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## **“Where Are You *Really* From?” Ethnic and Linguistic Immigrant Selection Policies in Liberal States**

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### **Abstract**

**In this paper, I discuss some of the criteria that liberal states have used to choose between potential immigrants. While overtly racist policies have been widely condemned and abolished, many states have still in the recent past selected immigrants based on their ethnicity and/or language competency. I argue that even apparently more benign examples of ethnic and linguistic selection are unacceptable because they tend to express a morally problematic message that members of certain ethnic groups within the territory—the people who are *really* from there—occupy a privileged position within the political community. And this means, I argue, that they unjustly exclude members of other ethnic groups. Finally, I address some special features of linguistic selection that are sometimes thought to make it justifiable, including the *de facto* inevitability of promoting some languages more than others, the fact that languages can be learned voluntarily, and the fragility of minority languages in territories where there is another language that is more universally known.**

## 13.1 Introduction

Suppose that states are not required to have open-borders: they may put *some* limits on who enters and exists. And suppose, further, that while the state is sometimes required to grant people within their territory citizenship (as with long-term residents) there are other cases (as with recent arrivals) where this is discretionary. How should states decide which people to allow in and which to allow to naturalize? In this paper I'm going to discuss, in particular, *ethnic* selection policies, which sort people based on their origin. I'll provide some explanations for clear cases of unacceptable ethnic selection policies, but I also argue that problems with these policies carry over to other forms of selection which are not on their face ethnic per se, but instead "cultural" or linguistic, such as language based selection in Quebec. Even these policies, I'll argue, often require a problematic distinction between those who merely live in, or came of age in, a territory, and those who are *really* from there. The central moral concern here, I claim, is with the *expressive* dimension of such policies.

## 13.2 Racial Selection

The clearest cases of unacceptable selection policies are those based on racial preferences. Historically examples include the Reed Johnson Act in the United States and the White Australia policy, both during the early 20<sup>th</sup> Century.<sup>1</sup> Both were aimed at keeping out non-Caucasian immigrants, who were deemed less fit for citizenship.

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<sup>1</sup> See Ngai (2004) for a more extensive discussion.

What was wrong with these policies? Michael Walzer suggests that the White Australia policy can be rejected on the grounds that the white Australians occupied only a small portion of a “vast territory” (Walzer 1983, 47). By excluding non-whites they were using much more than their fair share of the world’s resources. Given that there were many poor Southeast Asians who would have liked to use some of the resources of Australia, Walzer suggests, it was unjustifiable to exclude all of them.

Walzer’s account implies, as he says, that if white Australians had been willing to cede large parts of their land to others and exercise jurisdiction over a smaller territory, then it would have been permissible for them to maintain a homogenous society: “White Australia could survive only as Little Australia.” This suggestion is troubling. Many of us would still find the White Australia policies unjust even if they were implemented by Little Australia. We would be equally troubled by a White Ireland policy, even though Ireland is a fraction of the size of Australia.

Walzer’s approach also cannot explain why the abandonment of the Reed-Johnson Act is viewed as a moment of moral progress. When the policy was finally changed, in the 1960s, it did not involve an expansion in the overall number of immigrants admitted to the U.S. In fact, immigration from Central and South America was now capped for the first time, as it still is today, seriously limiting the number of immigrants from those areas. So, it can’t be that the U.S. had to abandon ethnic selection in order to fill up its territory more. There was something wrong in itself, it seems, about using those criteria for selection. Walzer may well be right that Australia ought to have been admitting more immigrants, but this sort of consideration doesn’t seem to be central to the explanation of why racial selection is problematic.

Another potential explanation focuses on the fact that these selection schemes were justified by now disproven racial theories and thus lacked any rationale. David Miller, for instance, writes that race and sex may not be used as criteria in selecting migrants because they “do not connect to anything of real significance to the society they want to join” (Miller 2003, 204). States cannot rely on such a flimsy explanation for excluding someone, he suggests, given the important interest she has in being able to gain entry.

It is true that White Australia and the Reid Johnson Act were premised on ideas of racial superiority that reflect clearly refuted biological theories. So one problem with these selection schemes is that they were unmotivated given their flawed racial basis. Certainly any attack on these schemes should point out that one of the central rationales offered for them rested on a mistake, and this removes one major source of support for the schemes.

But simply attacking this rationale is not sufficient to explain why we so firmly reject those schemes. The mere fact that a policy is *irrational*, or unmotivated, is not sufficient to make it *unjust*. For instance, suppose that in the U.S. labor market there is a large need for more doctors but very little need for engineers. Yet the United States allows many more foreign engineers to become new permanent residents than foreign doctors (because, let's suppose, U.S. doctors are better politically organized than engineers, and so they put more pressure on Congress to support immigration policies which will keep their wages high). This policy would be irrational because there is no reason to skew green card distribution towards the engineers. But it doesn't seem to *wrong* an applicant. Racial selection seems not merely imprudent but also unjust.

What is it that is so objectionable about racially motivated policies then, aside from the fact that they rest on false views? One familiar idea is that these policies *express* something objectionable about members of the dispreferred races. What is it that these policies express? Plausibly they express a message of inferiority. Carens' discussion suggests this when he says that they convey "stigma" (Carens 2013, Chap. 3). They convey that the state considers the members of one race not worthy of mixing with those of its own (racially defined) nation. For instance, White Australia plausibly expressed the message that Asians were too debased to be worthy of mixing with Australians. Similarly, U.S. policies expressed that Southeastern Europeans and (even more so) non-whites were degraded races, unfit for mixing with Northern Europeans. Thus, race selection was not simply ill-motivated. It was *unjust* because it expressed a demeaning message towards the dispreferred races.<sup>2</sup>

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<sup>2</sup> For further discussion of how and when racial distinctions demean, see Hellman (2008).

### 13.3 Ethnicity and *Aussiedlung*

We've seen why the race based ethnic selection policies of the past had to be rejected. I'd like to now consider "positive" ethnic policies in more recent European history. Policies of this kind have proven more resilient in liberal democracies due to their very different structure, though they are now constrained by EU Law. I would like to consider whether they can be distinguished from the older policies. As case studies, I'll consider German return policies and then Spanish preferences for Hispanics.<sup>3</sup>

(West) Germany's *Aussiedlung* ("resettlement") policy was instituted well after, following World War II, earlier discriminatory policies had become discredited, though it too has been phased out since the 1990s. The policy allowed people considered ethnically German but living outside of the territory, especially in Eastern Europe or the Soviet Union, the opportunity to "return" to the home country, even if their German origins were remote. Definitions of Germanness varied over time but largely required an immigrant simply to show that they had some German ancestry and a willingness to identify as German. Those who could do so were given entry to Germany, accompanied by an easy naturalization process.

Did this policy face the same difficulties as the earlier racial schemes? Unlike the earlier racial policies, the German scheme does not seem to have largely relied on eugenic ideas, fears about miscegenation, and so on; and so, more generally, it was not based on the claim that there is a natural hierarchy of races. This means that it could not be undermined simply by providing scientific evidence that there is no such hierarchy (or no such races at all). And furthermore, it did not on its face express that non-German people are in general inferior. To say that ethnic Germans deserve to return to their homeland is not itself to imply that non-Germans are genetically substandard, just perhaps that their own homeland may be elsewhere.

All the same, the scheme was problematic and is now widely condemned. To see the problem, notice that there are some messages which we can express without violating people's rights simply as persons but which may not be expressed by a government to its

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<sup>3</sup> I largely borrow from Joppke (2005)'s account for the facts.

own subjects. We owe it to other people, simply as persons, not to demean them. But there are certain messages which a government may not communicate to its own citizens even if they would be acceptable were they communicated between private individuals. These messages help to illustrate the special expressive wrongs that states can inflict on their own citizens. Religious expression provides a good example. It is clearly permissible for one person to try to convince another of their religious (or anti-religious) viewpoint. Surely I do no wrong to someone by, say, giving her a pamphlet suggesting that she convert to Islam or accept atheism. But it would clearly be wrong for the government to distribute such leaflets. Doing so would violate widely accepted liberal democratic principles of nonestablishment.

Why? What is so worrisome about the government expressing a religious message which private people are free to express? In a democracy, citizens and long-term residents are supposed to be equal members of the political community. It is impermissible to treat one of them as an inferior member by, for instance, denying her a right to hold office that is granted to other citizens. This demand for equal treatment partly requires equality of certain opportunities, including running for office, but it also plausibly includes an expressive dimension. The state must not convey the message that some citizens are lesser members of the political community than others, or outsiders entirely. Religious endorsements, as Justice O'Connor pointed out, do just that: "Endorsement sends a message to nonadherents that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community" (Lynch v. Donnelly 1984). When the government endorses a religion, as in the pamphlet example, it expresses the message that the political community as a whole is committed to a particular religious view. This implies that those who do not accept that message are not really members of the community. I'll call messages of this kind an "exclusionary message:" a message which communicates that someone is a lesser member of the political community even though she is entitled to be treated as an equal member.<sup>4</sup>

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<sup>4</sup> I borrow the term from Cohen (2011).

How exactly do we know that a policy expresses a message of endorsement and, ultimately, exclusion? Borrowing from Joshua Cohen, I suggest that what we need to look at is what the most plausible *rationale* for a particular policy is, in light of both its content and the broader context of its adoption, including the legislative history of the policy, the local culture, and so on.

I cannot defend this approach fully here, but I would like to explain some initial advantages of it. There are clearly ways for the government to support the display of religious symbols without thereby committing itself to any particular religious view. For instance, a government-funded museum might display medieval paintings of the crucifixion.<sup>5</sup> Cohen's proposal gives an intuitive explanation for the difference between this and, say, putting a large cross in front of a courthouse. In the former case, the most plausible reason to hang the painting is just to allow the public to enjoy its artistic excellence and so on, whereas in the latter case the most plausible rationale is to actually advance Christianity. Only in the latter case, where a religious purpose can reasonably be attributed to the political community, can it be said that the community is really committing itself to a particular religious viewpoint and thus endorsing it. And only with that endorsement do we see an exclusionary message.

Germany's return policy expressed an exclusionary message.<sup>2</sup> What is the most plausible rationale for it, taking into account the full context? It was initially claimed at the time that those policies could be defended on purely humanitarian grounds; this ground would not create an exclusionary message. There were two obvious related objections to justifying the policy on this basis, however. Firstly, it cannot explain why ethnic Germans who were under threat of oppression were being given preference over non-German refugees, who did not have access to such an easy immigration and naturalization process. Secondly, it cannot explain why the criterion for admission was just being German and did not include some attempt to screen applicants for whether they were really at risk of oppression. The only available explanation for this is to say that

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<sup>5</sup> See Eisgruber and Sager (2007).

<sup>2</sup> Blake (2005) briefly suggests that ethnic selection can "degrade" members of the existing population, though he doesn't distinguish what I have called "demeaning" and "exclusionary" messages. Carens (2013, Chap. 3) also argues that the return policies ultimately created an impression that only certain people subject to the German state were full members of the political community.

giving special preference to Germans was appropriate because they had a right to “return” that others did not. As members of the German nation they were entitled to return to their ancestral homeland.

This justification clearly associated the Germany political community with a special commitment to the interests of a particular ethnic group and as such it implied that other residents of Germany were less fully members of the political community. Most obviously, German return policies expressed to the large community of people of Turkish origin that they were tolerated within the territory but still considered of secondary importance in the mission of the German state. As I have argued above, this kind of political exclusion is incompatible with liberal democratic principles and thus unjust.

In sum, Germany’s return policy seems less problematic than earlier racial exclusion policies. However, it still created the problem of an exclusionary message towards existing residents who were not ethnically German and was thus unjust.

### **13.4 ‘Cultural’ Selection, the *Comunidad Hispanica*, and the *Révolution Tranquille***

The German policies just discussed involved a definition of Germanness tied almost entirely to plain descent, and this is generally taken to be clearly unacceptable. By contrast, it is often said that merely “cultural” selection schemes are acceptable since they rely on criteria that can be voluntarily acquired.

I will argue that at least some prominent selection schemes that seem to be (at least facially) cultural cannot be defended in this way. I’ll explain the details of some example schemes, present my central objection to them, and then evaluate some familiar defenses along with some other responses to my argument.

First, Spain through much of the post-War period adopted immigration and naturalization policies that privileged people from “Hispanic” countries, such as Mexico, Chile, Colombia, and so on. The underlying justification for the policies was that people from those countries were entitled to special concern in light of their “historical-cultural ties” to Spain. The definition of “Hispanic” varied substantially over time: During the



Francoist period, Catholicism, race, traditionalist values, and so on were emphasized, but later regimes, which will be my main concern here, focused on ideas about shared language and (less religious, less traditional) culture.<sup>3</sup>

These ideas found their main expression in naturalization law, especially dual-nationality regimes. Against the background of otherwise tight restrictions on dual-nationality, these regimes allowed members of Hispanic countries to naturalize in Spain without giving up their original nationality and offered similar privileges for Spanish citizens settling in Hispanic America. In immigration law, Hispanic migrants again received some special privileges, especially in the assignment of work permits.

Do these laws fare any better than Germany's? On the face of it, there is more to be said for the Spanish procedures. Setting aside the issue of protecting vulnerable Germans, the rationale for the Spanish laws seems stronger. The connection between Spain and someone who likely genuinely participates in Hispanic language and culture seems significantly stronger than the connection between Germany and someone who merely has a distant German ancestor. Recognizing the attachments of Hispanics living in other countries seems like a more legitimate purpose.

All the same, the Spanish laws we have been considering seem to have not only promoted Hispanic language culture but also expressed the claim that the Spanish state is associated with a particular ethnic group. Their most plausible rationale was the view that Hispanics were of special interest to the Spanish government. To take that view is to imply that Hispanics have an elevated status in the eyes of the government and a superior political status. And saying this, in turn, wronged those non-Hispanic subjects who were entitled to treatment as political equals. In Spain, the most obviously maligned were settled Moroccans, along with other North Africans. Thus, although it was superficially more attractive than the German approach, Spanish Hispanic preference schemes were also problematic because of their exclusionary message.

The other example I want to discuss is Quebec. Although part of federal Canada, Quebec maintains a degree of autonomous control over immigration to the province. This allows it, in particular, to maintain some additional preference for immigrants who speak

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<sup>3</sup> I ignore some significant complexities here: the role of language, for instance, is not entirely clear since Portugal, along with other Lusophone countries, such as Brazil, was often considered Hispanic.

French. Across Canada generally, immigrants are admitted based on a points system which allocates points based on skills, family connections, ability to speak French and/or English, and so on.<sup>4</sup> In Quebec, the weights are adjusted so that speaking French is significantly more advantageous than speaking English. These laws came into effect following the *Révolution tranquille* and associated attempts to promote the use of French in Quebec. Is Quebec's linguistic selection problematic? In particular, does it, like the German and Spanish policies discussed, express that members of a particular ethnic group, in this case indigenous Francophones, are insiders?

There is a familiar way of thinking about Quebec, and cultural/linguistic nationalism generally, according to which we can easily separate Quebec from states that pursue clearly problematic ethnic goals. In a well-known passage, Kymlicka argues explicitly that language/culture focused policies like Quebec's can be distinguished from German ethnic immigration policies in the following way. German policies were based, he says, on a conception of the nation "defined in terms of blood...Membership in the German nation is determined by descent, not culture...Such descent-based approaches to national membership have obvious racist overtones, and are manifestly unjust" (Kymlicka 1995, 23). By contrast, places like Quebec have an acceptable liberal approach to membership because "membership is open in principle to anyone, regardless of race or color, who is willing to learn the language and history of the society and participate in its social and political institutions." Following Kymlicka, someone might say that Quebec's law does not express an unacceptable exclusionary message because learning French is a voluntary action, and so anyone who wants to be a full member of the political community can simply learn French.

Kymlicka is right that since Quebec's policies select only based on language skills, not descent, they express a more welcoming attitude to anyone who would like to integrate into and consider themselves a member of the Francophone community. However, I don't think this is sufficient to dispel any worries about exclusion. Firstly, it seems clear that many Quebecers support the survival of French not because they just, say, enjoy the sound of it, but because French is the language of their forbearers. They

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<sup>4</sup> Aren't the non-cultural criteria, such as an immigrant's skill base, also subject to expressive concerns? I consider this question below, in Sect. 13.5.

are concerned, as Charles Taylor puts it, with “remaining true to the culture of [their] ancestors” (Taylor 1994, 58). So even if everyone willing to speak French is fully welcomed, it seems that the most plausible justification for the policy, in context, is the goal of maintaining a connection between the territory and a particular ethnic group. As such, the policy seems to imply a special connection between the political community and that ethnic group: while others may reside in Quebec, those are the people that *really* from there. Now, French is spoken by people from a wide range of ethnic backgrounds, including, for example, Haitians, and North Africans. And this may seem to weaken this first objection. But the question remains of why exactly Francophone Quebecers are ultimately concerned with promoting French. And to the extent their concern derives mainly not from just association with this global community of French speakers but—as Taylor’s remarks suggest—more specifically to pass on something inherited from their own white forbearers this first concern still goes through.

Secondly, even if the promotion of French can be separated out from ethnic goals it may still be impermissible for the state to express an association with the French language and associated identity. The law may still express an exclusionary message towards those who would prefer not to identify with the language or with any associated cultural traditions. To be clear, the concern is not that immigrants are forced to identify with a language simply because they have to speak it sometimes: that claim seems implausibly strong. Rather, the objection is that members of a political community can object when that political community becomes allied with an identity that they do not accept.

Thirdly, the mere fact that an identity can be voluntarily acquired is not sufficient to make it acceptable to condition full political membership on adopting that identity. Some religious identities can be voluntarily acquired but we still think it would be wrong for the state to associate itself with any particular religion. Similarly, there are many linguistic goals the state surely cannot pursue even though languages can be voluntarily acquired. For instance, we don’t think it would be acceptable for the U.S. federal government to attempt to prohibit Spanish on street signs on the grounds that English is

the indigenous language of the U.S., and many U.S. speakers of English are upset about having to live in areas, say Miami, where Spanish is relatively common.

Thus, I don't think Quebec's selection policies can be as easily distinguished as some philosophers would suggest. But of course there are many objections to my argument that need to be faced, especially to my analogy between cultural selection and religious establishment. I'll now try to address some of them.

### **13.5 Objections and Reply**

A first objection relies on Kymlicka's well-known point that all states necessarily promote some language or culture more than others. It is possible, he claims, to avoid religious establishment, but all states necessary promote, and thus "establish," a culture. Mostly obviously, he suggests, states have to use a language to conduct official business, and they thereby lend support to that language over others: "The state can (and should) replace religious oaths in court with secular oaths, but it cannot replace the use of English in courts with no language" (Kymlicka 1995, 111). Kymlicka's point suggests that if my analogy between promoting a language or culture is correct then basically all states are automatically seriously unjust.

The trouble with this objection is that it elides the distinction between the effects of a policy and its rationale. It is true that states generally use a particular language (or at any rate a limited number of languages) to conduct their official business and as such advance that language and the interest of those who identify with it. For instance, in the United States presidential debates are conducted in English. Moreover, these countries typically also use language for selection in immigration and naturalization. But, as Weinstock (2003) also suggests, what matters for our purposes is whether it is possible to adopt a language policy that can be defended on grounds other than the sheer desire to advance that language or any associated identity.

Is this possible? There is of course one obvious reason for using a language other than simply promoting its use: languages are mediums of communication, and one can use them purely in order to convey information. And there is also a fairly straightforward

justification for language-based selection that has no broader cultural basis, namely favoring immigrants who will be able to integrate relatively easily into the economic and political life of the country. But where a state uses a particular language for official purposes and gives weight to knowledge of that language in immigrant selection in a country primarily populated by users of that language, the suspicion may reasonably remain that its use by the state is also backed by reasons related to cultural identities. What determines whether that suspicion is reasonable is the surrounding context. Some steps the state can take to make clear a purely communicative rationale include declining to adopt any officially designated language,<sup>9</sup> providing official communications in a variety of languages where feasible, allowing extensive freedom to use whichever language in private and public settings, and generally making clear a willingness to revise official language use in light of changes in what would be most useful in communicating to the public.

Can Quebec and similar states also distance themselves from problematic justifications for their selection policies? This is unlikely. Given the surrounding political discourse, which emphasizes the importance of maintaining a distinctive Francophone culture, and the kind of policies needed to support that goal—such as heavily restricting which languages can be used for official business—it will be clear that more than communication and economic/political integration is at stake.

These points also help to show how other aspects of the “points system” are not subject to the kind of concerns I have raised in this paper. Take, for instance, the allocation of points based on an immigrant’s possession of skills that are scarce in the domestic labor market. This policy has a clear rationale of enhancing overall productivity that can be justified to people with widely differing views and identities, since such productivity is worthwhile from all of these perspectives. Unlike, say, a policy that privileged more skilled workers based on their inherently greater worth as potential citizens, this policy does not imply any hierarchy among citizens.<sup>10</sup>

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<sup>9</sup> In the U.S., for instance, there is no official federal language, although there is variation at the level of the states: English is the official language of Alabama, while Texas constitutionally mandates that all service be available in both English and Spanish.

<sup>10</sup> Compare also, for instance, the United States’ history of excluding people with various mental illnesses, a policy that does seem to imply that mentally ill people in general are not fit for citizenship.

According to a second objection, the analogy I have drawn between religious endorsement and official endorsement of a culture or language is mistaken because the two play very different roles in people's lives. Any policy is backed by various reasons, and some people will disagree with those reasons. If the view of endorsement that I have relied on is to be at all plausible, sheer disagreement of this kind cannot be enough to express an exclusionary message, otherwise pretty much all policies would be exclusionary. As Cohen (2011) and others emphasize, there must be something special about religion that makes relying on religious reasons special. Cohen's suggestions, which overlap with those of others, are that religious convictions, along with some non-theistic matters of conscience, are special because they "provide a comprehensive and fundamental guide to conduct" (267): they bear on all aspects of life and provide the most basic considerations that adherents are supposed to rely on in their deliberation. These criteria provide plenty of scope for distinguishing linguistic identities from religious affiliations. So it might be said that linguistic goals do not exclude in the way that religious goals do.

I think we should treat Cohen's criteria as providing *sufficient* conditions for the rationale behind a policy to raise concerns about exclusion. There are also, I'll argue, other sufficient conditions. It is certainly possible for someone to speak a language and for that fact to play no role in their basic self-conception and be entirely unconnected to their main values. But in the places that we are concerned with, where linguistic protection has become a central political concern, language plays a very different role. In these places, individuals are expected to take a stand on the importance of certain languages and, in doing so, to associate themselves with much broader cultural and ethnic traditions. In those contexts, to associate with a particular language is to take on an identity that would substantially shape one's life, albeit in a somewhat different way than would a religion. Thus, for the state to endorse a particular linguistic tradition is to suggest that full membership in the political community is conditioned on accepting one of these very thick identities. This creates exclusion because there are members of the polity who reasonably wish not to identify in this way.

This problem creates something of a dilemma for those who wish to shore up support for protecting a particular language. On the one hand, they need to create enough support among existing speakers to convince them to accept sacrifices and mobilize politically on behalf of the language. And to do that they will often need to suggest that it is more than *just* a language: that it is associated with an entire way of the life, an inheritance from their forefathers, and so on. But the “thicker” this linguistic identity becomes—the broader the set of values and traditions that become connected with it in the social consciousness of their society—the stronger the case that other members of the society can reasonably wish not to adopt that identity and not to have their political status conditioned on accepting it.

A third objection relies on the idea of reciprocity.<sup>11</sup> Suppose that I am a member of the indigenous population and that my language is threatened by the influence of a settled immigrant community. I can say to members of that community, according to this objection, “Look, if I were to immigrate to your country, then you could reasonably demand that I accept the dominance of your language because that is your homeland. So, it’s fair for you to accept the dominance of my language here in my homeland.”

This objection seems to presuppose precisely what I am disputing. It says that the mere fact that one group is indigenous and another group “ethnic” reasonably gives the former a political status in the territory that the latter lacks. That’s why, supposedly, it would be *reasonable* for you to say to me in *your* country “Our language must take preeminence here, no matter how many of you come.” I have denied that the state can associate itself with one group over another just because it is indigenous. Turks in Germany, for instance, we’ve seen, must be given equal political status despite their (relatively) recent arrival. So it is impermissible to deny them equal membership just as it would be impermissible to deny equal treatment to members of a settled German community in Turkey.

A third objection says that I have ignored another crucial difference between language, on the one hand, and religion and culture generally, on the other. Languages, according to this objection, are uniquely fragile and vulnerable to extinction in light of

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<sup>11</sup> See, for instance, van Parijs (2011, Chap. 5.6).

immigration in a way that religion and culture are not. In particular it is often said, following Van Parijs' findings, that languages are subject to potentially rapid erosion through "maximin" dynamics (Van Parijs 2011, Chap. 5.4). Suppose that a group of people who speak various languages, with varying degrees of ability, start a conversation. According to the theory, the language they select to converse in will be the one that is best known by the member of the group who knows it the least. Here is a simple, and pertinent, illustration. Suppose that a group is made up of people who all speak English reasonably well and French fluently. They will converse, of course, in French. If, however, a newcomer joins the conversation who speaks good English, but almost no French, the conversation will now be conducted in English: the members of the original group speak English better than he speaks French. Similarly, if immigrant groups in Quebec learn English better than French, and members of the Francophone population mostly come to speak good English, then English may quickly start being used generally.

This difference between threats to religions/culture and threats to language seems to me one of degree and not of kind. If immigrants settle in a country and practice their religion there this can make it more expensive to practice a religion that has stronger historical roots in the territory and may well ultimately lead to the death of the religion in the territory. Yet this clearly would not justify establishing the "local" religion. The maximin dynamics in linguistic behavior just mean that a language can, in some cases, be eroded more quickly.

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