
Is Immigration a Human Right?

Videos:

“Christopher Wellman: Immigration and the Right to National Self-Determination”
https://www.youtube.com/watch?v=Sv2_3iewehY (10:31 minutes)

“Bryan Caplan: Immigration Restrictions as a Human Rights Violation”
<https://www.youtube.com/watch?v=82pWq3bMxoE> (8:47 minutes)

Guide:

The questions below will help students achieve a better understanding of the arguments made on either side of a contentious topic. Because these questions often touch upon statements made briefly in the videos, we recommend reading the questions before watching each video.

Students are encouraged to take notes during the videos, and it may be helpful for students to break into groups, each taking responsibility for only a few questions, before coming together for discussion.

Analysis Questions:

1. What are the opposing ideas in these two videos?
2. Should one of the arguments we heard carry more weight than the other? If so, which one? Why?
3. Christopher Wellman argued that “legitimate states are entitled to political self-determination.” What is political self-determination?
4. Brian Caplan said one way to test whether or not a government has violated human rights is to ask: if an individual treated people the same way, would we consider the individual a criminal? What do you think of this test? Would your own government pass it? Why/Why not?
5. Christopher Wellman said that “freedom of association includes the right not to associate with others.” What did he mean by this?
6. Brian Caplan said that for many people, “exile is the default.” What did he mean by this?
7. Christopher Wellman talks about the rights of legitimate states. What qualifies a state as legitimate?
8. Brian Caplan said, “When economists estimate the effects of allowing all the talent in the world to freely move wherever it wants to go, the usual estimate is this would roughly double global prosperity.” How does this effect your views on immigration? Does it change whether or not the government should have the right to restrict immigration? Why/Why not?

9. Christopher Wellman said that “the self that is self-determining changes when new members are brought in, so a very important component of [a state’s] right to self-determination is the right to exclude prospective members if it doesn’t want to include them.” What did he mean by this? Do you agree with this statement? Why/Why not?
10. Brian Caplan said that if you can justify immigration restrictions by saying “it’s our country and we set the rules,” you can also justify any number of human rights violations. What did he mean by this? Do you agree? Why/Why not?
11. Christopher Wellman said that he doesn’t believe in strictly limiting immigration, but believes that legitimate states have the right to do so. What do you think of this point of view? What is the difference between advocating for a position and merely believing a state has the right to do it?
12. Brian Caplan said that if you defend a state’s right to restrict immigration on the grounds of freedom of association, then “we have two conflicting freedoms of association here, because I want to be free to associate with foreigners, and lots of foreigners want to be free to associate with me.” Does the freedom of association apply to non-citizens? Why/Why not?
13. Christopher Wellman said that Bill and Melinda Gates might have a duty to help less fortunate people, but that they don’t have a duty to open their homes to people. Is this an accurate analogy for immigration? Why/Why not?
14. Brian Caplan said, “Freedom of association is only for free associations.” What did he mean by this?
15. Christopher Wellman argued that instead of letting refugees immigrate, a state could intervene in the refugees’ home country and restructure things to make the refugees safer. Is this a better solution than allowing refugees to immigrate? Why/Why not?
16. Brian Caplan sums up his position thusly: “[A]ffirming the human right to immigrate is just the moderate, common sense position that when natives and foreigners voluntarily interact, strangers are morally obliged to leave them alone....And this remains true even if the stranger is the government, and even if the government is popular.” Do you agree with this statement? Why/Why not?
17. Wellman and Caplan both said they’re in favor of more immigration, but their philosophical beliefs are in conflict. How important are philosophical differences in cases like this one? How should we navigate differences in philosophical beliefs? Is it necessary to change others’ philosophical beliefs in order to solve issues?
18. Did you have an opinion on this topic before watching these videos? If so, what was it? Has your opinion changed? If so, how? What did you learn from these videos that affects your views on this topic?

19. What else would you like to learn about this topic?
20. For more on the topic of immigration, check out another Both Sides of the Issue entry, “The Immigration Debate”: <https://stosselintheclassroom.org/both-sides-the-immigration-debate/>