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## THE PHILOSOPHY AND POLITICS OF THE CONCEPT OF NATIONAL BORDERS

### *FILOSOFÍA Y POLÍTICA DEL CONCEPTO DE FRONTERAS NACIONALES*

VELASCO, Juan Carlos: *Anatomía de la frontera: una perspectiva filosófico-política*.. Madrid, Tecnos, 2025, 175 pp., ISBN: 978-84-309-9216-4..

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Immigration is certainly one of the most important political and ethical issues of our times, and understanding and evaluating it depend heavily on the concept of borders or frontiers between states. Yes, there is migration within states (see William Ascher and Shane Barter, *Moving Within Borders: Addressing the Potentials and Risks of Mass Migrations Within Developing Countries*, New York: Palgrave Macmillan, 2025), but the kind of movement of people that gets the most public attention is movement across national borders. The philosophical and political questions start with the meaning of the word “borders”. This book sketches the history of borders and delves into the philosophical and political issues that have come up and keep coming up. It concludes with a case for opening up borders on ethical and justice grounds, although not without some limits.

One might be tempted to think that the Great Wall of China and the Berlin Wall are merely examples of a widespread phenomena of protecting borders with walls, but in fact they are outliers, notable for their rarity in history, until recently. Certainly one reason for not having walls in many places and times was the high cost of building and maintaining them, which requires a wealthy and competent state, and the ease of getting around, over, or under them, which renders them ineffective. Other reasons include the one that Jean-Jacques Rousseau admired: when the Spartans were asked why they did not have a wall around their city, they answered that they had men to protect it. And, of course,

there are other ways of keeping people out (the ancient Chinese reason) or keeping them in (the East German reason).

Juan Carlos Velasco makes a good case for looking at borders from historical and philosophical perspectives. As he points out, the word “border” is a “handy all-purpose term endowed with enormous semantic flexibility and evocative force” (p. 21). This is another way of saying that the word is used in such a variety of ways that it is almost sure to create misunderstandings and confusions if it is not used with attention to its precise meaning at any place and time. And this is a matter for political philosophy: “conceptual clarification and the delimitation of normative meanings are matters that fall plainly within its competence” (p. 23). His book is an exercise in “conceptual analysis” (p. 25).

The oldest meaning of the French word “frontière”, which was the source of the Spanish word “frontera”, and itself derived from the Latin, “frons”, was the “front line” of a battle (p. 25). It might be well to keep the military meaning in the backs of our minds when we are using these terms. Velasco goes back to Roman Emperor Justinian’s Code (6<sup>th</sup> century AD) to find legal meanings of territory and borders (p. 23). To the Roman lawyers, a *territorium* is where someone has jurisdiction, and a border is the edge or end of that jurisdiction. Other elements of the meaning of borders come from the Westphalian system of 1648, based on the theories of Jean Bodin and Hugo Grotius, which gave exclusive sovereignty in each state to its government and set the terms for international relations in Europe until at least the end of the 20<sup>th</sup> century. By the time we get to ordinary language in the European languages of today, each of the related terms of border, frontier, limit; frontera, confín, franja; Grenze, granica, graniza; and more, has different connotations that have developed over the centuries (p. 25-26). Thus, I have translated the Spanish “frontera” as “border” because the most direct equivalent, “frontier”, resonates of the whole zone occupied by American pioneers in the West in the nineteenth century, whereas “border” sounds like the actual line recognized by law.

Moving ahead, we notice that the borders or boundaries that we recognize today are formally, legally, equal, even though everyone knows that the power and influence of different countries is not equal, and that can even affect the control that they have over their own borders. Ideas from famous 16<sup>th</sup> and 17<sup>th</sup> century thinkers such as Francisco de Vitoria and Hugo Grotius led to doctrines favoring the rights of the strong to travel on the

high seas and do business with other nominally free countries, even against their will (p. 31, 114). Nowadays, the forces of globalization make it ever harder for any one country to resist influences from others. Between principles and reality there is a constantly fluctuating series of socially constructed meanings and practices that are ever more products of politics and social construction than of law and philosophical purity (p. 33).

David Hume pointed out that every country owes its present situation to a history that began somewhere in violence: he recommended not inquiring too closely into such histories ("Of the Original Contract", 1748). Velasco points out that barely half of the borders in Europe today go back before 1914 (p. 45). Which of them would survive a close investigation of their basis in justice? Between 1840 and 1975 more than 50 countries were erased from the map of the world (p. 46); was all of that change justified?

Velasco explores efforts to classify borders, ranging from no-man's land to local barriers to fortified walls (pp. 51-2), and reports the point that airports, ports, and train lines might be the effective "border" between many countries for many people (p. 53). We mentioned above that actual walls are unusual, but they are booming: between 1990 and 2020 they increased from 5% to 20% of borders (p. 57). They can be found in surprising places: between Turkmenistan and Uzbekistan, between Botswana and Zimbabwe, between Saudi Arabia and Oman, and more (p. 57-8). Immigration has led to new walls between Hungary and Croatia and Serbia, and tensions with Russia have led to new walls between Poland and Bielorrussia (p. 58-9). Velasco observes that some of the same people who criticized the old Soviet bloc for walling their people in seem to have no objection to walling out the people that they don't want to admit (p. 86). It is also true that in recent decades some governments rely less on walls and more on technology that can identify immigrants and have them deported (p. 74).

Walls and restricted borders are political constructions. Everyone knows that justifications of them depend heavily on claims to defend religious and national identity. Anger, indignation, resentment, and fear are the primary emotions driving the exclusion of migrants in some countries (p. 97). There is a perverse effect: the more difficult it is to get into a country, the more some people try to get in (p. 103). Keeping them out requires more surveillance and control of those who are inside in order to keep some of them from helping the outsiders (p. 105). And the more the outsiders are dehumanized, the more the

sense of the universality of human rights is undermined (p. 105).

Velasco's alternative to the present emphasis on excluding immigrants is an argument for more open borders, "although regulated" (p. 108). He points out that the majority of immigrants to the rich countries are not from the poorest countries, but rather from those which are in the process of development and whose citizens know something about how to adapt to prosperous economies (p. 109, 142). This is an example of what Alexis de Tocqueville called a revolution based on rising expectations (*L'Ancien Régime et la Révolution*, 1856). Immigration is a sign that people feel confidence that they can thrive in different circumstances.

Velasco also points to what seems to be a lack of reciprocity or parity between the much-proclaimed right to emigrate out of a country and the almost-absent expression of a right to immigrate into one (p. 110). I can think of one such declaration: the poem by Emma Lazarus from 1883 on the Statue of Liberty in New York:

*"Give me your tired, your poor,  
Your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.  
Send these, the homeless, tempest-tost to me,  
I lift my lamp beside the golden door!"*

But it is probably true that such a sentiment is rare, and of course in this case had no legal effect.

One of the best arguments for granting a right to immigrate into the richer countries is that the poverty of the poorer countries is often a product of unjust imbalances of power imposed on their countries by those rich countries (p. 144, 148). Economists recognize that structural inequalities affecting their countries of origin can override all of the hard work, submissive labor relations, good savings habits, and so forth that we expect immigrants to have in order to deserve a chance at wealth. Not only is their poverty not their fault, but it is the fault of the richer countries. These are structural injustices, which should be restructured.

Velasco recognizes that the idea of completely open borders is probably a non-starter, so he is willing to allow practical limits, just asking for as few limits as possible (p. 119-20, 128). Rather than allowing each country to set the limits in terms of its own self-

interest, those who set the limits should have the burden of proof of demonstrating that they are not unnecessarily restrictive of human liberty (p. 121). He also reviews many pros and contras. An interesting one is the communitarian right to maintain a community's lifestyle, religion, and values by excluding certain types of immigrants (p. 123). Distinguished political philosophers such as Michael Walzer have maintained this position. But how can it sit well with freedom of religion? Must immigrants convert to the prevailing religion in a country? Few have been willing to say this in recent times.

Velasco points out that several metaphors have helped people think about borders. They have been understood as membranes (Bauböck), thresholds (Van Geppen), bridges and ports (Simmel), and floodgates (Habermas), among others (p. 131-133). Velasco concludes: "It is not realistic to think about a world without frontiers, but it is also unreasonable to not make the effort to think of them in a different way" (p. 135). It has been argued at length that much of our view of history is expressed in metaphors (Javier Fernández-Sebastián, *Key Metaphors for History: Mirrors of Time*, New York: Routledge, 2024). Continuing to think about useful metaphors for borders might help us get the matter of borders right.

As we think about borders and immigration, some of the facts Velasco reports can be helpful. In 2020 only 3.6 percent of the world population lived in countries other than their birth country, and this percentage is lower than it was at the end of the 19<sup>th</sup> century and beginning of the 20<sup>th</sup>, so it is not the case that the world is flooded with immigrants (p. 141).

Velasco also wants to defend poor immigrants against the assumption that their situation is the fault of the selfish elites in their home countries (p. 147). As already mentioned, much of world inequality can be attributed to structural injustices that those elites cannot do anything about (p. 148). On the other hand, if structural injustice gets all the blame, those elites are not only let off the hook, but denied agency. One recent writer has insisted that the decolonization movement, which blames all of Africa's problems on Europe and North America, denies the agency of Africans such as himself (Olufemi Taiwo, *Against Decolonisation. Taking African Agency Seriously*, London: Hurst, 2022). Maybe it would be best to share the blame between the elites who do not help the poor as much as they could, and the structures that impose injustices.

Immigration should not be seen as the solution to the problems in those poor countries. After all, Velasco reports, there is no evidence that immigration out of poor countries improves the structural situation in those countries (p. 161). Something else is required. One suggested solution is to prevent the emigration of people with skills, known as brain drain (p. 162). But this is hard to reconcile with human rights as well. Larger structural reforms might do as much without harming individuals.

What will Velasco's next book on the topic be? Here is a modest suggestion. There is not much in the book about the immigration practices of China, India, and East Asia. In one map by another author that is reproduced here, Japan is included in "the walled world", but nothing is said about its immigration policies (p. 152). What is "walled" about it? These Asian countries account for two thirds of the human population of the world, and this reader would love to know how they deal with immigration. One gets the impression that they may not be too concerned with the human rights of desperate people elsewhere in the world nor feel any obligation to allow them to immigrate into their own countries even though these Asian countries have benefited immensely from the global system that exploits some and favors others.

There is a great deal of philosophical fineness in Velasco's work, as he reviews a wide range of literature in several languages and carries out his own analyses and syntheses. He reads and listens to the voices that he disagrees with, and gives them credit where credit is due. His solutions are not extremes, but rather nuanced compromises among the many philosophical, ethical, and political issues raised. Any reader will learn a lot about the issues we face today at borders in many places.