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Article

The Environmental Challenge to More Open Borders

Abstract: *In this paper, I examine the case for immigration restrictions by formulating and discussing three environmental objections to a justice-based argument for more open borders. The objection from the right to healthy environment claims that increased immigration to developed states will result in overpopulation and states must restrict immigration in order to respect the basic human right to a healthy environment. The objection from global environmental effects claims that restrictions on immigration are justified in order to limit the total output of greenhouse gases emitted by developed states. The objection from the global commons claims that a more open border regime threatens the feasibility of policies that seek to control the growth of population in developing countries. I argue that all three versions of the environmental challenge fail to establish their conclusions and that the case for more open borders cannot be counteracted on these grounds.*

Keywords: *environment; global justice; migration; open borders; overpopulation*

1. Introduction

The contemporary global order is marred by inequality of income and deep-seated poverty. Moreover, there is a discernible pattern to an individual's position in the global distribution of income: one's country of residence has a tremendous effect on one's expected income and corresponding opportunities in life (Milanovic, 2016: pp. 132-137). As

such, a host of political philosophers, economists and other social scientists have argued that a significantly more open regime of international migration than the one currently in place would come a long way in alleviating poverty and inequality of income and opportunities. The argument rests on two premises.

The first one stresses the aggregate economic benefits brought by increased immigration from developing to developed states and the fact that would-be immigrants and most of the native citizens would stand to gain from such a policy (Clausing, 2019; van der Vossen & Brennan, 2019, pp. 19-31; Clemens, 2011). The second premise seeks to establish the existence of a duty on the part of developed states to permit the immigration of individuals from developing countries. Some political philosophers argue that global justice

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demands that all individuals should enjoy a certain level of well-being, resources or whatever it is that constitutes the currency of justice and that developed states have the moral obligation to take the required steps to help those individuals who fall under the threshold (Blake, 2011; Miller, 2007). Others argue that developed states have stringent duties to eliminate all morally arbitrary global inequalities (Beitz, 1999; Caney, 2005; Carens, 2013; Holtug, 2020). As long as current border restrictions preclude people from attaining the required level of well-being and entrench disadvantages caused by morally arbitrary circumstances, there is a *prima facie* justice-based case for a global order in which developed states let more people in than they currently do.

This case has been challenged on a number of grounds. Some argue that while developed states may have some duties to advance global justice, citizens of developed states also have a right to collective self-determination that tips the balance in favour of different avenues for discharging these duties of justice, other than immigration policy (Miller, 2005; Wellman & Cole, 2011; Pevnick, 2011; Song, 2018). Others contest the efficacy of increased immigration for improving the situation of the global worst-off or argue that a policy of open borders pursued by developed countries will not only fail to benefit these persons, but will actually harm them, as a result of the negative effects of brain drain (Pogge, 1998; Brock, 2009; Brock & Blake, 2015). *The environmental challenge to more open borders* stresses a different potential problem with a more open regime of immigration. Increased immigration from developing to developed countries, goes the argument, has a negative impact on the natural environment. Given the existence of a human right to a healthy environment or of a duty of developed states to combat dangerous climate change, immigration should be maintained at the level at which its detrimental environmental effects are severely diminished. Ultimately, this claim holds, developed states can open up their borders to the huddled masses of the world only by failing to protect the environment.

My main aim in this paper is to distinguish between different versions of the environmental challenge, to examine them and, ultimately, to rebut them as *pro tanto* reasons in favour of immigration restrictions. I argue that the environmental challenge in its different variants either rests on wrong normative premises, assumes an unfair conception of burden-sharing in the fight against climate change or makes the wrong trade-off between justice and feasibility. However, this is not equivalent to a full defence of the argument from global justice for increased immigration. Rather, it should be read as a more limited contribution: if the argument from global justice fails, it does not fail because of the environmental challenge. I begin, in the first section, by discussing the main environmental issues raised by overpopulation and how they relate to immigration. In the following three sections, I examine three versions of the environmental challenge to increased immigration: *the objection from the right to healthy environment* (section 2), *the objection from global environmental effects* (section 3), and *the objection from the global commons* (section 4). The last section concludes.

2. Immigration and environmental effects

While empirical research on the environment as a “push” factor for migration is by now well-established (Van Hear, Bakewell & Long, 2018; McAuliffe & Trindafyllidou, 2021, pp. 233-254), the impact of immigrants on the natural environment of their receiving countries, as well as the nature of the changes in their environmental footprint are less well-understood. In a cer-

tain sense, the link between increased immigration and negative environmental impacts is a theoretical construct without sufficient data to permit strong conclusions. Speaking only for the case of the US, Price and Feldmeyer (2012, p. 122) make an observation that can still be easily generalized of the overall state of the research on this question: “mainstream sociological theories and research offer several positions that have been used to justify the assumptions described above and explain why immigration to the U.S. *could* potentially increase local levels of environmental harm”. The emphasis on the word “could” is key here – while there can be theoretical reasons to expect a link between increased immigration and negative environmental impacts, they should still be backed up by empirical research. Moreover, theoretical models here go both ways, as there are also reasons to expect a link between increased immigration and positive environmental impacts. In what follows, I present a brief overview of the current state of research on this topic.

One well-known way of looking at the impact of humans on the natural environment is through the IPAT formula (Ehrlich & Holden, 1971). Crudely put, this understands the human impact on the environment (I) as a product of population (P), affluence (or the average consumption of each person in the relevant population) (A) and the technological level used by a population to arrive at that affluence level (T). A key related concept is that of carrying capacity, defined as „the maximum threshold population that a region may support” (Moseley et al., 2014, p. 235). Overpopulation, thus, denotes a situation in which the number of people living in a particular region (or, when it comes to certain issues, on the entire globe) enjoying a certain level of affluence produced with a certain type of technology has an impact on the environment that is greater than the carrying capacity of that particular environment. The IPAT is also useful in understanding the background for some of the neo-Malthusian thinking on the subject of overpopulation and migration (Neumayer, 2006; Puskarova & Dancakova, 2018). Although the distinction is not always clear cut, we can distinguish between those environmental effects of a growing population that are more or less localized to certain environmental regions and those effects that have a global scope. For example, if unrestricted by any type of public intervention, a growing population compounds the pollution levels found in a particular environment given the level of affluence and the technology used in that region. A growing human settlement also requires changes in the use of land that result in urban sprawl and the loss of habitat for other species. Similarly, the existence of more people requires more food, which can be supplied either through intensive farming or through the expansion of the area used for agriculture. If the first method can be associated with a negative impact on the soil, through the use of chemical fertilizers, the second one is linked with deforestation and the associated loss of habitat for other species and destruction of greenhouse gases sinks. Moreover, given the dynamics of international trade, a growing population in one country may lead to intensive farming and deforestation in another part of the planet.

At the global level, the expected effect of population growth on this line of thinking is the exacerbation of the dynamic behind climate change through the increase in the amount of greenhouse gases (GHG) emitted into the atmosphere. The hypothesis here regarding immigration is that one’s place of residence is not environmentally neutral, as simply living, working and consuming in a developed economy is bound to increase one’s carbon footprint. Another way of putting this is to say that immigrants do not simply move their GHGs emissions around with them – rather, once they become residents of a developed state, their level of emissions begins to move towards the level of emission of native citizens from the host country.

On this last point, however, there are theoretical reasons for expecting an ecological footprint from immigrants that is significantly smaller than the ecological footprint of high-consuming populations, such as the US. Price and Feldmeyer (2012, pp. 123-124) point to the fact that foreign-born individuals in the US have less environmentally harmful lifestyles (Blumenberg & Smart, 2014), partially as a result of the fact that they tend to not be as affluent as the rest of the populations, thus consuming less.

The key point here is that while overpopulation may very well be a serious issue, not all types of population growth are the same when it comes to the environmental impact and immigration may fare better than population growth based on native births when all the relevant concerns are analysed through the IPAT formula. In this respect, one recent empirical study (Squalli, 2021) on the impact of immigration on GHG emissions using US-state level panel data for the period 1997-2014 finds that population growth is indeed linked with increased GHG emissions in the US, but that “the share of immigrants contributes negatively to such emissions” (Squalli, 2021, p. 17). This is consistent with previous research by Price and Feldmeyer (2012) that found no contribution from immigration for increases in air pollution based on data relevant for 183 U.S. Metropolitan Statistical Areas, as well as with previous research by Squalli (2009; 2010). Similarly, research by Ma and Hofmann (2019) on the impact of both foreign and native-born populations on air quality in the US supports the conclusion that immigration is not as harmful for the environment as native population growth. While this research lends some support for doubting the validity of the link between increased immigration and negative environmental impacts, it is nevertheless limited. On the one hand, the number of studies on this topic is itself limited and, on the other hand, all studies cited here are relevant only for the US and not for other states.

3. The objection from the right to a healthy environment

One line of argument for immigration restrictions based on environmental reasons rests on the thesis that individuals have a basic right to a healthy environment. Ultimately, I believe that this argument is seriously weak, but its failure raises some important points that are relevant for the general effort of counteracting justice-based arguments for increased immigration on environmental grounds. The argument, as formulated by Chapman (2000), focuses on the case of the US, but can be easily reconstructed in a generalized form. The first premise (P1) is that population growth over the carrying capacity of a territory causes environmental degradation; the second premise (P2) is that a regime of open borders will lead to overpopulation in regions that enjoy a high level of economic development; the third premise (P3) is that individuals have a basic right to a healthy environment; the fourth premise (P4) is that environmental degradation violates the individual right to a healthy environment. The conclusion, then, is that developed states must restrict immigration from developing countries in order to respect the right to a healthy environment of their citizens.

P3 seems plausible on its face as we can accept that individuals have a basic right to a healthy environment. Chapman (2000, p. 196) employs the familiar distinction between basic and derivative rights in formulating his argument, with the latter being dependent on the protection of the former, and a conception of rights as protectors of central human interests. With these theoretical choices, he argues that “human development in the ways necessary for human dignity – the capacity for freedom and rationality – cannot be achieved in isolation from a

healthy environment” (Chapman, 2000, p. 197). Nevertheless, even if we accept this, the force of the argument hinges on the further clarification of P3. Namely, the argument must clarify (a) what is understood by a healthy environment and (b) what is the scope of this basic right.

On the first question, one may have a broader or a narrower conception of what should be contained by the conceptual category of a healthy environment. Chapman seems to favour a broad conception when he writes that “by a healthy environment we mean one that is relatively (optimally) free from toxic contamination, harmful pollutants and radiation, degraded land, diminished bio-diversity, and one where access to nutritious food, clean water, stable and secure shelter, ample health care, quality education, political participation and meaningful employment are common” (Chapman, 2000, p. 197). The immediate concern with this conception is that it is too broad because it puts together inside the idea of a healthy environment almost an entire conception of distributive justice and reduces all rights that philosophers tend to consider basic rights to only one: the basic right to a healthy environment. On the narrower conception, from the list of desirable characteristics of a healthy environment, one may retain as plausible elements only the lack of toxic contamination, pollution, radiation, degraded land and threatened bio-diversity, whereas the provision of health care, education and rights to political participation seem to require normative underpinnings that cannot be covered by a basic interest in a clean environment. Note that this is not fatal for Chapman’s argument – individuals may very well have basic right to those things, but the normative heavy lifting cannot be done so easily as Chapman assumes.

On the second question, one may have a cosmopolitan understanding of the scope of the right to a healthy environment or a conception that restricts the enjoyment of this right to individuals that are members of some salient social group (citizens of the same state, say, or members of a culturally defined nation). However, it is hard to see how basic rights can be anything else but rights that protects central human interests that individuals have *qua* humans, thus being cosmopolitan in scope. Or, as Caney puts it, “the standard justifications of rights to civil and political liberties entail that there are human rights to these same civil and political liberties” (Caney, 2005, p. 66). Indeed, Chapman is clear on this subject – the right to a healthy environment is universal in scope, it is a right that should be enjoyed by all individuals in virtue of their basic human interests.

Given these distinctions, the question is if the objection from a healthy environment still functions as it intends to do – that is, if it still justifies immigration restrictions or something else entirely. Higgins (2013, p. 94) contends that as long as we understand the right to a healthy environment as a cosmopolitan one, then the entire objection is turned on its head and actually provides reasons for increased immigration from developing to developed states: “Chapman’s view suggests that states whose population exceeds their carrying capacity ought to admit migrants from other states where population exceeds carrying capacity to a greater extent”. In other words, the protection of the right to a healthy environment justifies immigration restrictions only if its scope is restricted to the members of some socially salient groups (in Chapman’s case, the citizens of the US), thus relying, as Higgins (2013, p. 95) notes, “on particularist nationalist premises of an especially chauvinist sort, on which environmental degradation is a moral concern only if it occurs in the United States”.

Accepting the universal nature of the right to a healthy environment means that it warrants protection in the cases of all individuals who live in degraded environments. If the negative impact on the environment can be best curtailed by reducing the number of individuals that

live there, then it seems that the protection of the right to a healthy environment requires the opening of borders for those individuals. As I have noted, Chapman employs a broad understanding of the concept of a healthy environment so, on his conception, borders should be opened not only to those individuals living in polluted, degraded, toxic environments that lack bio-diversity, but also to those individuals who lack proper health care, access to education and rights to political participation. If the concept of a healthy environment is understood more narrowly, as it should, then it provides reason for opening up borders to individuals who are forced to flee as a result of a significantly degraded environment (Lister, 2014; Marshal, 2016). Thus, the objection from the right to a healthy environment fails to establish that developed states should restrict immigration *tout court* and furnishes significant reasons to believe that they should pursue restrictive policies only in a very limited number of cases.

4. The objection from global environmental effects

A different objection to the justice-based argument for more open borders stresses the effects of increased immigration on the global climate, particularly the effects of population growth on climate change. The objection represents a significant line of argument from a more general environmental argument against more open borders put forward by Cafaro and Staples (2009) and then developed by Cafaro (2015) in a book-length treatment of the problem. Here, I focus only on a part of their argument. The other part stresses the effects of increased immigration on the domestic environment of a particular country and suffers from similar problems as Chapman's argument. Its central neo-Malthusian tenet is that population growth in areas that are economically developed and enjoy high levels of consumption increases the total output of greenhouse gases emitted, developed states must control the main driver of their population growth, immigration, in order to fulfil their environmental duties. This tips the balance in favour of other avenues for discharging whatever duties of global justice developed states have.

The first premise on the argument is that population growth in developed states increases GHG emissions and its thrust in arguing for immigration restrictions rests on the argument that the contribution in terms of GHG emissions of one person is largely determined by the level of economic development of the country in which she resides. This is because the main variable of *per capita* emissions is the bundle of consumption goods and services that she can access. Of course, even in less economically developed countries, these consumption bundles are not equally distributed and, correspondingly, there are large differences in the contribution to GHG emissions made by members of different social classes. In other words, *contra* Cafaro and Staples and other pursuing this line of argument, consumption really is the main problem here. Additionally, as shown in the first section, there are some theoretical reasons to expect that immigrants see their ecological footprint increased, but actual empirical proof is limited and tends to support the idea that foreign-born population are less environmentally harmful than native-born populations (at least for the case of the US). It should also be noted that there are two different issues here at play. One is the difference between the ecological footprint of an individual in the sending country and the ecological footprint of the same individual in the receiving country, while the other focuses on the comparison between foreign-born and native-born individuals when it comes to their respective ecological footprints. This being said, the objection still maintains its force, as it stems from the insight that movement is not environmentally neutral – the consumption bundle of an individual is bound to change in significant

degree simply as a result of her movement from a less developed to a developed country. As a result, it is more than likely that the total output of GHG emissions will increase as a result of increased immigration from less developed to developed countries.

But this point is not without consequences either, as it forces the advocate of this argument to qualify this premise in a significant manner, as to read: “Population growth *at the current levels of consumption (and technological capacity)* in developed states negatively contributes to climate change, most notably through the increase in GHG emissions”. Additionally, another qualification seems in order. Given the fact that the main worry is the growth in the *global*, not the output of GHG emissions of particular states, immigration from countries with similar levels of GHG emissions *per capita* seems to not pose the same problem. If there is no increase in individual emissions as a result of moving from one jurisdiction to another, then there is no discernible effect on the global output of GHG emissions and the main worry is deflected. As immigrants from countries with similar levels of GHG emissions *per capita* simply move the emissions around, the objection is, then, relevant only for immigrants coming either from developing countries or from developed countries that have a relatively lesser level of GHG emissions *per capita*. For example, according to data compiled by Our World in Data (2023), in 2021 the average American emitted 14.9 tons of CO₂ and the average Australian emitted 15.1 tons of CO₂. On the line of reasoning exposed here, if the growth in global GHG emissions is the main worry, then an immigrant from Australia should not be excluded from entering the US. On the other hand, someone from Sweden (3,4 tons of CO₂ per capita) or from Nigeria (0,6 tons of CO₂ per capita) or from Bolivia (1,9 tons of CO₂ per capita) should be excluded.

One possible response available to the advocate of the objection from the global environmental effects might be the following. Any collective action of the international community that aims at curbing the emission of GHG must attribute responsibilities to each individual state for their total output of GHG. For example, discussions regarding the morality and efficiency of carbon trading schemes are premised on the cap-and-trade system developed on the basis of the Kyoto Protocol which sets a limit on the level of global emissions, attributes emissions rights to countries and permits them to trade these rights among them (Hepburn, 2007; Caney & Hepburn, 2011). If such a system is in place, then, even though individuals from Canada and the US might enjoy similar levels of consumption and the immigration of a number of persons from one country to the other will not have a significant effect on the total global output of GHG emissions, the US still has an interest in not accepting these immigrants. This is because the level of emissions of the US will increase and, as a result, in order to respect its commitment to a certain level of emission it is forced to adopt policies that it did not want (and was not forced to by its international agreements) in other environmentally relevant domains. In other words, maybe the institutional setup required for combating climate change through the reduction of the total global output of GHG emissions can support, in a qualified manner, this argument for immigration restrictions. Note, however, that this is premised on the view that the bearers of emission rights are states, not individual or other entities such as firms.

Even if this response is correct, the discussion points to the decisive question that must be asked here – are developed states entitled to their current levels of emissions? As it is widely established both in the literature on climate change and in public policy practice, there are three general types of policies that can be pursued in response to climatic changes: mitigation (policies that seek to reduce the anthropogenic impact on the climate), adaptation (policies that seek to minimize the impact of climate changes on human societies) and compensation (poli-

cies that should be pursued when the other two have not been adequately followed, resulting in the violation of someone's justice-related entitlements). Lowering the total output of GHG emissions is a policy of mitigation and is only one instance of a burden related to the imperative of fighting climate change, alongside most notably the creation of greenhouse gas sinks and the development (and transfer) of green energy. There are different proposals for how emissions rights should be distributed, who should be the right bearers and how this distribution should be understood in the context of other valuable goods that call for distribution principles. When it comes to the first question, in an important literature review on the subject, Caney (2009) distinguishes between moral entitlements to GHG emissions and legal entitlements to such emissions. The answer to the first question is not necessarily linked with the answer to the second, especially given the fact that there is something of a consensus among moral philosophers on the question of who is morally entitled to bears emissions rights. It's worth citing Caney at length here: "It is individuals who benefit from emissions and need access to energy sources (including fossil fuels) to meet their needs and pursue their conceptions of the good. Individuals have vital material needs (for heating, food, transportation, cooking and so on) that require energy sources, and these facts can help ground a right to energy sources (which for many requires access to fossil fuels)" (Caney, 2009, pp. 135-136). When it comes to the other question – of who should be the legal bearers of emission rights –, the prominent view both in the literature and in international documents regulating the emissions of GHG is that states should have these rights. The crucial objection to this view is that taking states to be the bearers of emission rights unjustly overlooks significant differences between the emission levels of individuals inside the same state, both in developing countries (where there are huge differences between the emissions of those situated at opposing ends of the socio-economic structure) and in developed one (where the same differences also apply).

What principle of distribution must be accepted in order for the objection from the global environmental effects for immigration restrictions to work? It is not the case, after all, that this objection does not recognize the need for developed states to reduce their GHG emissions, but its singling out of immigrants from low-emissions countries as the main worry leads in practice to a peculiar form of the grandfathering principle, denying individuals from developing countries their claim to basic subsistence emissions. The principle of grandfathering specifies that "the fair share of emissions for any actor should be a function of its past share of emissions and, second, that these emission rights should be handed out free of charge to these actors" (Caney, 2009, p. 128). Although used in the formulation of different emission schemes, most notably the EU Emission Trading Scheme, it is particularly hard to articulate a moral defence of it (see Knight, 2013). Two problems seem to be of serious concern. First, by stipulating that while the total output of emission should be curtailed, the reductions should be made in a proportional manner, the principle of grandfathering is unfairly burdensome to developing countries and, as a result, to some of the most disadvantaged persons living on the planet. Secondly, the principle of grandfathering has no place for the idea of historical responsibility for past emission.

By insisting that overpopulation at *current emission levels* is the main problem, it creates a firewall around the level of consumption currently enjoyed by citizens of developed states. Although it may be impractical to assign emission rights to individuals, the fact that individuals, not other entities, are the ultimate moral bearers of rights counts as an important objection to the idea that developed states are entitled to pursue their duty to reduce GHG emission through

this avenue. To see this clearly, let me briefly explain Caney's proposal, the details of which stem from his overall criticism of all the principles of distributing emission rights discussed. First, he denies that it follows from the fact that there are activities which emit GHG that there should be a principle of distribution specifying the fair distribution of these emissions. Secondly, he argues that "with the exception of some special cases, distributive justice requires the fair distribution of a combined set of good (...) as such, the distribution of greenhouse gases (or energy use) can be fair if it is part of a fair package of goods" (Caney, 2009, p. 137). Thirdly, a fair distribution when it comes to GHG "need not take the form of, (a), distributing permits to emit greenhouse gases, and can take the form of, (b), distributing the revenues raised by selling greenhouse gases" (Caney, 2009, p. 137). And at last, but crucially, there is a basic entitlement of all persons to a level of emissions through which they can "attain a minimal decent standard of living" (Caney, 2009, p. 138). As such, the restriction on the immigration of disadvantaged persons denies this basic entitlement as a result of the overconsumption permitted in developed states.

At the level of moral principle, the main normative thrust behind the objection from global environmental effects cannot be justified. Nevertheless, there is also the level of feasibility judgement at which this argument can be formulated and Cafaro and Staples (2009), although they are not always clear about the preferred theoretical level, seem attracted to this type of formulation. It is, indeed, more promising than the principled version. The main idea here is that while developed states must urgently lower their consumption and invest in GHG sinks and green technology, it is comparatively less feasible to do so than to control the level of their emission through the restriction of immigration. The concept of feasibility has received increasing attention from political philosophers in recent years (Gheaus, 2013; Gilalbert, 2012), but for our purposes here suffice it to say that a policy is feasible to the degree that it has more chances to be implemented in the real world. The idea, then, when it comes to the claim that restricting immigration is more feasible than, say, changing the lifestyles of the population in economically developed states is that the first is more easily implemented (especially given the public opinion on immigration), while the other is not. If two policies attain the same desirable aim, the argument goes, the one that should be picked, *caeteris paribus*, is the one that is more feasible. The key observation here is that the *caeteris paribus* condition does not apply. What individuals from developed states are basically saying to those from developing countries is this: We are gravely failing at fulfilling our moral duties by engaging in activities that emit large amount of greenhouse gases into the atmosphere, thus harming some of you and future generations. We know that coming here will greatly improve your lot, but nevertheless, we quite like our lifestyles and we shall continue to send you some money, but deny you entry on our territory if you will ever stumble across our borders.

Two points must be kept in mind regarding this version of the objection. First, the deep moral failing on which it is premised. If the justice-based argument is correct, what is happening here is no trifling matter. In the case under scrutiny, there are not two policies that attain the same goal, one being slightly less just, but more feasible than other. Rather, the policy of immigration restrictions justified as a means of keeping in check the growth of GHG emissions is one that sacrifices what justice requires for some disadvantaged individuals of the world on the altar of feasibility. The second point is that although it may be more feasible for developed states to restrict immigration than to pursue other necessary environmental policies, they are still under a duty to pursue those policies. In other words, the best reading of this version of

the objection from global environmental effects still requires that developed states should lift immigration restrictions to the degree demanded by global justice once they begin pursuing those policies tackling their carbon-intensive practices of consumption and production.

5. The objection from the global commons

Given the clear consensus among climate scientists that our environmental footprint is determined by a mix of growing population, unsustainable consumption and technology (Grooten et al., 2012), the concern with overpopulation is warranted. Although undoubtedly controversial, the idea that curtailing population growth around the world and gradually reducing the Earth's population to manageable proportions, depending on changes in the other two key variables, is not an implausible contention. The main worry put forward by advocates of this objection is that a regime of open borders or significantly increased immigration from developing to developed states would undermine any institutional feature that may be used for the curtailment of population growth. Rawls formulates a key part of this objection, when writing that "an important role of a people's government, however arbitrary a society's boundaries may appear from a historical point of view, is to be the representative and effective agent of a people as they take responsibility for their territory and its environmental integrity, as well as for the size of their population" (Rawls, 1999, p. 38). Part of Rawls' observation here is that a key institutional feature that permits the control of population is the assignment to states of the responsibility of controlling the population within their own territories. Miller (2005, pp. 201-202) elaborates on this idea by arguing that while it is not exactly clear what is the upper limit of the global population before a serious depletion of resources manifests itself, there clearly is such a limit and, as an implication, there is an undeniable need for states to control the growth of their population. The issue raised by a regime of open borders is the creation of a set of incentives faced by states that does not have a positive impact on both their willingness and their capacity to tackle the issue of population growth. As Miller puts it: "(...) such states have little or no incentive to adopt such policies if they can "export" their surplus population through international migration, and since the policies in question are usually unpopular, they have a positive incentive not to pursue them" (Miller, 2005, p. 201).

A careful reconstruction of *the objection from the global commons* can be formulated as follows: the first premise (P1) states that a key institutional feature of the effort to control the growth of population is the assigning of responsibility to individual states over the population within their jurisdiction; the second premise (P2) states that a regime of more open borders creates a set of incentives in which political elites will rather prefer to let individuals move to another country than to impose unpopular policies of population control. From P1 and P2, we have the following conclusion: a regime of more open borders undermines the global institutional requirements of effectively assigning responsibility to individual states over the population within their jurisdiction. When combined with the following premise (P3): the growth of the global population poses serious environmental problems and must be controlled, we arrive at the conclusion that states should be able to restrict immigration.

In recent work on the question of population control, theorists have formulated something of a warning sign regarding the efforts to tackle this question from a too narrowly environmental angle. Cripps (2016), for example, observes that "there is a danger to be avoided in taking this line: that of defending a population policy that fits some narrow environmental ethics cri-

teria, but comes at a morally unacceptable cost to individual human beings” (Cripps, 2016, p. 380). Nevertheless, even seriously bearing these warning signs in mind, the question remains – what can be permissibly done regarding population growth? The question is even more pressing as the main countries that are currently seeing surges in population growth are developing ones. In his famous (or infamous) article from 1968 – “The Tragedy of the Commons” –, Hardin distinguishes between two types of policies that can be implemented with the aim of controlling the growth of population in mind: directly coercive and passive (also see Rust, 2010 for an important discussion). The first type of policy exercises a direct use of coercion from the part of the state in order to curtail the birth of new children – the clearest example in this sense is China’s one-child policy (see Conly, 2015). The second type of policy includes a wide variety of measures seeking to incentivize parents to minimize the number of children, while still being able to choose how many they would like. In this second category, which seems to not face the same justificatory burdens as the first one, Cripps (2016) distinguishes between choice-providing policies and soft incentive-changing policies. The first category includes “the education of women and the reduction of gender inequality, as well as the wide provision of contraception; (...) also the provision of social security and health care to give couples and individuals alternative means of providing for their old age” (Cripps, 2016, p. 382). These clearly are not merely permissible policies, but actually stringent requirements on most understandings of what justice demands.

The objection from the global commons, thus, claims that developed states should maintain immigration restrictions as a way to ensure that many developing countries facing surges in population growth will adopt the required policies to address this issue. Two observations are in order before any other kind of response. First, the fact that recent surges in population growth in some developing countries have come in a world characterized by strict rules of border control when it comes to immigration from developing to economically developed state is relevant. This serves to show that the objection can plausibly portray immigration restrictions as a necessary institution for the capacity of developing states to control population growth, but not as a sufficient one. Secondly – and this is crucial –, the main worry addressed by the kind of reasoning at play in this objection is with population growth in developing countries which, as already pointed out in the course of discussion, must be understood in clear context when judged for its environmental impact. While there are serious environmental issues raised by such a trend, these should not be overestimated as the ecological footprint is comparatively low in many developing countries (Our World in Data, 2023).

The question raised by this objection, then, is what can developed states do in order to control the growth of population in developing countries? Can they force the governments of developing countries to take responsibility for their population by closing their borders to immigrants? The answer, I believe, largely depends on what we take to be permissible policies that developing countries can implement in order to control the growth of population. Remember Miller’s contention that these policies are *usually unpopular*, but for at least two types of policies mentioned in this section, it is not obviously why they should be unpopular. Clearly, as I have said, choice-providing policies are not only desirable, but actually pressing demands of distributive justice. If this is correct, then what it is argued by the advocate of the objection from population control is, at least partly, that immigration restrictions raised by developed states act as incentives to political leaders in developing countries to develop basic policies of social justice, such as the reduction of gender inequality, the provision of social security and

educational and healthcare services. This is, of course, an empirical matter, but the first observation made above proves its relevancy – it points out that the track-record of a world with immigration restrictions when it comes to the incentives created for the political leaders of developing countries to address key issues of their population is not that bright. Additionally, a structurally similar case can be made that the possibility of leaving societies characterized by poverty and other social injustices can actually serve to create the required incentives for political leaders to change the institutions of their countries, as mass migration usually means a lowering of the tax base and other effects that strike at the root of the interests of extractive political elites (Somin, 2020).

What restricting the movement of persons from countries without basic choice-providing policies does, then, is to only hold these persons captive in societies characterized by gender inequality and levels of poverty that makes them consider children as a valuable resource an insurance for old-age. In the case of policies seeking to control the growth of population, the lack of popularity seems to overlap with morally problematic feature of particular policies. Miller explicitly offers the example of the one-child policy of China. The point here is that the objection requires a better clarification of what policies depend on incentives created by the existence of immigration restrictions upheld by economically developed countries and a separate argument that these policies are just. For example, if the one-child policy is not, when all things are considered, a just policy to be pursued by a state, then to argue that developed states should maintain their borders closed in order to create incentives for developing countries to adopt this policy is plainly wrong. It involves an argument for immigration restrictions based on the capacity of this policy to help in the implementation of unjust measure.

6. Conclusions

To sum up, I argue that the objection from the global environmental effects and the objection from a right to a healthy environment are deeply implausible as objections to the argument from global justice for more open borders. These objections either assume an unjust conception of the distribution of burdens in the fight against climate change, an implausible conception of the trade-offs between justice and feasibility or an intractable conception of a right to a healthy environment. For these reasons, they should be rejected. The third objection stresses the importance of an international order in which individual states can control their borders for the capacity to control the harmful increase in population, especially in developing countries. Although this objection does not face the same problems as the previous two, I argue that it still rests on an insufficiently clarified account of what policies of population control are permissible in developing countries. Although the issues raised by the advocates of this objection should be taken seriously, I contend that in its current versions it should also be rejected, leaving the case for the desirability of more open borders largely untouched when it comes to environmental concerns.

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Conflicts of interest

The author declares no conflict of interest.

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