

PHIL 4352/WS 4360 AND 5390

## **IMMIGRATION AND POLITICAL PHILOSOPHY**

FALL 2014

Tuesdays and Thursdays 9:00 am – 10:20 am  
Chemistry Computer Science Building  
1.0204

Professor: Amy Reed-Sandoval

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Office Hours: Tuesdays and Thursdays 10:30-12:00 and by appointment

### **COURSE DESCRIPTION**

The number of immigrants in the world is now greater than the population of the world's fifth largest country. According to the United Nations, there are approximately 185-192 million "legal" and unauthorized immigrants living throughout the world, and this number is growing by approximately six million people per year.

Recent estimates report that 29 percent of all foreign-born residents in the USA lack legal authorization to live within US territory. According to Immigration and Customs Enforcement (ICE) of the Department of Homeland Security, in 2013 ICE conducted 368,644 immigration removals.

While many do not automatically think of immigration as raising obvious *philosophical* problems, we shall see that contemporary political debates about immigrant admissions policies, amnesty for undocumented migrants, the exploitation of immigrant workers, who "counts" as a refugee, and much more, are all laden with controversial philosophical assumptions about state sovereignty, membership, race, gender, and the very nature of social justice.

Because of this, any responsible attempt to develop adequate solutions for what has been called a "broken" immigration system—and, even more urgently, to advocate for justice for immigrants themselves—will require us to do political philosophy.

In this course you will learn to detect and unravel the philosophical commitments at play in contemporary immigration debates. You will also actively philosophize about immigration, and learn to develop compelling, philosophically sound policy proposals that point us toward justice in immigration. To achieve these goals, you will: (1) gain familiarity with prominent "schools" of political philosophy; (2) read and engage with some of the most important philosophical writing on immigration to date; (3) learn about important

moments/issues in the history of immigration in the United States; and (4) learn to write policy “memos” that are clear, engaging and philosophically sound.

## **COURSE REQUIREMENTS**

- 1.) You are encouraged to attend all lectures/classes and participate actively in discussions.
- 2.) You are expected to take an in-class mid-term on **October 9<sup>th</sup>**, and a final exam due **December 8<sup>th</sup>**. The final exam will be a take-home exam.
- 3.) During the semester you will write two 3-5 page memos. You will receive written feedback on both of these memos, and you will turn in revised memos that respond to the feedback you received. *MA students will write a 13-15 page term paper (with revisions) in place of the memos.*
  - a.) In **memo 1** you will argue for the justice or injustice of national borders (or for a more nuanced position), and you will use your philosophical argument to make policy recommendations about specific borders;
  - b) In **memo 2** you will use feminist ethics to argue for an immigration policy that you believe responds (rightfully) to the particular experiences of many immigrant women.
- 4.) You will take a short reading quiz at the beginning of every class. The quiz will take five minutes. It is designed to ensure that you did the assigned reading for the day. Only your highest quiz score from each week will count toward your final grade (in other words, I will drop your lowest quiz score from each week). Quizzes can only be taken in class and cannot be made up. You will have the option to do an extra-credit assignment to make up for a low quiz score.

## **GRADES**

- In-class reading quizzes – 20%
- Mid-term exam – 15%
- In-class assignments – 5%
- Draft 1 of Memo 1 – 5%
- Draft 2 of Memo 1 – 10%
- Draft 1 of Memo 2 – 10%
- Draft 2 of Memo 2 – 20%
- Final exam – 15%

## REQUIRED TEXTS

- Alison Jaggar. 2014. *Gender and Global Justice*. Cambridge: Polity Press.
- Paul Spickard. 2007. *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.

## POLICIES

1. *Respect and open-mindedness*. This is a course about an important and controversial subject: the political philosophy of immigration. It will, among other things, be a space for an open exchange of ideas; you are encouraged to voice your opinions and defend them philosophically. You should, however, do so with a spirit of respect and open-mindedness—not only towards the varied philosophical arguments you will read for class, but also toward your classmates (whose views may differ from your own). Furthermore, in choosing to take this class you agree to engage respectfully with the views we shall explore throughout the course.

2. *Academic Integrity*. Academic integrity is a legitimate concern for every member of the campus community; all share in upholding the fundamental values of honesty, trust, respect, fairness, responsibility, and professionalism. By choosing to join the UTEP community, students accept the expectations of the Scholastic Dishonesty Policy and are encouraged when faced with choices to always take the morally sound path. Students enrolling in UTEP assume the obligation to conduct themselves in a manner compatible with UTEP's function as an educational institution. Students should review the university's policies at: <http://admin.utep.edu/Default.aspx?PageContentID=2084&tabid=30292>

3. *Students with Disabilities Act*. UTEP seeks to provide equal access to its programs, services and activities for persons with disabilities. If the student has a systematic physical, cognitive, or psychological disability and requires accommodations, she or he should contact the instructor by the second week of classes so arrangements can be made with the Center for Accommodations and Support Services (CASS) at 915-747-5148 or [cass@utep.edu](mailto:cass@utep.edu).

4. *University Writing Center*. If you would like help writing papers for this course (from brainstorming ideas to revising for grammar and content), please contact by email [uwc@utep.edu](mailto:uwc@utep.edu) or by phone 915/747-5112, or visit the University Writing Center located in Library 227.

## CLASS SCHEDULE

Tuesday, August 26<sup>th</sup>

- Introduction to course
- Paul Spickard. 2007. "Chapter 1: Immigration, Race, Ethnicity, and Colonialism." In *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.

Thursday, August 28<sup>th</sup>

- Background: Approaching immigration as a philosophical problem
- Handout from John Rawls. 1971. *A Theory of Justice*. Cambridge: Harvard University Press.
- Handout from John Stuart Mill. *Utilitarianism*. Indianapolis: Hackett Publishing Company, Inc.
- Handout from Robert Nozick. 1977. *Anarchy, State and Utopia*. New York: Basic Books.

Tuesday, September 2<sup>nd</sup>

- Paul Spickard. 2007. "Chapter 2: Colliding Peoples in Eastern North America, 1600-1780," and "Chapter 3: An Anglo-American Republic? Racial Citizenship, 1760-1860." In *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.

Thursday, September 4<sup>th</sup>

- Communitarian/nationalist defenses of closed borders
- Michael Walzer. 1984. "Chapter 1: Complex Equality," and "Chapter 2: Membership." In *Spheres of Justice: A Defense of Pluralism and Equality*. New York: Basic Books.

Tuesday, September 9<sup>th</sup>

- Communitarian/nationalist defenses for closed borders, continued
- David Miller. 2005. "Immigration: The Case for Limits." In A. Cohen and C. Wellman (eds.), *Contemporary Debates in Applied Ethics*. Oxford: Blackwell.
- David Miller. 1999. "Chapter 1: Introduction." In *On Nationality*. Oxford: Clarendon Press.

Thursday, September 11<sup>th</sup>

- Liberal defenses of open borders
- Wrap-up of communitarian/nationalist arguments for closed borders
- Joseph Carens. 1987. "Aliens and Citizens: The Case for Open Borders." In *The Review of Politics* vol. 9 no. 2.
- Explore website "Open Borders," and come to class prepared to discuss an article/video/etc. you found interesting: <http://openborders.info/>

Tuesday, September 16<sup>th</sup>

- Liberal arguments for open borders, continued
- Paul Spickard. 2007. "Chapter 4: The Border Crossed Us: Euro-Americans Take the Continent, 1830-1900." In *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.
- Phillip Cole. "The Immorality of Borders." Unpublished manuscript.

Thursday, September 18<sup>th</sup>

- Liberal arguments against open borders
- Michael Blake. 2008. "Immigration and Political Equality." In *San Diego Law Review* 45 (4).

Tuesday, September 23<sup>rd</sup>

- Liberal arguments against open borders, continued
- Peter Higgins. 2013. "Introduction." In *Immigration Justice*. Edinburgh: Edinburgh University Press.

Thursday, September 25<sup>th</sup>

- Liberal arguments against open borders, continued
- Christopher Wellman. 2008. "Freedom of Association." In *Ethics*, 119.

Tuesday, September 30<sup>th</sup>

- Wrap-up of arguments for and against open borders
- Paul Spickard. 2007. "Chapter 5: The Great Wave: 1870-1930," and "Chapter 6: Cementing Hierarchy: Issues and Interpretations, 1870-1930" In *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.

Thursday, October 2

- Ideal versus non-ideal theory in immigration philosophy
- Shelley Wilcox. 2007. "Immigration Admissions and Global Relations of Harm." In *Journal of Social Philosophy*, vol. 3, no. 2.
- Joseph Carens. 1996. "Realistic and Idealistic Approaches to Immigration." In *International Migration Review*, vol. 30, no. 1.

Tuesday, October 7<sup>th</sup>

- In-class peer review of memos: bring your Memo 1 draft to class
- Memos due Friday, October 10<sup>th</sup> at 11:00pm

Thursday, October 9<sup>th</sup>

- Midterm exam

Tuesday, October 14<sup>th</sup>

- What is a refugee?
- Andrew E. Shacknové. 1985. "Who is a Refugee?" In *Ethics*, 95.
- *National Geographic*. "Encyclopedic Entry: Climate Refugee." Access at <http://education.nationalgeographic.com/education/encyclopedia/climate-refugee/>

Thursday, October 16<sup>th</sup>

- Feminist philosophy and immigration
- Alison Jaggar. 2014. "Chapter 1: Gender and Global Justice: Rethinking Some Basic Assumptions of Western Political Philosophy," and "Chapter 2: Transnational Cycles of Gendered Vulnerability: A Prologue to a Theory of Global Gender Justice." In *Gender and Global Justice*. Cambridge: Polity Press.

Tuesday, October 21<sup>st</sup>

- Feminist philosophy and immigration, continued
- Joan Tronto. 2002. "The Nanny Question in Feminism." In *Hypatia* vol. 17 no. 2.

Thursday, October 23<sup>rd</sup>

- Feminist philosophy and immigration, continued

- In class watch: *Black Girl* (Ousmane Sembene, 1966).

Tuesday, October 28<sup>th</sup>

- Feminist philosophy and immigration, continued
- Uma Narayan. 1995. "Male-Order Brides: Immigrant Women, Domestic Violence, and Immigration Law." In *Hypatia* vol. 10, no. 1.

Thursday, October 30<sup>th</sup>

- Feminist philosophy and immigration, continued
- Eva Feder Kittay. 1994. "The Moral Harm of Migrant Carework: Realizing a Global Right to Care." In *Gender and Global Justice*. Cambridge: Polity Press.
- Annette Baier. 1995. "A Note on Justice, Care and Immigration Policy." In *Hypatia* vol. 10 no. 2.

Tuesday, November 4<sup>th</sup>

- Feminist philosophy and immigration
- Natalie Cisneros. 2013. "Alien Sexuality: Race, Maternity and Citizenship." In *Hypatia* vol. 28 no. 2.
- Patricia Hill Collins. 1998. "It's All in the Family: Intersections of Gender, Race and the Nation." In *Hypatia* vol. 13 no. 3.

Thursday, November 6<sup>th</sup>

- Wrap-up of feminist philosophy and immigration
- Peer review: Memo 2 - bring your memo draft to class. Memos due Sunday, November 9<sup>th</sup> at 11:00pm.

Tuesday, November 11<sup>th</sup>

- The ethics of guest worker programs
- Review Michael Walzer. 1984. "Chapter 2: Membership." In *Spheres of Justice: A Defense of Pluralism and Equality*. New York: Basic Books.
- Howard F. Chang. 2008. "Guest Workers and Justice in a Second-Best World." In *University of Dayton Law Review* 3.

Thursday, November 13<sup>th</sup>

- Undocumented migration and political philosophy
- Joseph Carens. 2009. "The Case for Amnesty." In *Boston Review*. Access at <http://www.bostonreview.net/forum/case-amnesty-joseph-carens>
- Arash Abizadeh. 2009. "Reply to Joseph Carens." In *Boston Review*. Access at: <http://www.bostonreview.net/forum/case-amnesty/if-moral-duties-apply-domestic-noncitizens-they-apply-all-noncitizens-arash-abizadeh>
- Linda Bosniak. 2009. "Reply to Joseph Carens." In *Boston Review*. Access at: <http://www.bostonreview.net/forum/case-amnesty/basic-rights-short-term-immigrants-also-need-protection-linda-bosniak>

Tuesday, November 18<sup>th</sup>

- Undocumented migration and political philosophy, continued
- Paul Spickard. 2007. "Chapter 7: White People's America: 1924-1965." In *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.
- José Jorge Mendoza. 2014. "Discrimination and the Presumptive Rights of Immigrants." In *Critical Philosophy of Race* vol. 2 no. 1.

Thursday, November 20<sup>th</sup>

- Undocumented migration and political philosophy
- Paul Spickard. 2007. "Chapter 8: New Migrants from New Places since 1965." In *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.
- Amy Reed-Sandoval. "Deportations as Theaters of Inequality." Unpublished manuscript.

Tuesday, November 25<sup>th</sup>

- Philosophy of immigration in the US-Mexico borderlands
- José Antonio Lucero – paper and guest lecture?
- Paul Spickard. 2007. "Chapter 9: Redefining Membership Amid Multiplicity Since 1965." In *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.

Thursday, November 27<sup>th</sup>

No class – enjoy the break!



Tuesday, December 2<sup>nd</sup>

- Philosophy of immigration in the US-Mexico borderlands, continued
- Melissa Wright. 2009. "Maquiladora Mestizos and a Feminist Border Politics: Revisiting Anzaldúa." In *Hypatia* vol. 13 no. 3.
- Handout on Gloria Anzaldúa's *Borderlands/La Frontera: The New Mestiza*.

Thursday, December 4<sup>th</sup>

- Paul Spickard. 2007. "Chapter 10: Epilogue: Future Uncertain – Race, Ethnicity and Immigration at the Dawn of the Twenty-First Century." In *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity*. New York: Routledge.
- Wrap-up of course