INSTITUTIONS FOR OPEN SOCIETIES (IOS)

Acknowledging Migrants as Part of Open Societies

Response by researchers from the Migration and Societal Change Focus Area to the position paper *Transforming Open Societies*

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The take-away message of the IOS position paper 'Transforming Open Societies' is that openness of societies is a value worth fighting for. Current challenges should not lead us to reject the concept of open societies, but rather to renew and refine it.

As research leaders from Utrecht University's Focus Area on Migration and Societal Change, we support this message. Reading the position paper from a migration expertise point of view, we do see some tension in relation to openness and how migration is framed. In the position paper, migration is most of all addressed as an external threat and as such, as a challenge to the openness of societies, rather than being a contribution to it as well. We felt invited to respond to the position paper by thinking about how to renew and refine the concept of open societies in such a way that it includes a more open approach to migration as a phenomenon and to migrants as potential contributors to the openness, while at the same time acknowledging concerns that people have about changing societies.

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MIGRATION AS A CHALLENGE FOR OPEN SOCIETIES

The position paper mentions that migration can be perceived as a challenge for open societies.[1] This partly results from the fact that the paper is structured along the line of challenges. The paper proposes, furthermore, that it is an essential feature of an open society that it is contestable, also in reacting to these challenges. We agree that for any social system to be called open, it needs to be contestable, and that it is in the contestations that we find the challenges/debates and relevant questions.

We also agree that it is important to address societal concerns around migration, and there are many these days. It is a matter for dispute where to locate the main challenges here. This may at times not be so much in migration itself, as one of the clearest signposts of changing societies, but in the worries that migration generates. These sometimes result in distrust, which is mobilized by populist movements and may result in anti-democratic turns.[2]

After reading the position paper we did get a sense that overall, migration was almost exclusively framed as an external challenge – as something that, also given the reactions it evokes in societies, can threaten their openness, and that calls for a response in line with openness. In other words, migration is seen as a challenge from the outside (and maybe even something that can be outsourced?). By framing migration in this way, important aspects of migration risk being lost sight of. In this response we want to stress the importance of seeing migration and migrants not only as a challenge from the outside, but as part of our society. This means also emphatically acknowledging the contributions that migrants make to open societies and to communities which are part of open societies. The position paper does refer to the internal dynamics of open societies and recognizes that these societies are and need to be plural in various ways. But again, by framing migration and migrants as a challenge, important aspects are overlooked.

The position paper stresses the importance not only of nation states, but also of opening borders (to a certain extent and in certain ways).[3] In doing so it implicitly recognizes the importance and contributions of migration and migrants to an open society. But this again seems mainly to be framed as coming from the outside. Yet again, migrants are of course always and everywhere already part of open societies and thus of who constitute its communities.

In addition, if one takes seriously that many of the normative orientations of open societies that the position paper addresses (such as well-being, justice and equality) want all people to have a good life, wouldn't it also be important to think about a world society –or at least about the world as a whole– and not just open societies in

1 See IOS Position Paper 'Transforming Open Societies' (henceforth TOS), p. 3, 10, cf. p. 12.
2 Smeekes & Lubbers 2024.
3 TOS, p. 10, 12.

the plural?[4] That it is less than straightforward how to conceive of such a world society in terms of normative orientations and institutions, doesn't diminish the importance of keeping it on the map.[5] "How many of us want all humans to have a good life?" is a very pertinent question that would be of central importance to a truly open society.

A further vital point is that we have to recognize that in important ways, migration is and will always remain a given. The position paper states that openness to other societies needs to be balanced with the need of people to live in a community that they can feel attached to and experience a sense of control over.[6] The underlying premise could be one of people moving as a potential problem, and that they could be 'managed' or stopped. Yet however that may be, and however uncertain the world is and becomes, one of the few absolute certainties we have, is that great movement and migration will continue. And yes, people will continue to respond to this and may perceive it as a threat and have concerns. All of this needs to be central in research on migration. But so need the contributions of migration and migrants – and that migration will always be there.

THE NOTION OF OPEN SOCIETIES

First off, the position paper advocates various normative perspectives for open societies, among which the need for more radical notions of openness. We appreciate this. The value orientations mentioned (democracy, wellbeing and broad prosperity, justice and equality, sustainability and pluriverse) seem very to the point. They should, the paper rightly says, ideally all be done sufficient justice to (if at all possible[7]), or otherwise (in less than ideal real-world situations) in some suitable mix of them. The pluriverse indicates a radical plurality, and we applaud this as a normative perspective – even if the notion of a pluriverse is, as the paper acknowledges, less than clear.

Mainstreaming exceptions to the rule of law is very dangerous and can be seen as a threat to open societies

4 TOS does make small gestures in this direction on p. 10, 12.
5 A world society certainly evokes versions of moral and institutional cosmopolitanism (see e.g. Cabrera 2018), but not always open borders.
6 Closely after TOS, p. 12.
7 See e.g. Isaiah Berlin, who famously defends that any social world entails some kind of loss (cf. 2013, p. 14).

It is indeed important to clarify the notion of the pluriverse further. In order to have genuine respect for different ways of life and of viewing the world, these have to be understood deeply and difficulties in really understanding them have to be recognized. In addition, it is important to think what should be kept of more conventional ideas about plurality –which the position paper rightly also keeps on the map– in order to make respect and recognition work. For example, respect for plurality usually implies protection of minorities and limitations to toleration of the intolerant, ideas which it may be essential to hold on to. (This is not to deny the need to also address concerns and opposition.)

Secondly, in a more critical vein, we wondered if the paper is critical and explicit enough about the fact that open societies also exclude people.[8] Particularly regarding migration, we would have liked a somewhat more explicit emphasis on power dynamics within societies instead of focusing on contestations from outside. For example, Gloria Wekker has pointed out how Dutch society for a long time presented itself as a liberal, tolerant, open society but avoids talking about racism.[9] These discourses and practices of silencing indicate that society is not so open after all.

To be sure, the position paper does acknowledge the need for self-criticism in open societies (e.g. concerning colonial pasts and presents). Still, the ways and extent to which power dynamics are pervasive in open societies may need more highlighting, and relatedly, questions can be raised about how and to what extent this could be overcome at all – and the kind of critical practices, discourses, and awareness that would (continuously) be needed to do so. Incidentally, in the position paper, the notion of openness and an open society themselves self-consciously always end up on the good side of the story.[10] This way to use and develop these notions is of course not without advantages. However, there may be challenges to remain sufficiently critical, if the notions of openness and an open society by definition refer to something good.

OPEN SOCIETIES AND THE RULE OF LAW

The focus on contestation works well when it comes to certain aspects of migration, such as for example migration and the rule of law. The position paper argues that the legitimacy and credibility of international rule of law-based systems is increasingly challenged as authoritarian regimes but also Western democracies fail to consistently abide by humanitarian law. In the current era, the rule of law is being violated on so many levels in the context of migration, that it has become uncertain if it can be relied on. Donald Trump is proposing to massively deport people from the US, and the Dutch government's newly proposed laws on asylum have been assessed as not conforming to the principles of law. The current discourse around governing migration is a discourse of crisis and of exceptions to the rule of law.

8 Although TOS does mention this a number of times, e.g. on p. 8-9, 17, 28.
9 Wekker 2016.
10 Cf. TOS p. 44: the paper seeks to conceptualize openness in a way that is not 'ideological'.

Mainstreaming exceptions to the rule of law is very dangerous and can indeed be seen as a threat to open societies. It asks for a critical research agenda on the link between migration and the rule of law. One question is how to ensure that the rule of law is upheld in open societies internally; migration is now often used as a ground for measures that put the rule of law on the line. Another question for open societies is how to regulate immigration in ways that credibly uphold the rule of law towards would-be immigrants (e.g. looking to international law). Crucially, migration should not be seen as something external that our society might not even have to take responsibility for.

Also, we observe that our society on the one hand welcomes and receives migrants –for example asylum seekers from Syria– but on the other hand often excludes them for a long time from essential aspects of societal life, such as work, education, housing, and more.[11] This creates a complex situation for the rule of law in open societies that calls for research. Similarly for the complex situation around solidarity with certain groups of migrants: how to deal with the human duty to help the needy, where there is no explicit legal permission from the state to assist them?

INSTITUTIONAL TRANSFORMATIONS: THE ROLE OF CITIES

Something that triggered us in the position paper was the call to proactively identify opportunities for institutional transformations. The paper mentions critiques of viewing open societies as grounded only in nation states.[12] However, when alternative entities are discussed, it is most of all the internet that is mentioned as an important space where new communities are built. We agree it is important to include the digital space in conceptualizing openness and to think critically about how to keep that space open and safe for all. But we missed reflections in the paper on the role of entities such as local communities and NGOs,[13] and of cities more particularly.

Cities can provide specific environments which are sometimes more open than nation states

We think that cities are interesting entities to reflect on, especially in the context of migration. Cities can provide specific environments which are sometimes more open than nation states.[14] Sanctuary cities that welcome undocumented migrants and give them access to local services when national laws prohibit it, are just one example of how cities can offer an inspiring alternative. The city of Utrecht is another good example, as it is currently keeping shelters open for undocumented migrants while the national government is no longer funding this – even though, under the rule of law, shelter should be provided as a matter of basic human rights.

THE UNIVERSITY AS AN INSTITUTION

We want to end by taking a critical look at our own institution, the university. Universities would be among the first institutions to come to mind when we think of open institutions, but how diverse or 'pluriverse' are we ourselves? Our current government is restricting international students from coming to our institutions, thereby making these less open. Furthermore –which remains implicit in the position paper– in order to be truly open, the university needs to have researchers, students and teachers from many different backgrounds (nationalities, classes, genders, etc.). To incorporate their perspectives while they are not actually well-represented in the key roles in the academic community (notably as students, teachers and researchers) is less than desirable at best.

In the field of migration, it is important to take a critical look at the way we talk as well. The term 'integration', for example, is increasingly acknowledged as feeding into polarization and emphasizing insider/outsider binaries that are not very useful and might even do harm.[15] Something similar may be true for the term 'migrant'.[16] Changing the vocabulary we use might be an example of an institutional transformation needed to reform open societies. It may be required for an adequate mapping of structural forms of racism and discrimination, as well as of the contributions migrants make to society. Transforming our terminology could also help to see important roots of why people face and perceive negative consequences connected with migration.

In addition, there is a need to think about how we, as migration researchers, engage with society. We agree that it is important to collaborate with stakeholders, and also to acknowledge discontents around migration and take these seriously. At the same time, we need to communicate our academic work, including work about the contributions of migrants, how prominent and ubiquitous migration is in human history, and about exploitation and discrimination. And we need to be able to voice our critique. It is important for us academics straightforwardly to provide research findings and scientific evidence around migration and other topics. All this while taking societal stakeholders seriously, which means trying

11 Cf. Young 2007.
12 TOS, p. 10, 12.
13 There are some references to the local in TOS, e.g. in relation to the example of the energy cooperative (p. 28ff.).

14 Glick Schiller & Çağlar 2011.
15 Schinkel 2018.
16 Janine Dahinden's work (2016) on demigranticization is insightful for this.

to understand –in terms of explanations but also reasons– where they come from and how to potentially disagree with them in ways that express due regard.

In the Migration and Societal Change focus area, we have been studying the role of migration for migrants and for societies from a variety of multi- and interdisciplinary perspectives. Colleagues in this field use a wide range of methods, such as ethnography and qualitative research, conceptual and normative analyses, (digital) text and discourse analyses, institutional (documents) analyses, big data analyses, survey and experimental research. It is vital to continue to better understand the societal worries –and even the revolt– around migration and around societies changing, just as is it is key to understand the position of migrants and their children, including discrimination they may face and their contributions to society. Other key topics for research are the use of vocabulary and how it affects whom, and visions and pathways for living together in ways that are more just, inclusive, and respectful.

We are faced with challenging times in which we need each other. We want to thank IOS for building an academic community where we can debate and discuss how to make and keep our societies open, including our own role in this.

How to renew and refine the concept of open societies in such a way that it includes a more open approach to migration as a phenomenon and to migrants as potential contributors to the openness

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