

Comments on Sager's "What Immigrants Owe Society"
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Alex Sager has done us a service in his paper "What Immigrants Owe Society" by presenting a balanced and reasonable discussion of a topic that has mostly been left to right-wing ideologs and anti-immigration activists when it has been addressed at all. While many have written on other aspects of immigration policy Sager's topic is much less well covered. Since I have a fairly large degree of sympathy with Sager's careful discussion I will proceed in two ways. First, I shall cover some of the same ground in the areas where we have the highest level of agreement but will reconstruct his positions and offer amendments to them in ways that I find more congenial. Secondly, I shall offer some criticism of what I take to be his most interesting and important claim: that immigrants have a general duty of justice to do what's necessary in order to take part in the political culture of the society of immigration; a duty that will usually entail a duty to learn the dominant language to the host country.

Recall first some of the limitations that Sager places on his inquiry. We are here interested in the moral obligations of immigrants, and are focusing on what we might call "voluntary" immigrants. Not every moral obligation implies a legal obligation, so not everything that we hold immigrants have a duty to do will be something the host state will have a right to compel. But, since we are considering voluntary immigrants- that is, not refugees or others driven to migrate because of extreme circumstances- we may reasonably think that in moving to a new country these immigrants have incurred new duties of some sort.

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If we are to say anything useful about immigration we must first make clear several points. While I think that Sager ultimately agrees with all, or at least most all, of these points they are sometimes not as clearly put as they might be and this sometimes makes the discussion less clear than is ideal. First, if we are to say anything distinctive about the obligations of immigrants to their new society we have to consider how their obligations are either larger or smaller than those of citizens. Note that many obligations that immigrants have are just general moral obligations, and so in no special way distinct from obligations held by citizens. So, for these sorts of obligations it is more a confusion than a help to talk about the “obligations of immigrants” or the “obligations of citizens” since what we are here interested in are just the obligations of people, wherever they may be.

Many of the obligations that Sager considers are, I think, best thought of as general moral obligations or particular specifications of general obligations rather than as obligations of immigrants as such. While some aspects of these obligations might be specified in slightly different ways for citizens and immigrants this is more a factor of facing somewhat different circumstances than anything deeper, and so, I contend, ought not make us think that immigrants have, in these areas, any special obligations that citizens do not. I will give some examples for these points below.

We must also, if we are to make progress, distinguish between adult immigrants and their children. Only adult immigrants can be considered fully voluntary and so only they can have all of the obligations that Sager wants to consider. Furthermore, among the children of immigrants we must further sub-divide between children of immigrants who were born in the country of immigration and children who migrated with their parents.

The first group are, or ought to be, citizens of the country of their birth and so have all and only the obligations that citizens do. We ought not, then, in an inquiry like this one, consider them at all except insofar as their existence provides a circumstance that results in various duties for their parents.

The second group, children who migrated with their parents, are immigrants, but are not very plausibly thought of as voluntary ones in most cases, unless they came at an advanced age and have a clear right and real possibility to return to their country of origin. Even then the voluntary nature is only partial. From a moral point of view the children of aliens are then more like the children of citizens than like adult immigrants since, morally speaking, they just find themselves in their new country, almost as if they had merely been transported there. It is not plausible that any actual contract account, whether express or tacit, can be applied to them, and insofar as we take a hypothetical contract approach these children must, I think, be treated more like citizens than their immigrant parents.

We must also, I claim, distinguish between what is generally required from immigrants from what may be required for naturalization. We might plausibly think that those immigrants who want to naturalize have greater moral duties, since they will have more rights. On the other hand, those who choose not to naturalize have given up or forgone these rights, and so have fewer duties. Therefore, what may be required for naturalization is a poor guide to what is generally morally required of immigrants. I return to this point in the final section of the paper.

I next want to focus in particular on questions relating to what moral obligations immigrants might have regarding their children, a topic Sager touches on at several

points. Many of the obligations Sager discusses seem to me to be best thought of as obligations that all parents have, though what exactly these obligations entail will depend on the situation parents find themselves in. But this is true of both immigrant and citizen parents. So, we might think that all parents have an obligation to equip their children, as best they can, with the skills needed to function in society. This will include teaching them an acceptable work-ethic, competence in the dominant language, insofar as this is needed for social success, and providing them with other skills and education needed to live a decent life. This is to say, all parents, immigrant and citizen, have an obligation to not make social cripples of their children. But since this duty applies to all parents, wherever they find themselves, it does not impose any special duty on immigrants. That immigrants might find these duties somewhat harder to meet does not make them special duties of immigrants.

An implication of this fact is that immigrant parents cannot have a greater duty to make (as far as that's possible!) their children adopt the dominant culture than can citizen parents. In a free society a large degree of variation from the dominant culture will be a permanent (and, I think, desirable) feature. Insofar as citizen parents have not violated moral duties by socializing their children outside of the dominant culture, immigrant parents also will not have done so, I contend. In both cases the important question will be whether the parents have provided their children with the tools they need to not be social cripples. Again, since this duty applies equally to both citizen and immigrant parents it is a confusion, I think, to consider it a duty of immigrants rather than a duty of parents.

We may now turn to Sager's most interesting position- the claim that immigrants have a duty of justice to integrate into their new societies so that they may be active participants in the political culture of their new communities. A commitment to the political culture, on Sager's account, requires at least a "commitment to the basic framework", where this means at least no trying to destroy or change it by means that are outside the framework. (This duty applies, I'd think, only to reasonably just societies. I see no reason to think Sager disagrees.)

Now, if this were all that were required by justice I do not think it would be an especially controversial, or even interesting, claim, since it would again seem to be a requirement that applies, at least in just societies, to everyone, immigrant or citizen. But, Sager requires more than this bare duty. To become a member of a new society, he claims, is to become responsible for its laws, and to do this is to acquire a duty to help make the laws of the society just. But, to be able to do this requires being able to take part in the public political life of the society. This in turn, Sager says, cannot properly be done without learning the dominant language. Working through a translator is at best an imperfect half-way measure. So, it seems, immigrants have a duty of justice to at least attempt to learn the dominant language of society so that they may take part in the public political life of the society of immigration, since this sort of political participation is itself a duty.¹

This seems too strong to me, at least when applied to immigrants who do not, and do not want to, naturalize, and so become citizens. While, in countries that do not place

¹ Sager links this argument with the Rawlsian idea of "Public Reason". This seems a strained connection to me, not least because Rawls never claims that a shared language is a necessary feature of public reason. A closer connection might be made, I think, with Habermas's notion of the "public sphere". See, for example, Habermas, "The Public Sphere", in Goodin and Pettit, eds., *Contemporary Political Philosophy: An Anthology*

significant barriers in the way of naturalization, a large percentage of immigrants eventually do naturalize, many do not, and even in countries with high naturalization rates only a small fraction who are eligible to naturalize do so each year.² I contend that there are often quite legitimate reasons why an immigrant might choose to not naturalize. If this is so, then we must ask if immigrants who do not naturalize, even if they are long-term residents, have a moral duty to take part in the public political culture of the society of immigration and therefore to learn the dominant language if they are able (here assuming for the moment that this is a necessary feature for such participation.)

It seems to me that there is no such duty. Immigrants who do not naturalize, when the choice is open to them, have not joined the society in the way that would give them all the same duties as citizens have. They remain, at least partly, members of their community of origin and we might think they owe their deepest political duties to their communities of citizenship, even if they have long been absent, so long as they do not choose to naturalize. These immigrants have significant moral duties towards the societies in which they live, but they do not seem to me to be, at their base, duties to integrate in the way Sager proposes. The duties that immigrants do have, I contend, can be met without ever learning the language of the host society, at least in many cases.

It is true, of course, that there will often be extremely compelling prudential reasons to learn the language of the society to which one has immigrated. This by itself can explain why most immigrants do gain at least basic language knowledge and nearly all children of immigrants do. It is also true that it will often be quite difficult for an

² For example, while about 88% of eligible immigrants to Canada naturalize within 20 years, only about 45% of those eligible in Great Britain, about 39% of those in the US, and about 38% of those eligible in France do so within 20 years, despite those countries having naturalization processes that are nearly as liberal as Canada's. Even in Canada, where naturalization is possible after only 3 years, most immigrants wait 10 years to naturalize. See Lynch and Simon, *Immigration the World Over*, pp. 67-8, 253-4.

immigrant to meet her generally applicable moral duties, such as to provide for herself and her family, and to help her children flourish, without gaining at least some command of the host-country language. But here too there will also be many exceptions where this is not the case. If we accept the claim (which I admit I have only asserted here and not provided a satisfactory argument for) that immigrants who chose not to naturalize exchange their lesser rights as non-citizens for lesser duties, and that such an exchange may be morally legitimate, then there will be certain cases where immigrants may choose to not learn the common language of their new societies without having violated any moral duties. To this extent, then, immigrants do not have a duty to integrate in the sense claims by Sager, at least insofar as they choose to remain non-citizens.

Note, however, that nearly all countries have language requirements for becoming a citizen. While I do not think that immigrants have a general duty to learn the dominant language since I think they may legitimately refrain from taking on the duties of a citizen, we might think that what Sager has actually shown is that states may legitimately impose a language requirement as part of the naturalization process. I am not certain about this, in part because of strong arguments made by Joseph Carens for the claim that naturalization requirements ought to be purely formal and largely restricted to a period of residences,³ and partly because I am not convinced that a common language is necessary for a well-ordered society, but we at least here see the beginning for such an argument. Even if Sager has not, as I contend he has not, shown that immigrants have a duty to learn the dominant language of their host societies, he has done something important by

³ See Joseph Carens, "What Naturalization Should be Easy: A Response to Noah Pickus", in Pickus, ed., *Immigration and Citizenship in the 21st Century*, pp. 141-8.

showing how we might form an argument that a language requirement is a legitimate, maybe even a necessary, part of just naturalization requirements.