture are often vague, confused or tend to conflict with liberal commitments. When clear, they gain their plausibility from other concerns (e.g., self-defense), not cultural protection. Finally, given plausible empirical assumptions, the dangers to societal culture are considerably exaggerated and provide little reason for preventing immigration. I then briefly consider the case of general culture and whether there are some grounds to limit immigration to protect it, using the example of Iceland and aboriginal cultures to situate my arguments. Once again, I conclude that the appeal to culture to limit immigration is weak and philosophers searching for arguments against open borders should turn elsewhere.

I. Introduction

I want to question a claim about the admission of potential immigrants that one often hears in the media, as well as from public figures and political philosophers.1 The claim is that immigration policy ought to protect culture. It is not always clear what this means (should we restrict the number of immigrants admitted, select immigrants using criteria supposedly picking out cultural similarity, encourage and perhaps demand assimilation, etc.), but the right to protect culture from certain types of change is often considered a straightforward ground for limiting immigration.

In fact, one of the most prominent defenders of (relatively) open borders, Joseph Carens, appears to accept the right to protect culture. Carens suggests that there is a preliminary case for exclusion “for the sake of preserving a cultural tradition and a way of life.”2 He is particularly concerned with relatively homogenous states—he uses Japan3 and aboriginal groups as examples. Will Kymlicka makes a
similar claim, arguing that “some limits on immigration can be justified if we rec-
ognize that liberal states exist, not only to protect standard rights and opportunities
of individuals, but also to protect people’s cultural membership.”

I want to assess this purported right. I situate immigration policy in a larger
nation-building project and attempt to determine if it is compatible with widely
held liberal principles. I conclude that the right to protect culture is weak grounds
for limiting immigrant admissions and often reflects other motivations. Philoso-
phers looking to justify sovereign control over borders should examine other, more
plausible arguments.

II. Culture, Nation-Building, and Immigration Policy

Immigration policy, from the perspective of the nation-state, is a tool for nation
building. Nation building, for my purposes, is the political attempt to shape
national identity through policy, the construction of institutions and the use of
public discourse (among other things). States typically view immigration policy
as falling under their right to self-determination and use it to pursue economic,
social, and cultural goals. They recruit immigrants to fill jobs and provide ser-
vice, combat declining demographics, and reinforce national self-conceptions.
This is often explicit, with heated debates on the economic and cultural impact
of immigration.

Nation building, with respect to immigration, employs two main tactics. The first
involves admission policy. States decide who gets in and on what basis. They set
the ground rules for permanent residence (if any) and requirements for
citizenship. These are done with clear goals in mind. Most explicitly, Israel’s law
of return (along with considerable obstacles for non-Jews wanting to immigrate)
constructs a Jewish state. But even Canada’s point system, which doesn’t openly
involve an ethnic component, has a clear goal in mind, namely the attraction of
educated professionals who speak English and/or French. It is commonly believed
that these people will be more likely to integrate and contribute to the economy.

The second tactic aims at shaping people who have already arrived. Besides
having to adapt to a coercive legal regime, new immigrants usually must learn or
perfect the official language, send their children to schools with standardized cur-
ricula, absorb a barrage of public media and symbols, and so on. This is true in
states that have significant multicultural policies. Minority cultures, for the most
part, are expected to pursue their goals within the larger, national setting.

Much has been said about how a state can treat minority groups who already
have residence and I won’t add to the debate here. Though these two issues are closely
connected—migration leads to the formation of ethnic groups—I want to separate
them. Unless we accept a particularly radical form of moral cosmopolitanism, there
are differences between how we must treat people who are already members of our
community and how we must treat strangers. So the question becomes, can we use our purported right to protect our culture to deny potential immigrants?

Once we understand immigration policy in the context of nation building, this becomes a question about what methods a liberal state can employ for nationalist ends. Historically, nation states have used a variety of methods, sometimes coercive (e.g., forced assimilation), sometimes persuasive to build national identity (e.g., providing free language classes). As Kymlicka and others have rightly emphasized, no state can remain entirely neutral. Liberalism, itself, is a substantial doctrine that conflicts with other views. Public education necessarily favors certain languages and histories. Certain public symbols will take prominence. It is hard to see how to avoid this, even if it were desirable. Some nation building is necessary.

How, then, should we view the right to protect culture within the context of nation building? If nation building is to be consistent with a liberal state, it must respect basic, liberal principles. These include the principle of autonomy, guaranteeing that every citizen can choose her own reasonable conception of the good. It also includes a commitment to moral equality and tolerance. Liberal states also uphold basic rights and freedoms, including freedom of conscience, speech, free movement within the state, the rule of law and democratic institutions. Finally, most liberals take pluralism to be basic to contemporary states: reasonable people disagree about substantial moral and ethical issues. We need to determine if an immigration policy aimed at excluding people on cultural grounds can respect these principles, rights and freedoms.

III. The Right to Protect Culture

Before proceeding, we need to become clear on the meaning of culture. For our purposes, there are two ways of understanding culture, general and societal. Anthropologists differ on how to define what I am calling general culture, their definitions including reference to traditions, customs, behavior, ideas, values and artifacts, sometimes systematic, sometimes not. Societal—sometimes called public or political—culture is somewhat more straightforward. Following Kymlicka, we can define a societal culture as:

a territorially-concentrated culture, centered on a shared language which is used in a wide range of societal institutions, in both public and private life (schools, media, law, economy, government, etc.). I call it a societal culture to emphasize that it involves a common language and social institutions, rather than common religious beliefs, family customs, or personal lifestyles. Societal cultures within a modern liberal democracy are inevitably pluralistic, containing Christians as well as Muslims, Jews, and atheists; heterosexuals as well as gays; urban professionals as well as rural farmers; conservatives as well as socialists.
Political philosophers are more likely to defend the right to protect societal rather than general culture. There are a number of reasons for this. First, they recognize that cultures change, that they are products of past and present interaction between cultures. Every culture is multicultural in important ways, something that is particularly evident in the present era of cultural globalization. Often, internal differences within cultures, at least in large states, vary more than differences between cultures. This raises the difficult question: 'exactly what is being protected?' Second, given historical racism in the immigration policy of countries like Canada, Australia and the United States against Asians, blacks and other groups, liberal philosophers are aware that sometimes the desire to protect "culture" is simply a publicly acceptable way of referring to race. Third, liberals recognize moral equality among all human beings and accept that we shouldn't be penalized for involuntarily acquired disadvantages. But significant parts of our culture are acquired involuntarily, so discriminating on grounds of "cultural similarity" appears dubious. Liberals are more comfortable simply limiting the number of new arrivals, rather than making qualitative discriminations.

Leaving aside general culture for the moment, does immigration threaten societal culture, particularly the language of the majority and social institutions? This argument is often raised against the possibility of open borders. For example, Kymlicka writes, "Open borders would also make it more likely that people's own national community would be overrun by settlers from other cultures, and that they would be unable to ensure their survival as a distinct national culture." The idea is that if borders were open, it would trigger mass migration from poorer, unstable regions to more prosperous areas. If this migration were sufficiently massive, it could strain institutions until they break. If it were sufficiently homogeneous, it could change the language of majority.

Let's consider this argument, which is quantitative: it's not the culture of individual immigrants, it's their sheer number that threaten societal culture. Mass migrations, when not imperialistic or belligerent, involve considerable burdens, particularly with refugee flows. But it's hard to argue that even huge refugee flows generally threaten the societal culture. Nationalists might argue that states aren't obligated to provide for large groups of refugees (and, indeed, there is a strong case for more international cooperation, given that the majority of the burden rests on poorer bordering states like Pakistan, Iran, Chad, Uganda, Kenya, etc.). But considerable burdens, even large enough to be reasonably rejected, don't amount to the claim that the societal culture is being threatened.

Surely, one might argue, there exists a point where this breaks down. For example, if migrants outnumbered the original population over a short period of time, it's hard to see how they could be integrated. There would be housing shortages, administrative backlogs and perhaps unemployment (though it's doubtful that immigrants would continue coming once they learn the job market is saturated).
We might be particularly concerned if our social institutions provide a generous social security net. It is commonly believed that open borders and a welfare state can’t coexist. In countries where health care is already strained, schools lack teachers and pensions are endangered, aren’t more people the last thing we need?\textsuperscript{15}

What is notable about this argument is that it rests on an empirical claim: massive immigration will undermine these institutions. This is not obvious. There is a considerable danger of using immigrants as scapegoats for all of society’s ills. Irresponsible media evoke hoards of greedy migrants eager to receive welfare and destroy already fragile public institutions.\textsuperscript{16} In some areas, for example public education, they may initially consume more resources, but this is likely to be temporary. Most immigrants want to work, pay taxes, learn the official language and be good citizens. Once again, immigrants may, at least initially, be a burden. Perhaps we’re not obligated to assume this burden, but we shouldn’t pretend that this is a real threat to our societal culture.

Perhaps there is a point where massive immigration would simply overwhelm any hope of an orderly society. Once again, what’s notable is this isn’t really an argument for protecting one’s societal culture, in terms of language and institutions. If migration truly causes chaos—and it has been shown that even mass displacement due to natural disasters or ethnic cleansing can be managed with sufficient resources and care—then what’s really at stake is a Hobbesian right to self-defense. But if we make the plausible assumptions that most migrants want work, a better life for their family and increased security, and that their attitudes toward the host society are mostly favorable, it’s doubtful that this will result.\textsuperscript{17}

It is sometimes argued that the case of Mexican immigration to the U.S. is different in kind. While I am skeptical about a genuine threat to U.S. societal or general culture from Mexican immigration, recent debates make it worth discussing. Perhaps one difference is that Texas, California, Nevada and Utah, along with parts of Colorado, Arizona, New Mexico and Wyoming, belonged to Mexico prior to the Treaty of Guadalupe Hidalgo (1848, following the Mexican-American war). Much has been made about the Mexican “reconquest” of the Southwest. Samuel Huntington has argued this cultural claim most bluntly in his Foreign Policy article “The Hispanic Challenge” from his book \textit{Who We Are}? He writes, “Mexican immigration looms as a unique and disturbing challenge to our cultural integrity, our national identity, and potentially to our future as a country.”\textsuperscript{18}

According to Huntington, Mexican immigration threatens to transform the U.S. from “an Anglo-Protestant culture” to a Hispanic-Catholic culture, since Mexicans are not willing to assimilate. This raises a number of questions, among them whether the U.S. is truly an Anglo-Protestant culture (and what this means).\textsuperscript{19} Furthermore, Huntington’s claim that the U.S. has an Anglo-Protestant culture isn’t so much an empirical observation as a normative description. He writes, “Key elements of that culture include the English language; Christianity; religious
commitment; English concepts of the rule of law, including the responsibility of rulers and the rights of individuals; and dissenting Protestant values of individualism, the work ethic, and the belief that humans have the ability and the duty to try to create a heaven on earth, a 'city on a hill.'"

Despite the large number of Spanish speakers in the U.S., it is doubtful that the continued, often undocumented migration of Mexicans and other Hispanics to the United States undermines the societal culture. It is unclear why Huntington thinks Mexicans don’t believe in rule of law or individual rights, reject Christianity (indeed, many Protestant churches offer mass in Spanish!) or the work ethic, and aren’t pursuing some variation on the “American Dream.” Unlike the case of Quebec in Canada, Scotland in the United Kingdom or the Basque in Spain, there is no serious Hispanic secession movement. Few Hispanic immigrants want the Southwest to become part of Mexico—they come to work in the U.S., not reclaim it for Mexico. Furthermore, the 2000 U.S. Census brief reported that out of the 28,101,052 people who spoke Spanish at home, 14,349,796 spoke English very well and another 5,819,408 spoke English well (72 percent in total). Only 2,801,448 didn’t speak English at all (about 1 percent). Admittedly, there are some cities and regions with a very high concentration of Spanish speakers (New Mexico has around 43 percent, while California, Texas and Arizona have around 30 percent), but it’s not clear how this poses a realistic threat to the U.S. societal culture. As with other immigrant groups, most second-generation Spanish speakers are fluent in English, even if they continue to speak Spanish at home. English remains the dominant language in the U.S. Whatever one makes of the current controversy around the US-Mexico border, the claim that Hispanics threaten US cultural identity is mostly hysteria.

Hispanic immigration in the United States doesn’t pose major threats to U.S. culture, but there is an issue that I have so far avoided, which is the case of minority nations. As nationalists are aware, one common means of eliminating minority nations has been to encourage mass immigration, swamping the minority and taking over their institutions. Chinese migration to Tibet is a pertinent contemporary example of this. However, if migrants come with the goal of overrunning the original population, replacing their institutions and marginalizing them, it would be odd to claim that the issue is the right to protect one’s societal culture. Rather, it is the right to defend against aggression.

Maybe I’m being unfair to minority nationalists and there are grounds for protecting their societal culture, even from peaceful migrants. After all, one of the main pillars of Kymlicka’s societal culture is language. Let’s imagine an imaginary case where a relatively homogenous minority culture with one language (let’s say they speak Esperanto) exists within a larger state. Until recently, there has been little migration, due to the fact that the region is isolated and relatively barren. Huge oil reserves trigger a massive migration of people from the majority culture, people
who speak a different language (Klingonese). Long time residents find that when they go to the supermarket, they can’t understand many of their fellow shoppers. The Klingons request services in Klingonese, form Klingon enclaves and soon there are areas where it is difficult to find fluent Esperanto speakers.

There may be considerable ill will towards the Klingons. Right-wing politicians will probably make speeches on how these people come to our land and refuse to learn Esperanto. Journalists will point out the strains on the school system unequipped to teach Esperanto as a second language, as well as the demands the Klingons have for schools in their native language. They’ll note that the health care system doesn’t have the resources to attend to people who can’t communicate in Esperanto. There will probably be references to the strange customs of the Klingons and perhaps the suggestion that Klingon culture embraces fundamentally different values (though this will probably be exaggerated).

Now, does this necessarily undermine societal culture if the language of the original population is still used in government? Keep in mind that the Klingons share a good deal of the societal culture or are willing to adapt to it, since they support the main institutions. Any campaigns for privileges are undertaken democratically. Klingon leaders acknowledge the need to learn Esperanto, though they also want to preserve their own language and customs. Maybe somewhere down the line Klingonese will become a second official language, due to the large Klingon population. But if the major institutions are effectively bilingual, has the societal culture really been threatened? Remember, according to Kymlicka, a societal culture is “a territorially-concentrated culture, centered on a shared language which is used in a wide range of societal institutions, in both public and private life.”

To return to a real world example, consider the case of Anglophones in Montreal, who have access to government services in English, neighborhoods where one really doesn’t need to know French and a major English newspaper. Despite the large number of Francophones and Allophones, they’re perfectly capable of accessing their societal culture. Nationalists are fond of pointing out that violent attempts to assimilate minority groups have largely failed. People are extremely unlikely to give up their culture, societal or otherwise. If they have official, institutional support, it would seem that they would be even stronger, something which reflects the status of English in the U.S. (even in Florida and California) and Quebec.

It is also important to keep in mind that admission policy is combined with integration policy. Take the U.S. case. As has happened with other immigrant groups that formerly “threatened” the U.S. societal culture22 (e.g., the Germans, Scandinavians, Irish, Italians, Chinese, etc.), the children of migrants learn English and integrate into mainstream institutions. Immigration policy—especially in developed states with a history of migration—actively promotes a certain societal culture. States coercively enforce their societal culture. I am not suggesting this is necessarily problematic (or unproblematic, for that matter), but any sensible
and just migration policy will implement efforts to integrate people, to provide language classes, cultural and social orientation. Immigrants are expected to adapt to the main social institutions—we require them to obey the law and send their children to recognized schools. We also encourage them to learn the language and exclude them if they don’t (e.g., not speaking the native language severely restricts employment opportunities and may pose a barrier to receiving citizenship). Few immigrants protest this, though they often encounter obstacles, whether it’s the challenge of learning a language while working full-time or systematic discrimination in the labor market.23

I think there is an argument here for granting the Esperanto speakers (and similar minority nations) control over its integration policy. Of course, the Esperanto speakers will also have to accommodate the Klingons—integration is a two-way street. But the claim that they can exclude Klingons to protect their societal culture—mainly their language—isn’t very plausible. Maybe there are other grounds for exclusion, but it’s an exaggeration to claim that societal culture is actually endangered.

So far I have discussed migrants who may not share exactly the same society culture, particularly language, but aren’t opposed to it. What about people who have radically different values? Consider the case of what I call democratic extremists. Democratic extremists oppose liberal values—perhaps they are what Rawls calls decent hierarchical peoples in the Law of Peoples. Perhaps they don’t believe men and women are equal and demand that religion plays a central role in the state. We can imagine them arguing that certain liberal values, such as freedom of conscience and speech, reflect Westernized, imperial values. Despite these views, they agree to respect the state’s laws and use democratic means to achieve desired changes. Can we exclude democratic extremists, given that they directly and deliberately challenge our societal culture?

Is this permissible, on liberal grounds? If they’re a small group, it’s doubtful these democratic extremists pose a significant challenge to liberal societal cultures. Groups like the Mennonites, Amish, Hutterites and Mormon fundamentalists exist in largely closed communities in larger liberal states. Whatever we think about these groups, they certainly don’t challenge the states’ liberal character. To make the case more challenging, let’s assume that democratic extremists, as I’m defining them, don’t want to segregate themselves: they want to convince the rest of us that they’re right. For our purposes, let’s assume that they come in sufficient numbers that they have a realistic chance in doing so.

The first thing to note is that liberal principles ironically support the admission of democratic extremists. First, liberals need to tolerate rival points of view, as long as their advocates respect the rights of others. Second, freedom of conscience and speech protect democratic extremists. Third, liberals leave open how we exercise our autonomy. It is perfectly consistent for liberals to adopt a traditional lifestyle

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(assuming they haven’t been indoctrinated or otherwise coerced—something admittedly difficult to determine), if they so choose. This leads to a rather paradoxical result: if we try to exclude democratic extremists on liberal grounds, we’re arguably making an illiberal decision.

Leaving this aside, democratic extremists are committed to at least part of our societal culture, respect for democratic institutions and rule of law. We might hope that democratic extremists would come to see the advantages of liberalism, particularly its advocacy of freedom and toleration. Maybe they would agree to something like a Rawlsian overlapping consensus: many of them would remain traditional, with religion playing a strong role in their lives, since a liberal political system allows for this. After all, people with highly conservative religious views are hardly uncommon in liberal states, but they certainly don’t threaten the liberal societal culture. There are lively debates in liberal states about a woman’s right to abortion, gay rights and/or marriage, and the role of religion in the public sphere. It isn’t clear why the majority should be allowed to exclude people with a different point of view. It disrespects their own minority groups.

Furthermore, if we decide not to admit democratic extremists, I wonder if we’re not conceding too much to authoritarian views. One might hope that liberal values aren’t simply our idiosyncratic preference, something that cannot be rationally defended. Perhaps the democratic extremists might convert some people, but it is at least as likely that we would convert them (especially over a generation or two). Take the example of Muslim communities in North America and Europe. Certainly there are some individuals who may fit the label of democratic extremists, wanting to reproduce their culture within the large state. The vast majority, however, consider their religious and personal commitments to be perfectly compatible with liberalism. Beyond that, many integrate into the mainstream societal culture. Perhaps societal cultures and liberalism aren’t as fragile as sometimes suggested.

Let’s reverse the case, with a large group of liberals immigrating to an authoritarian societal culture. Typically, authoritarian governments monopolize the media, limit free speech and crush opposition political parties. Here there is a real threat to the societal culture and the state needs violence and oppression to maintain the status quo. It’s not so clear that the same holds when democratic extremists enter liberal states. Part of the advantage is that liberal states enjoy real and perceived legitimacy, with the vast majority willing to work within the system for change. This alone supports the continued existence of the societal culture.

So far I have argued that the right to protect societal culture has considerably less force than often thought. In fact, given a reasonable integration policy and empirical assumptions about the motives of immigrants, it’s not clear that our need to protect societal culture provides any grounds for exclusion. Next, I will briefly examine whether the right to protect general culture is any stronger.
IV. General Culture

As mentioned above, we can define general culture as the set of beliefs, attitudes, practices, traditions, customs, behavior, ideas, values, food and artifacts of a human community. Unfortunately, as Bhikhu Parekh writes, “When used sans phrase culture encompasses more or less the whole of human life.” At the same time, an attempt to find a narrower definition is artificial. The desire to protect general culture generally involves an amorphous notion, where specific details take disproportionate significance. Actual cultures are dynamic, evolving, porous phenomena, characterized by interaction, not isolation.

We need to figure out exactly why we might think that migrants threaten general culture. Migrants certainly have some effect on the majority culture, but it’s not obvious that this is more significant than international media, technological and economic change and natural cultural evolution. Nations like Quebec and Japan have changed enormously over the last 50 or 60 years, but very little of this change can be responsibly attributed to immigration. Furthermore, we criticize states that censor foreign media and few, if any, liberals believe that we can prevent our citizens access to the rest of the world in order to preserve our culture.

Still, two options present themselves: We might object to the rate of cultural change or the type of cultural change. First, we might worry that our culture is changing too rapidly and that people are unable to adapt to the changes. Second, we might believe that the culture is changing for the worse, because some cultures are better for some people than others.

As I mentioned above, liberals might be initially worried about an attempt to protect general culture. What is immediately worrying about the desire to protect culture is that it is often thinly disguised racism (and classism). “Culture,” in what is sometimes referred to as democratic racism, has become a synonym for race. Historically, “countries of immigration” like Canada, Australia and the United States forcefully excluded Asian and black migrants, using “culture” as one of the grounds for exclusion. Until the 1960s, U.S., Canadian and Australian immigration policies were explicitly Eurocentric, aimed at attracting white, European immigrants.

A liberal state cannot endorse racist principles, because—among other things—it violates liberal equality. But isn’t it possible to use culture in a non-racist way? After all, we don’t think it’s racist to celebrate cultures, including minority cultures. Can’t a liberal state say, “We’re not claiming other cultures are inferior. In fact, we recognize that they’re perfectly wonderful for the people who share them. We simply want to maintain our culture. This involves limiting immigration and perhaps selecting people with particularly close historical and linguistic ties.” There are plenty of examples of immigration policy favoring people from ex-colonies, as well as giving priority to people considered to share ethnicity. Maybe these could be used as a model.
I suppose we could test whether the policy is racist. For example, if Brits admitted Jamaicans over Germans and the French admitted Algerians over Australians citing linguistic and historical ties, we might suspect that this reflects culture, not race. Even so, this shows how dubious this project is. What exactly is it that defines cultural similarities? Language? Are the Quebecois, then, culturally closer to people from the Côte d’Ivoire than to Anglophone Canadians? This is unlikely, though they may be in some respects. The term culture is problematically vague. Of course vague ness isn’t always an objection—plenty of concepts are vague, but perfectly useful. But we generally know how to employ vague but useful concepts (e.g., there are few cases where we are unsure whether something is a heap or a crowd). This isn’t the case with culture.

I think the relevant test is this: can we make our policy acceptable to someone from outside our culture who wants admission? Iceland is an interesting case, with its low population, around 300,000, with about 20,000 born outside of the country. It’s not homogenous and actually has a significant percentage of foreign born population (about 7 percent compared to around 18 percent in a country of immigration such as Canada). Still, we can assume there is more cultural homogeneity than a country like Australia. Now imagine we say something like, “Icelanders should accept people from Denmark because we share similar cultures, but not Chinese or Afghans due to their differences.”

The potential Chinese immigrant might question this argument. She realizes that Iceland won’t admit her because of her culture and not on other grounds. She tries to determine exactly what it is about her culture that’s different and is told that she doesn’t speak the language. Really wanting to live in Iceland, she learns Icelandic. Next, she’s told that they have different customs. Determined to adapt, she studies the culture, learns its history, its etiquette and does her best to adopt it.30 The Icelanders applaud her effort, but there is still something different about her—her accent is strong, her manners are just a little off, something about her remains Chinese. You need, they tell her, to be born in Iceland (or arrive at an early age) to fully belong.

At this point, our potential Chinese immigrant may grow frustrated. “Am I really threatening your culture?” she asks. “What evidence do you have that if I enter, you will really lose your language, have to change your customs, be cut off from your history? Even if many Chinese immigrate, we’re not coming to colonize you. We realize that Iceland will change and that your culture probably won’t remain the same, but we’re prepared to learn your language, respect your traditions, abide by your laws and send our children to your schools.31 Be honest: You Icelanders today don’t simply survive by fishing; they engage in computer programming, biotechnology and eco-tourism. You listen to music in English and watch American and Chinese movies. Are you resisting cultural change or do you simply not like Chinese? We are Chinese, not from Denmark, but this is simply an
accident of birth. How can you keep us out, regardless of our efforts, just because of where we’re born?”

I think the Icelanders would be hard pressed to respond. I don’t think they can show that Chinese immigration will necessarily change their access to their culture that much. They will be able to continue with their language and private activities as before, perhaps in an enriched form given the additional options the Chinese influx provides. The more reflective members will realize that culture is not simply something that a given group possesses. It’s also a product of others’ attributions—our culture is defined, in part, by what others think of us. They will worry that maybe their policy unintentionally reflects their prejudices. As well, Icelanders are liberals, so they’ll be wary of discriminating against people simply because they’re born in China. Efforts to learn the language, history and customs considerably weaken their claim.

Rather than attempting to establish a right to protect culture in (fairly) large, globalized nations, let me briefly present what I consider to be the strongest case. Imagine an aboriginal group living on an island with no contact with the outside world. This is truly a homogenous population with a distinct culture and cultural change proceeds at a much slower rate. If anybody has a right to prevent immigration to protect their culture, then these people do.

I am rather uneasy with this case, given its tragic history and too familiar present day consequences. As I mentioned above, history is filled with brutal examples of forced assimilation and genocide, particularly of aboriginal groups. Still, let me attempt to abstract from the reality of conquest and colonization and simplify the case. A group of pacifists want to migrate to the island. They don’t want to displace the original inhabitants and their presence, for the most part, won’t interfere with their livelihood. Furthermore, immigrants into the territory respect the community’s rules and attempt to learn the language (though the first generation may do so somewhat unsuccessfully). The character of these pacifists helps narrow the cause of concern: the only risk to the group will be cultural change.

Now, predictably, immigration will alter the culture. Perhaps at first, the aboriginals and newcomers will keep to themselves, but eventually they will begin to trade. Technology will be incorporated. Some will become friends, others may start families. Languages will change, perhaps with some language or languages becoming dominant. We need to ask ourselves whether the right to protect culture is reason for these aboriginals to exclude the pacifists.

I should stress that I am simply discussing the right to protect culture. Groups will continue to have a right to resist forced assimilation and the appropriation of their natural resources, and a right to continue to enjoy self-determination and autonomy, including a form of self-government. It might be argued that access to one’s cultural tradition is a necessary precondition for self-determination and autonomy. This is probably true in the case of aboriginal cultures which have been
destroyed in a short period of time, usually by the threat of violence—the Ik come
to mind here, as do Canadian First Nations and American Indians. But it’s not clear
why cultures that change as a result of dialogue, contact with other cultures and
experimentation wouldn’t be able to exercise full autonomy.34

Assuming that cultural change will not be coerced, what should we make of
this example? First, there is a tendency to regret the loss of cultures themselves,
not just what they mean to individuals (though this is part of it). Perhaps there is
an analogy to biodiversity and the value we place in species. Even if we have little
use for a species, we tend to think that it’s a bad thing if it’s exterminated. There is
something compelling about this idea—we mourn the loss of many cultures. Still,
the analogy breaks down. The rate of cultural change is far higher than biological
evolution and is unavoidable. If we accept this argument, we would have reason
to prevent internal cultural change. Thus, this argument, if successful, would give
grounds for preserving a culture against the will of its members. Liberals can’t ac-
cept this, even if they could make sense of it.

If we reject this argument, then the strongest reason these aboriginals have
for preventing immigration is that they value their culture in its present state: they prefer their way of life and don’t want it to change, at least not at the rate
that immigration would spur. This poses a difficulty, given that in order to reach
this decision, they ought to have some knowledge of what they are rejecting.35 If
their decision isn’t simply based on ignorance or fear of strangers, it requires some
knowledge of the outside world and its benefits (and harms). They need to know
exactly what the change entails.

A well-informed aboriginal group would rightly be suspicious of strangers
and their supposed gifts. They might well decide that the best way to prevent
forced assimilation would be to altogether prevent strangers from inhabiting their
territory. They might hold that they rightfully own their land and can decide who
enters simply on those grounds. But would they argue that this decision expresses
their right to protect their culture?

I believe that they could consistently argue this only if they rejected other ways
the outside world affects their culture. If they borrow technology, entertainment,
legal and social reform, telecommunications or other wonders of the modern world,
they have considerably weakened their case. Their situation becomes much more like
that of the Icelanders, and the right to protect culture ceases to be a strong ground
for exclusion. They have a case for control over their institutions and integration
policy, so they can continue to enjoy what they value about their culture. They
have the right to protect themselves from belligerent colonizers. Perhaps they would
make an informed decision to reject the outside world. In this case, they can also
justifiably exclude immigrants. But this case is at best a rare one in today’s world.

The use of exclusion to protect general culture is a dubious project, even if
we can make sense of it. This isn’t to invalidate more positive efforts to promote
culture, perhaps through public funding and education. Forms of government—regional autonomy, for example—can be used for these purposes. Nationalists who want to preserve their culture should examine these alternatives. This leads us to questions about morally permissible means of minority integration. But I won’t attempt to answer these here.

V. Conclusion

I have concluded that the right to protect culture, either societal or general, is a poor reason for excluding immigrants. In fact, protecting culture at all is a rather odd notion—we can trace most of what we value about cultures to migration, exchange, intermarriage and intermingling. Even—or especially—languages, the focal point of many nationalists, are a complex amalgamation of many tongues. Almost all of the things we value—art, law, technology, food, religion—have roots in other cultures, either contemporary or historical. In fact, the greatest danger to a culture is homogeneity; diversity allows us to adapt and thrive in a rapidly changing world. Of course, culture shouldn’t be imposed on people. Forced assimilation, however common in the past, is morally unacceptable. But the attempt to protect culture, by excluding people and ideas, has many parallels with forced assimilation: it robs people of potential riches that they may wish to adopt.

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Notes

1. I am grateful to Dennis McKerlie, Dave Mellows, and Kai Nielsen for detailed comments on drafts of this paper, as well as to the two anonymous referees for their helpful suggestions. I would also like to thank the participants of the North American Society for Social Philosophy.


3. Though immigrants make up roughly 1 percent of Japan’s population, including a long-term Korean minority, Japan also depends on a sizeable force of guest workers.


5. Throughout this paper, I remain neutral about the question of “open borders,” forcefully put forward by Carens and others. My aim is to show that the right to protect culture isn’t good grounds for limiting immigration. There may or may not be other grounds. Joseph Carens, “Aliens and Citizens: The Case for Open Borders,” Review of Politics 49


7. One example would be in favoring ethnic migrants abroad as in the case of Jews, Albanian Greeks, etc.

8. For example, one of the main objectives of *The Canadian Immigration and Refugee Act* is “to permit Canada to pursue the maximum social, cultural and economic benefits of immigration.” (my emphasis)


10. Kymlicka states, “Such diversity is the inevitable result of the rights and freedoms guaranteed to liberal citizens, particularly when combined with an ethnically diverse population. This diversity, however, is balanced and constrained by linguistic and institutional cohesion; cohesion that has not emerged on its own, but rather is the result of deliberate state policies.” Will Kymlicka, *Politics in the Vernacular* (New York, NY: Oxford University Press, 2001), 25. Societal culture is sometimes called “public culture,” for example by Rawls and David Miller.

11. Beyond that, every individual is multicultural in many ways, with diverse loyalties and projects with many origins.


13. Of course, they generate considerable tensions and sometimes violence, especially if refugees end up competing for scarce resources. The fact that refugees are often restricted to squalid camps for years, wholly dependent on the UNHCR and its donors, generates its own set of problems—e.g., many of the Taliban emerged from the Pakistani refugee camps formed during the USSR invasion of Afghanistan. In the case of armed conflict, conflicts may spill over borders. But the problems have little to do with a “common language or societal institutions.” It’s an issue of extreme scarcity in states that are often unable to adequately provide for their own populations, along with the threat of violence.

   Generally, refugees pose a special set of problems, and the main target of Kymlicka’s arguments are so-called “economic” immigrants. Among these, the right to asylum—despite the increasing efforts of liberal states to curtail it—is well entrenched in international and state law. Most liberals accept the duty to provide asylum for those fleeing from persecution (though there are legal and moral debates about what this means).

14. I would argue that we do have obligations to assume considerable burdens given the sheer amount of misery in this world, but won’t press this point here.

16. See Thomas J. Espenshade and Gregory A. Huber, “Fiscal Impacts of Immigrants and the Shrinking Welfare State” in The Handbook of International Migration: The American Experience, ed. Charles Hirschman, Philip Kasinitz, and Josh De Wind (New York, NY: Russell Sage Foundation, 1999), 360–70 for references to some of the literature on the comparative use of social services of immigrants. This is a complicated area, fraught with methodological difficulties and ideological bias, where groups of immigrants and locals differ sharply in their impacts on different levels of government. Many of these studies are quite limited, focusing on impact in a specific area and not necessarily saying much about net costs and benefits. As well, the fiscal impact of immigration doesn’t necessarily imply a moral point—e.g., the exclusion of immigrants if net costs exceed net benefits. Research, as well, suggests that part of the problem with the net earnings of immigrants can be traced to systematic discrimination, suggesting that host societies are at fault. See, e.g., Grace-Edward Galabuzi, Canada’s Economic Apartheid (Toronto: Canadian Scholars’ Press Inc, 2005). Needless to say, the issues are complex.

17. One of my referees pointed out the more general possibility that there are good economic reasons for thinking that immigration will be largely self-regulating, especially if the host country has strong institutions of private property. Chain migration, where new residents tell their families and friends to come, is a major factor in migratory flows and provides information about the job market. Once the capacity to absorb migrants is reached, people would stop coming or migrate to areas with greater opportunities (rates of emigration are less well known and more rarely reported, but circular or serial migration are common; a significant number of immigrants eventually return to their country of origin). The argument that immigrants would overwhelm a state neglects the possibility that migration would be, to a large extent, self-correcting.


19. Britain, I suppose, is Anglo-Protestant (Anglican culture), but it isn’t the United States, and for obvious historical reasons it is probably quite far apart on some grounds. We could ask why the emergence of a Hispanic-Catholic culture is a bad thing—will it really prevent Anglo-Protestants from continuing to enjoy their cultural goods? After all, are multinational states so bad—for example, Canada, Switzerland, and Belgium?


22. This is generally meant as an Anglo-Saxon protestant culture, whether or not this accurately reflects U.S. demographics.

23. There are many questions about the justice of this integration process. For example: Are immigrant minorities entitled to funds to maintain their languages and customs? To what extent do our major institutions need to accommodate differences? I will not attempt to answer these here.

24. For example, what’s remarkable about abortion debates in the United States is not that a few extremists blow up abortion clinics; it’s that the majority of people who oppose abortion are committed to doing so through proper legal and political channels.

26. I am using the word “nation” to refer to group of people who share a common identity, usually in terms of language, history, religion, ethnicity and/or culture (broadly speaking). As in the case of Quebec, not all nations have their own states.

27. Elspeth Guild gives a telling example from the UK Home Office. In a two week period, the home office issued a press release boasting about the high level of work permits issued (108,825), while at the same time praising its success in reducing the number of asylum applications by 11 percent. After all, the home office went on to say, most of the asylum seekers are “really” economic immigrants. This apparently contradictory attitude reflects class—only comparatively wealthy professionals are eligible for work permits—and also race. Elspeth Guild, “Cultural and Identity Security,” in *International Migration and Security: Opportunities and Challenges*, ed. Elspeth Guild and Joanne van Selm (New York, NY: Routledge, 2005).


29. McKenzie King is often quoted here. “The policy of the government is to foster the growth of the population of Canada by the encouragement of immigration. The government will seek by legalization, regulation, and vigorous administration, to ensure the careful selection and permanent settlement of such numbers of immigrants as can advantageously be absorbed in our national economy.

There will, I am sure, be general agreement with the view that the people of Canada do not wish, as a result of mass immigration, to make a fundamental alteration in the character of the population. Large-scale immigration from the orient would change the fundamental composition of the Canadian population. (Canada, House of Commons Debates, 1 May 1947: 2644–6)

30. These are basically conditions required for citizenship in many countries—a grasp of the language, history, customs, etc. I should note that this example reflects what most immigrants do—they attempt to integrate, as best they can, insofar as they’re allowed.

31. What’s often overlooked in philosophical debates about immigration is that it’s not necessarily the first generation of immigrants who are most significant: it’s their children and grandchildren, who generally integrate and often dissolve into the mainstream population, if allowed. This is a major source of conflict in Europe right now. Guest workers and their children were excluded from the major institutions and continue to be subjected to racism, both explicit and implicit. Second, third and fourth generation children of immigrants now ask why they continue to be marginalized, especially when confronted with the liberal rhetoric of equality. The problems in countries which traditionally encouraged integration—the U.S., Canada, Australia—tend to be less explosive. For example, much of the rhetoric on immigration in the U.S. centers around national security, not culture.

32. We should be cautious, however. At least some cultural choices are quite voluntary. Amartya Sen writes: “The same person can be, without any contradiction, an American citizen, of Caribbean origin, with African ancestry, a Christian, a liberal, a woman, a vegetarian, a long-distance runner, a historian, a schoolteacher, a novelist, a feminist, a heterosexual, a believer in gay and lesbian rights, a theater lover, an environmental activist, a tennis fan, a jazz musician, and someone who is deeply committed to the view that there are intelligent beings in outer space with whom it is extremely urgent to talk (preferably in English).”
Though he’s discussing group identity, this clearly involves culture, where many of these characteristics are voluntary. Amartya Sen, *Identity and Violence: The Illusion of Destiny.* (W.W. Norton & Company, Inc.: New York, NY, 2006), xii–xiii.

33. Furthermore, as liberals, they will be uneasy about any policy that says you are eligible if you change your values, your religion, and so on, even if there were a way of establishing this. These policies have existed historically—for example, forcing Jews to convert to Christianity to enter certain professions.

34. I thank one of my referees for pressing me on this point.

35. This point holds more generally: it’s irrational to reject the influence of a culture if we don’t have at least some understanding of what this entails. This isn’t to say that we can’t prefer something because it’s ours or we’re used to it—these are perfectly good reasons, in many cases. But aversion to strangers and their customs, simply because they’re strangers and different from us, is xenophobia, not a justified preference to retain the familiar.