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Open Borders: A Utopia?

Harald Bauder

Abstract:

Critics have dismissed the notion of open borders as utopian. In this article I argue that open borders are not a utopia. My concern, however, is not whether open borders are practical or politically feasible. Rather, my point is that the notion of open borders is merely a critique and a negation of the contemporary condition of closed borders. It does not articulate concrete alternatives, which would be a characteristic of utopia. Furthermore, drawing on the 'Frankfurt School' of critical theory, I suggest that concrete utopias that incorporate the notion of open borders must be rejected. Instead, the path towards an open-border world is a dialectical one in which the imagination of the future cannot be fixed.

Keywords: open borders, utopia, critical theory, negation, dialectic

Introduction

The far-away world of utopia has served as a powerful critique of existing circumstances and relations. Whenever utopia is concretely articulated as an alternative world, however, borders are rarely problematized (Best, 2003). This lack of attention to borders is perplexing, given that borders in today's world are primary sites where contemporary inequalities and injustices, hegemony and oppression are created and reproduced.

National borders, in particular, have separated humanity into distinct communities, defining wage structures, access to welfare and standards of living. While borders are permeable to some privileged people¹, they are impermeable to most others. Migrants who cross national borders without permission are often criminalized and de-humanized, frequently lose their social, economic and political rights and, as a consequence, experience disproportionate exploitation and abuse (e.g. Anderson et al., 2009; Hess and Kasperek, 2010; Nevins, 2002). In this role, migrants have become a "structural necessity" (Cohen, 1987: 135) for the economies of industrialized countries and play a "tactical role" in the process of industrial restructuring (Delgado-Wise, 2004: 592). Empirical research in Europe and North-America has shown how migrants – in particular from the global South – supply a workforce rendered vulnerable through cross-border mobility restrictions and the associated enforcement practices (e.g. Bauder, 2006; de Haas, 2008; Sassen, 1994).

In light of these problems, borders have been central features of contemporary critique. This critique has led commentators to argue for free movement and open borders from a variety of perspectives, including theoretical and practical viewpoint, and liberal and Marxian positions (e.g. Barry and Goodin, 1992; Carens, 1987, 2000; Hayter, 2000; Pécoud and De Guchteneire, 2007). However, in contexts in which utopia serves as a vehicle to critique existing circumstances, borders have not received the same amount of attention.

¹ And to most goods, services and financial transactions.

Ironically, while borders tend not to be problematized in utopias that envision concrete alternative worlds, the imagination of open borders has been labeled “utopian”. This label reflects the intention by critics to dismiss the open-borders idea outright and not have to seriously engage with it. John Casey, for example, observes that “advocacy of a universal open border policy is seen at best as a policy-irrelevant chimera and utopia” (p. 15) and that “any discussion of open borders is dismissed as ‘pie in the sky’ utopias” (p. 42). As an example of the dismissive public attitude towards open borders, Casey (2009: 53) cites Canada’s ‘national’ newspaper, the *Globe and Mail*, which suggested that free cross-border labour mobility would be “a utopian madhouse, even crazier in concept than communism,” given the impact it would have on the economic structure and national imagination of the receiving countries. By calling an open-borders world utopian, it is depicted as an absurdity.

In politics, the concept of utopia has long been used in a polemical way (Hölscher, 1996: 27-30). For example, in the 19th Century, socialist and communist visions were labeled “utopian” in a dismissive and derogatory manner. Even socialist sympathizers, like Karl Marx and Friedrich Engels, opposed utopia as an idealistic and dogmatic concept (Marx, 1982 [1848]; Engels, 1962 [1880/1882]). More recently, utopia has been associated with failed totalitarian regimes, including Stalinism and Nazism (e.g. Quarta, 1996; Segal, 2006).

Although the notion of utopia is more complex than dismissive commentaries acknowledge, I challenge in this article that the imagination of open-borders constitute a utopia. My main argument, however, is not that open-borders are a political feasibility. Others have discussed such prospects (e.g. Anderson et al., 2009; Casey, 2009). Rather, I propose that the imagination of open borders make a powerful critique without articulating a corresponding utopia of a concrete alternative world in which borders are either open or do not exist.

In developing my argument, I draw on the literatures of utopia and open borders, and on the critical theory of the “Frankfurt School”. According to Max Horkheimer (1968: 36, my translation)—a main proponent of the Frankfurt School—critical thinking involves “the idea of a future society (*Gesellschaft*) as a community (*Gemeinschaft*) of free human beings, as it is possible with existing technological means.” Although Horkheimer’s critical theory projects a “utopian horizon” (Schwandt, 2010: 36) for conceptualizing material relations and practices in possible futures, it refrains from articulating these futures in concrete and fixed ways. Similarly, the imagination of open borders presents a faint and unfinished image that arises on a distant horizon whereby the concrete terms of what an open-borders world would – or should – look like are not yet discernible.

In the following sections, I first review the concept of utopia. Then I explore in which way this concept applies to the imagination of open borders. I conclude with a discussion of the process towards an open-border future.

Utopia as Critique and Alternative World

Cosimo Quarta has suggested that utopianism is part of human nature and what distinguishes humans from other species. Utopia, in particular, is engrained in humanity’s restless “search for new possibilities” (Quarta, 1996: 159). Corresponding to this observation, utopian thinking has

existed throughout human history and in all parts of the world, from ancient philosophies and religions to present-day politics (Höschler, 1996; Levitas, 1990; Segal, 2006).

Yet, utopia is an ambiguous concept. While forward looking and thinking may be a part of human nature, there is no single way in which people have imagined utopia. Rather, the nature of utopia has varied across historical and geographical contexts. When Sir Thomas More coined the term of “utopia” in 1516—deriving it from the Greek word *eutopia* (good place) and *outopia* (no place)—utopia was a fictional island in the Atlantic Ocean, where inhabitants had established a society on the principles of reason. Later, utopia was “temporalized” (Hölscher, 1996: 30-33): it was located in the future and thereby became an abstract concept. In addition to the ambiguous location of utopia, the concept of utopia has assumed various contents, forms and functions in different philosophical traditions, cultural fields and historical context (Levitas, 1990).

In most cases, however, utopia has served a dual role: first, it is a critique of contemporary society. In this way, utopia *negates* current conditions and material relations deemed unacceptable. For example, More’s (1516) utopia served as a critique of contemporary Europe, including its relation to private property and a range of other political circumstances and social practices.

Second, utopia *positively* defines an alternative world, outlining how people should live with each other and defining an ideal society in concrete ways. This positive articulation of a better world is exemplified in More’s description of the society of Utopians and in modern models of socialism and technological advancement² (Hölschler, 1996; Levitas, 1990; Segal, 2006).

This positive articulation of utopia can play an important role in the real-politics of the present: “utopia does not need to *be* practically possible, it merely needs to be believed to be so to mobilize people to political action” (Levitas, 1990: 191, emphasis in the original). Contemporary scholars have affirmed the value of utopia that positively describes an alternative society from a range of philosophical perspectives. The pragmatist Richard Rorty, for example, suggests that it is not enough to critique but that critique should be followed by the articulation of concrete alternatives:

My own view is that it is not much use pointing to the “internal contradictions” of social practice, or “deconstructing” it, unless one can come up with an alternative practice—unless one can at least sketch a utopia in which the concept or distinction would be obsolete. (Rorty, 1991: 16)

Along similar lines, Marxist David Harvey has described a utopian dream (Harvey, 2000: 257-281) that describes a world in which borders between regions and nations are open³.

² As well as in mythical and religious places of ideal existence, such as the biblical Garden Eden.

³ Although cross-border movement could be restricted to protect regions from economic devastation resulting from the emigration of skills. Elsewhere, Harvey speaks of more “loosely agreed-on common objectives ... [that] could be the corevolutionary points around which social action could converge and rotate” (Harvey, 2011: 20).

Open-Border Utopia?

As valuable as utopian visions may be, it is questionable whether open borders indeed constitute such a vision. If that were the case, one could speak of “open-border utopia”. The concept of open borders, however, does not meet many of the criteria typically attributed to utopia. For example, Howard Segal (2006: 3-4) defines “genuine” utopias as (1) qualitatively different from existing conditions; (2) changing the entire society not just aspects of it⁴; and (3) transforming the well-being of all members of society, not just a segment of the population. The concept of open borders would be a “false” utopia because it does not meet these criteria: it proposes a life that may or may not be qualitatively different from the status quo; it addresses only a small aspect of society—i.e. how people move between national territories; and it is not concerned with all people but mainly with the migrants who are denied free migration.⁵

Furthermore, the argument can be made that the condition of open borders is already partially realized and therefore not utopian at all. For example, free mobility of people exists for the most part between the European countries that have signed the Schengen agreement. It also exists within most nation states, although political borders crisscross national territories at various sub-national scales.

Where open borders between nations-states are not already a reality, empirical research has shown how human migration flows are notoriously difficult to manage and migrants can often make legitimate claims to social and political inclusion (e.g. Hollifield, 1992). In particular, the commitment to human rights, which is characteristic of modern liberal democracies, has enabled migrants to claim postnational and transnational rights and citizenship and social entitlements (Sassen, 1994; Soysal, 1996; Bauböck, 1994). While borders may not be completely open, states have great difficulties controlling them (Pécoud and de Guchteneire, 2007).

Furthermore, John Casey (2009) has suggested concrete policy steps to achieve open borders where formal restrictions still infringe of free human mobility. If open borders are practically achievable in the context of existing circumstances and material relations, then the imagination of open borders does not seem to reflect a utopian vision of a far-away and qualitatively different world. Along similar lines, other commentators have argued that open border politics are already practiced by migrants and activists on a daily basis and are not utopian but part of an ongoing struggle for change (Anderson et al., 2009).

These may be valid arguments that open borders is not a utopian concept. The point I develop below, however, is that the imagination of open borders never articulates a concrete utopian vision. Rather than positively defining a better society, the open-border critique is a negation of

⁴ Not everyone may agree on this point: While Theodor Adorno, for example, agrees that utopia refers to the transformation of society as a whole, his contemporary Ernst Bloch counters that utopia often references particular contexts and overcomes specific shortcomings in human existence (Adorno and Bloch, 1964).

⁵ I am not ruling out that open borders may have consequences that fundamentally change life in its totality for all members of (global) society. Bridget Anderson, Nandita Sharma, and Cynthia Wright (2009: 12), for example, remark that their particular idea of successful no-border politics “will have a very profound effect on all of our lives for it is part of a global reshaping of economies and societies in a way that is not compatible with capitalism, nationalism, or the mode of state-controlled belonging that is citizenship.” Yet, the concrete nature of the consequences is typically not part of the discussion among open borders advocates.

contemporary, unsatisfactory conditions of closed borders and of borders that are only open to a select group of people. The concept of open borders does not advance beyond negation.

Open-Borders as Negation

In this section, I examine the open-borders literature more closely. This examination demonstrates that scholarship conceives of open-borders foremost as a negation.

The literature on the concept of open borders is substantial and rapidly growing (e.g. Bauder, 2003; Casey, 2009; Carens, 1987; Cole, 2000; Hayter, 2000; Riley, 2008; Scarpellino, 2007). Joseph Carens has been an early and key proponent of open borders from a universalist liberal political philosophy perspective. In his path-breaking essay "Aliens and Citizens", Carens (1987: 252) claims that citizenship and the associated right to enter and remain in a state's territory is "the modern equivalent of feudal privilege". Drawing on various liberal political theorists and their different approaches to liberalism, he argues that restricted cross-border mobility cannot be justified on liberal grounds. Following Robert Nozick, Carens demolishes the argument that citizens possess a collective right to the property of their national territory that could legitimate the denial of entry to non-citizens. Similarly, he extends John Rawls (1971) theory of justice to show that once the assumption of a closed political system that frames human existence is relaxed, the right to migration must be considered a basic liberty. Assuming a utilitarian perspective, Carens further suggests that cross-border mobility restrictions typically disadvantage potential migrants to a greater degree than they benefit non-migrants. These restrictions thus cannot be justified when they reduce collective utility among migrants and non-migrants.

Phillip Cole (2000) extends Carens' call for open borders. He rejects migration restrictions aiming to enforce the liberal principles of private property or the principle of community (Walzer, 1983) on the grounds that they violate the core liberal principle of human equality. This argument also holds up against Hobbesian claims that states under threat can restrict cross-border migration: the principle of human equality trumps the right to maintain a state apparatus. Furthermore, the kind of migration that states typically restrict does not pose a threat to their very existence and therefore cannot be used to sustain a Hobbesian claim to mobility restrictions (Bauder, 2003).

Such liberal calls for open borders negate a world of closed-borders but they do not articulate a positive utopia; they do not define the particular circumstances in which people will live when open borders are realized. Rather, they simply critique and reject the present condition of restricted cross-border mobility.

Carens also remarks that his negative critique is not for implementation in a concrete way. In an exchange with John Isbister, he writes:

The open borders argument is not really intended as a concrete recommendation for current policies or one in a foreseeable future. It is not intended as advice to presidents and prime ministers or to administrators and legislators. Rather, it serves a heuristic function, revealing to us something about the specific character of the moral flaws of the world in which we live, the

institutions we inhabit, and the social situation of those who dwell in rich industrial states. (Carens, 2000: 643)⁶

In the sense that the open-borders concept does not articulate concrete alternatives, it cannot be considered utopian. Rather, Carens and his fellow liberal open-borders advocates have voiced a critique of mobility constraints from a liberal political-philosophy perspective. This internal critique lacks a concrete vision of social practices and political institutions of an open borders future. In this way, the open-borders argument never advances beyond negation and leaves open the manner in which this future of open borders should unfold in positive terms.

Open-borders have also been advocated from political-economy and post-colonial perspectives. These perspectives are distinct from the liberal perspective outlined above and present critique on the basis of the material and historical relations of capitalism and colonialism rather than universal moral claims of equality (Bauder, 2003; Brown, 1992; Hayter, 2000; Sharma, 2006).

For example, Bridget Anderson, Nandita Sharma and Cynthia Wright (2009) have recently rejected that the politics seeking to eliminate current borders are utopian. They explain that "any study of national borders needs to start with the recognition that they are thoroughly ideological" (Anderson et al., 2009: 6). As ideologies, borders legitimate existing material relations by creating subject identities – like the category "migrant" – and by naturalizing these identities. Furthermore, borders serve to dehumanize the people captured in the category "migrant" (Anderson et al., 2009; also Sharma, 2006). The rejection of borders thus challenges the very subjectivities created and imposed by borders⁷.

This rejection of borders and current border practices, however, is not necessarily tied to a positive articulation of an alternative world without borders. Rather, no-border politics first and foremost demand the right to free movement and the right to stay, and the liberation of migrants from the categories which borders impose on them. Although these politics aim at "revolutionary change" (Anderson et al., 2009: 12), the concrete outcome of this change is open.

Positive Open-Border Utopias

Although most descriptions of utopia have neglected borders (Best, 2003), instances exist in which open borders have been part of positively articulated utopias. Positive articulations of utopia, however, are problematic. Theodor Adorno argues that utopia should not be articulated positively, or concretely, as "it will be like this and this [*so und so wird es sein*]" (Adorno and Bloch, 1964). Such a positive definition of utopia would be a throwback into idealism. Instead, according to Adorno's (1966) negative dialectics, critique should remain at the position of

⁶ Carens's rejection of the open-borders concept as a useful tool for the real-politics of today may have contributed to the confusion of open borders as a utopia in the sense that it can be dismissed as an absurdity under current material relations.

⁷ There is a slippage between this "no borders" and "open-borders" arguments. The former rejects borders categorically, while the latter argues for free mobility across borders. In the context of whether free mobility of people constitutes a mere critique or positive utopia, the two positions, however, are rather similar. Because of their similarities in this particular context, I have conflated the discussion of the no-borders and open-borders viewpoints.

contradiction and negation. Articulations of utopia in a positive way will always arise out of present circumstances, and will necessarily rely on existing language and concepts. Seeking to define utopia as a concrete alternative would therefore stifle the free unfolding of possible futures—including futures that we yet lack the language and concepts to describe. Only critique at the stage of negation will preserve all alternative possibilities for the future.

Below I will discuss socialist and free-market utopias. Both of these utopias are problematic because—as Adorno has pointed out—they foreclose possibilities for which currently no terms of reference exist. Instead, they fix the future based on contemporary material practices and discursive concepts, and thereby reproduce ideologies that already exist (Mannheim, 1952 [1929]). The notion of open borders—in itself merely the negation of the present condition of closed borders—is incorporated into an overarching and rigid ideological framework.

Socialist ideology has long envisioned a world in which capitalistic class-struggle and labour exploitation are annihilated. These visions have moved beyond negation and have been expressed in concrete, positive forms. Marx (e.g. 1982 [1848]) and Engels (e.g. 1971 [1880/1882]) critiqued socialist “utopias” because they saw in them a return to idealism. Conversely, they stressed that their own predictions are scientifically grounded in history and the material relations of their day. Nevertheless, Marxian socialists continued to envision a positively articulated future. In this future the negation of capitalism by socialism takes on concrete, positive forms.

Austro-Marxist Otto Bauer presented such a concrete vision of a future socialist world that is not a “phantasy” but based on scientific reason and “sober assessment” (Bauer, 1907: 521). In this vision cross-border migration follows a “conscious regulation of migrations ... [that] will attract immigrants where the increased number of workers multiplies the productivity of labour” (Bauer, 1907: 515, my translation). The state will no longer control labour flows in its own interests. Rather, national communities will be detached from state territory and be mobile across state borders. The principle of nationality is the rational organizing principle of this socialist society; this principle will “sweep away all traditional ideologies as soon as the dam of capitalism is broken” (Bauer, 1907: 511, my translation). Bauer (1907: 520) further explains that in this socialist world members of a nation will no longer migrate as individuals. Rather, they will migrate as a corporate-legal entity (*öffentlich-rechtliche Körperschaft*) which ensures that the migrant’s cultural, social and economic rights are protected.

In Bauer’s future socialist world, the dominance of the principle of nationality is a historical and material necessity⁸. Open borders are a consequence of this principle. In the sense that a transformed future society is concretely articulated, Bauer’s socialist imagination of open borders represents a genuine utopia. Furthermore, the overarching principle of nationality excludes other futures of social organization and cross-border mobility.

Another positive utopia follows the free-market ideology. Almost a quarter century ago, Ruth Levitas (1990: 186-187) observed that the “neo-liberal New Right” envisions a utopia of a society in which individuals freely compete with each other in the labour market without interference by

⁸ Other Marxist writers have been suspicious of the “nation” as an organizing principle and instead focused their analyses on the principle of class (e.g. Brown, 1992).

the state. Nick Gill (2009) recently showed that this free-market ideology has also occupied an important role in the debate of open borders.

The free-market utopia critiques closed borders in this way: no worker has the right “to be exempt from competition in the labor market” through protectionist border politics, and businesses have the right to “hire the lowest cost workers” no matter from which side of the border they come (Binswanger, 2006: no page). In the free-market utopia, workers and job are matched under conditions of complete geographical mobility undisturbed by the state’s interventions. Any restrictions imposed by borders that prevent or obstruct matching workers with corresponding jobs distort the natural order of the market. Border restrictions therefore have no place in this free-market utopia.

Jason Riley (2008: 220) made the case for this free-market utopia in the context of the US border: he argued that “the free movement of labor adds efficiency and productivity to our economy. Hence, immigrants tend to stimulate economic growth rather than cause unemployment”. Open borders ensure that the labour demand-supply mechanism is not artificially distorted. Under the conditions of open borders, the market principle can freely unfold and maximize the utility for workers, employers and society as a whole.

This free-market utopia shares several characteristics with other genuine utopias: First, it represents a far-away world. In particular, the unconstrained mobility of labour does not exist. In fact, economic theories typically acknowledge the unrealistic nature of open borders by calling it an “assumption”⁹. Second, the free-market utopia negates current conditions of closed and controlled borders, which produce a market distortion. Third, it articulates a positive image of an open-border world in which the labour market is regulated by the principle of the free market. Similar to Bauer’s description of a future socialist world, this free-market utopia does not permit any other principles of regulation and denies alternative possibilities of open-border futures.

Conclusion

Although, a world with open-borders “is an elusive goal” (Preston, 2003: 186), it must not be articulated as a positive utopia. Although the notion of open borders negates a world with closed and tightly controlled borders, it does not present an alternative world in which future institutions and practices are clearly defined. Polemical labels dismissing the imagination of open borders as “utopian” are thus misguided.

Ironically many commentators who would dismiss open borders for people as an absurdity would probably also present open borders for capital and trade not only as a possibility but a necessity. These free-market utopias—whether they focus on capital, trade, or labour—merely reproduce existing ideology and re-enforce existing material relations. For example, open-borders for labour under free-market conditions would unleash the forces of labour exploitation in its most brutal form (Hiebert, 2003). In such a dystopia migration would constitute “yet

⁹ Ironically, neo-liberal practices and policies that claim to promote free-market ideologies have relied precisely on closed borders to regulate national labour markets (e.g. Simmons, 1999; Bauder, 2011a).

another spatial 'fix' that allows the basic exploitative mechanism of capitalism to continue to operate" (Gill, 2009: 116). Similarly, Otto Bauer's socialist open-borders utopia reproduces the problematic principle of nationality.

Following Adorno, positively articulated open-border utopias should be rejected because they foreclose social and political transformation that reaches beyond contemporary ways of thinking. Conversely, open borders as a *non-utopian* imagination presents a powerful critique of the existing practice of closed borders. This imagination articulates the dialectical opposite to closed borders.

This negation, in turn, can constitute a critical moment in the dialectical progression towards an open-border future. Importantly, this future is not foreseeable in concrete ways because the circumstances that produce it have not yet materialized. In fact, we may still lack the language and concepts to describe this future. How exactly this open-border future will materially unfold will be a matter of dialectical progression.

Critical scholarship can participate in this progression. For example, gender and racial equalities are important aspects that need to be reconciled in an open-border imagination (Preston, 2003; Sharma, 2006). Critical Scholarship, however, must also be cautious to avoid framing open-border imaginaries in concrete and positive terms. For example, the concept of "democracy" can guide visions of open borders, although it would be premature to define how democracy and open borders will be concretely enacted (Balibar, 2002, 2004; Bauder, 2011b).

Michael Samers (2003) has presented another contribution to the dialectic of an open-borders imagination, by contemplating a borderless global state. Although he associates this state with the global scale, he refrains from articulating a utopia in a positive way and recognizes the interdependencies between global and other scales. He writes:

I am calling less for a sketch of utopia than a non-teleological imaginary of global society. If imagination is to lead to practice, then this will have to involve an individual and collective exertion over the question of a cosmopolitan justice at another scale. Such is our task ahead. (Samers, 2002: 216)

The question of geographical scale has also been evoked by Anderson et al. (2009) who have considered the notion of a global commons for the governance of a borderless society (Anderson et al., 2009). Drawing on Peter Linebaugh's (2008) work on the practice of communing, they argue that free mobility and the right to stay should be a "common" right; i.e. a right that is not essentialized or abstracted like today's human rights, but a contextualized entitlement. What precisely this entitlement would entail or how it will be achieved cannot yet be grasped and will depend on material contexts as they unfold in the future¹⁰.

My point is that the path towards an open-borders imagination and corresponding open-borders practices are an unfinished and open dialectical project. Although the imaginary of open borders is not a positively articulated utopia, it belongs to the realm of "consciousness" (*Bewußtsein*) which is not corresponding to the material "being" (*sein*) (Mannheim, 1952 [1929]:

¹⁰ Other geographical scales may involve the local at which migrants (and non-migrants) may obtain rights based on residence (Bauder, 2012). Furthermore, possibilities of governance may exist at scales that are not conceivable at this time (e.g. Mountz and Hyndman, 2006). The open-border imaginary must remain open to all possible scales.

169). The continual interaction and reflection between the open-border imaginary and material border practices constitute a dialectic through which society can achieve the transformation of the meanings of borders and the associated practices (Bauder, 2011b).

In other words, imaginations of open borders present fuzzy contours of an unfixed future world at the “utopian horizon”. This horizon lies beyond the “objectively possible” – i.e. what is possible under existing material circumstances – but involves the “actually possible” based on circumstances that are not yet realized (Bloch, 1985 [1959])¹¹. The contours of an open-border world are intangible anticipations that may, or may not, materialize as the future unfolds.

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¹¹ Ernst Bloch uses various terms to refer to my liberal translation: for example, he refers to the “objectively possible” as “objektiv möglich” (p. 225) or the “sachhaft-objektgemäß Mögliche” (p. 264), and to the “actually possible” as the “real Mögliche” (p. 226) or “objektiv-real Mögliche” (p. 271).

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