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Rethinking talent migration: Exploring brain drain through the lens of relational egalitarianism

Bachelor Thesis
BSc International Relations and Organisations
BAP Justice and Equality in a Globalised World

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I. Introduction

Inequality around the globe has been increasing significantly in the past decades. Mainly noticeable through the widening wealth gap between developed and developing nations and their citizens. This disparity in wealth has long been a driver of migration, as people frequently flee their home countries in order to pursue lives of higher quality. Whereas immigration remains to be a highly debated political issue, emigration is possibly just as relevant. Especially in terms of widening inequality.

An interesting social phenomenon is the *brain drain* that is happening in developing countries. Brain drain encompasses the emigration of talented and thoroughly trained individuals, from developing countries to more economically favourable countries (Brock & Blake, 2015). The motive to relocate for talented individuals with the skillset, thus financial capacity, is improved opportunities. However, the native country experiences a loss of talent, resulting in a possible hinder of social and economic development. The emigrant's training usually gives them the possibility to leave their country of birth (Brock & Blake, 2015, p. 1). Not all citizens have the financial means to leave their country of birth in pursuing a better quality of life. Also, by absence of sufficient talented and skilled workers, remaining citizens do not have the possibility to live as they would have without these emigrants leaving. This illustrates how brain drain violates the *principle of equality* which states that benefits and burdens should be equally distributed. The problem is therefore also a morally troubling phenomenon causing many philosophers to be concerned with the matter.

The effect of brain drain and the moral obligation a citizen has towards his or her state and compatriots are deeply connected. The state stimulates its citizens to achieve their academic potential in order for society to benefit later. For example, by investing through provision of education. The money spent by the government is naturally derived from fellow citizens through taxes. High potential citizens profit from communal tax money through education. An intuitive wrong can come up when these individuals emigrate after their education - without society reaping the benefits of the education of these emigrants. All citizens contribute, enabling the state to provide mutually benefiting public goods. This requires equality of citizens and leads to particular obligations of distributive justice between citizens. Who should thus equally share benefits and burdens.

By absence of sufficient talented and skilled workers, remaining citizens also continue to render more vulnerable due to insufficient access to basic human needs (Brock, 2016a, p. 18). However, fellow compatriots and the state enabled this individual to get trained (Brock, 2016a, p. 19). Brock (2016a) states that highly skilled and trained citizens are morally obligated to compensate fellow citizens and the state for their investments through taxation or compulsory service programs (p. 19). This effectively means that the skilled citizen's freedom to exit is potentially impaired. Through the lens of relational egalitarianism I will try to answer the question of whether emigration restrictions are possibly justified.

Egalitarianism builds on the notion that all individuals are of equal moral status, thus equally worthy (Arneson, 2013). In ‘What is the point of equality?’, Anderson (1999) develops her own theory of *democratic equality*. She finds the relationship in which the distribution of goods takes place to be more important than the distribution itself, consequently laying the foundation for *relational egalitarianism* (Anderson, 1999, p. 336). This is justified by the existence of an ‘economy as a system of cooperative, *joint production* [emphasis added]’ (Anderson, 1999, p. 321). How productive one’s contribution to the economy is, depends on the contribution of others (Anderson, 1999, p. 321; Moellendorf, 2011, pp. 546-547; Sangiovanni, 2007, p. 28). Therefore, the economy of joint production is also that of mutual dependency. Hereby, differences in moral status between citizens are unfounded (Anderson, 1999, pp. 324-325).

This ties in with Anderson’s (1999) idea of freedom, consisting of the a) absence of oppression and b) the presence of equal capabilities. She thereby points to Amartya Sen’s (1979) *capabilities* approach (p. 316). Following this approach, capabilities represent the individual’s freedom to reach appreciated *functionings*: states of beings and doings (Anderson, 1999, p. 316). Anderson (1999) proposes to equalise a certain level of capabilities in order to have every individual be able to function as an equal citizen (p. 316). Justified by the ever-present mutual dependency between citizens through a joint economy. Which is endorsed by Sangiovanni (2007), who argues that citizens ‘owe obligations of egalitarian reciprocity to fellow citizens [...], who provide us with the basic conditions and guarantees necessary to develop and act on a plan of life [...]’ (p. 20). Anderson’s (1999) case of Michael Jordan exemplifies this for he could not be as successful as he is without others having provided the conditions for him to develop (Anderson, 1999, p. 322).

The principle of reciprocity is grounds for relational egalitarianists to discuss the moral obligations highly skilled citizens have towards their fellow compatriots regarding brain drain. For these moral obligations to justify emigration restrictions is argued by Ypi (2016) and Brock (Brock & Blake, 2016), but refuted by Teson (2008). Therefore, this thesis seeks to investigate whether emigration restrictions in the case of brain drain can be justified on the grounds of relational egalitarianism. Hence, the relevance of this thesis can be found in potentially resolving the academic debate and if so, could guide policy making.

This research will be structured as follows: I will firstly elaborate more on relational egalitarianism in order to clarify the principle of reciprocity. Thereafter, I will present the academic discourse relational egalitarians have had concerning brain drain. Upon discussing the presence of a moral debt and the corresponding justification for emigration restrictions, critical reflection takes place. It is then concluded that the justification for restraints on the right to exit should be stronger. Lastly, this thesis argues that emigrants are partly responsible for preventing the remaining citizens from holding positive freedom.

II. Relational egalitarianism

An analysis of establishing relational egalitarianism as a theory is provided in this chapter. This has been achieved through reviewing Anderson's (1999) paper 'What is the point of equality?'. Hereby, the objective of having citizens stand in relations of equality to one another is highlighted as well as the means to achieve that. A special focus is on the mutual dependency thesis which implies reciprocity. This enables the thesis to have clear expectations when applying relational egalitarianism as a theory to the phenomenon of brain drain.

A. Freedom through capabilities

Anderson (1999), in her paper 'What is the point of equality?', establishes her opinion on earlier executed academic work concerning equality in philosophy, which she roughly describes as *luck egalitarianism*. She finds the luck egalitarian approach to equality to focus too heavily on the distribution of goods. The distribution of goods is used here as a means for compensating bad brute luck. According to luck egalitarianism, bad brute luck could manifest itself in being less beautiful or having less talent than others. To be compensated for these matters implies that the individual falling victim to bad brute luck is lesser than other individuals. The indemnification of bad brute luck through compensation for these circumstances therefore presupposes inferior status for some citizens. Inferior status for some citizens implies that not all citizens stand in equal relations to one another. According to Anderson (1999), luck egalitarians thereby miss the objective of political egalitarian movements to eliminate oppression (pp. 288-289). Referring to the importance that all citizens stand in equal relations to one another, she argues for her theory of democratic equality. Herewith, the relationship under which distribution takes place is essential, instead of the distribution itself.

Anderson (1999) believes that for citizens to stand in an equal relation, two sorts of freedom for each individual must be present. *Negative freedom* or freedom from something and *positive freedom* which translates to having the freedom to do something. Required negative freedom is to be free of oppression. Positive freedom is exhibited through the freedom to act on a plan of life. This can be achieved through having the ability to function as a democratic citizen. Both objectives can be achieved through capabilities as found in Amartya Sen's (1979) theory. Capabilities can be interpreted as the possibility to reach wanted states of beings and doings, which are called functionings. To be free of oppression requires an amount of capabilities to ensure a minimum standard of living. This in order to avoid being vulnerable to oppressive relationships. For an individual to experience positive freedom, they must be able to participate in a democratic state. Positive freedom therefore also requires an amount of capabilities to reach this specific functioning (Anderson, 1999, p. 316). Which allows an individual to participate as a democratic citizen and act on their plan of life. Thus, to be free as an individual requires capabilities, for which we are very dependent on each other.

B. The mutual dependency thesis

The distribution of goods itself is less meaningful to Anderson (1999) because of her understanding of the economy as a system of joint production. Every form of output by workers¹ is a result of cooperation in production. Workers are only capable of working by having goods provided by others, such as food, education, parenting. All workers' capacity therefore depends on labour done by other workers. No individual being able to independently produce what they consume, implies the existence of an economy as joint production. Anderson (1999) thereby mentions that the productivity of a worker is contingent on all other individuals in the working population and vice versa (pp. 321-322). This can be called the *mutual dependency thesis*.

Hereby, she goes beyond the definition of the economy as the market sector (Anderson, 1999, p. 323). All those that enable production in society are also part of the division of labour. For some individuals are only capable of working as their partner takes on household work or parenting. She continues by posing the division of labour as an agreement between workers led by *interpersonal justification* (Cohen as cited in Anderson, 1999, p. 322). Interpersonal justification means having the proposition guiding the division of labour and the corresponding benefits be accepted by all who are affected (Cohen as cited in Anderson, 1999, p. 322). Every person holding a position in the division of labour thus ought to be in accord with the distribution of benefits and burdens. Only then, interpersonal justification holds. This ensures that everyone that actively participates in the economy has a minimum level of security safeguarded (p. 325). No individuals with inadequate resources for maintaining themselves could exist, for this would not pass interpersonal justification (p. 325). This provides the safety net that is sought after by Anderson (1999). Considering the existence of this safety net, no one is below the threshold of being subjected to oppressive relationships. This puts an end to system-induced oppression, achieving negative freedom. So, the mutual dependency thesis justifies the concept of interpersonal justification: having everybody agree to the distribution of good and bad of holding a certain place in the allocation of work. As the safety net limits oppression, the mutual dependency thesis partially provides freedom.

That all workers have accepted the conditions for their place in the division of labour and are dependent on all other workers creates a specific type of economic system. One, in which citizens commission other citizens for tasks they cannot or will not perform (p. 322). Importantly, in this system necessary capabilities are only available to those that actively participate. Also established is that no one has an unfair advantage over another individual. Moreover, there is a profound mutual dependency in this system. This creates a form of barter, in which all workers contribute something to others and can expect in return what they cannot perform themselves. As we already established that no individual is capable of producing entirely what they consume. This form of barter could be interpreted as citizens having special obligations of *reciprocity* to one another. Both Anderson (1999)

¹ The words 'citizen' and 'worker' can be used interchangeably

and Sangiovanni (2007) conclude that citizens have special obligations to one another due to being mutually dependent. For the mutual dependency thesis to limit oppression, reciprocity is thus implied.

Anderson (1999) established and based a relationship upon the profound dependency of citizens on one another. Which ensured fairness of economy. This fair economy is able to partially ensure freedom, thus equality. Egalitarianism is ergo achieved through formed relationships according to Anderson (1999). Her theory of democratic equality can therefore be seen as the cornerstone of relational egalitarianism.

III. Reflecting the academic debate

Several scholars have discussed whether emigration restrictions could be justified on relational egalitarian grounds. Those in favour of emigration restrictions base their justification upon the principle of reciprocity, while the counter-narrative considers personal autonomy superior to this. To have a clear understanding of the nature of the arguments all are reviewed according to whether the philosophers: a) acknowledge the debt relational egalitarianism ascribes to emigrants, b) find compulsory work schemes a morally justified solution to settle the moral debt and c) if the emigrant's moral debt trumps their right to exit.

A. In favour of a emigration restrictions

As Anderson (1999), Sangiovanni (2007) and Moellendorf (2011) already wrote, the mutual dependency thesis provokes an obligation of reciprocity between compatriots. Brain drain encompasses the situation of a highly skilled and trained citizen² willing to leave their country of origin before taking part in the workforce. This means the emigrant has not yet reciprocated. To abstain from such a contribution by emigrating is considered free-riding, Ypi (2008) says. Lea Ypi (2008) has described the most intuitive moral obligation of emigrants through the use of Sangiovanni's (2007) reciprocity based internationalism (p. 393). Political citizenship entails receiving the benefits of publicly distributed goods. These goods are provided by the collective of citizens in a state (Ypi, 2008, p. 408). In exchange for certain duties, like paying taxes and complying with the law to maintain that state system (Brock & Blake, 2016, p. 35). This is consistent with the thesis of mutual dependency and with the economy as a system of cooperative, joint production. Only the interpersonal justification is arranged in a modern way. Interpersonal justification is supplemented here with the existence of taxes to satisfy the principle of reciprocity. For example, higher tax brackets apply to higher-paying jobs. These taxes are used to supplement wages for the less fortunate through additions or distributing public goods. Since the state regulates this, citizens are also subject to maintaining the state. It would for example be immoral for rich citizens to avoid contributing fiscally through taxes, whilst exploiting public goods.

Political citizenship as portrayed by Ypi (2008) therefore translates to being part of the division of labour as portrayed by Anderson. The difference is that Ypi (2008) believes that people are subject to the principle of reciprocity as soon as they become part of a political system, or state. This is in contrast to Anderson (1999), who includes everyone who actively participates in the division of labour. However, Anderson's (1999) theory does require that in order to obtain much-needed capabilities, one must be part of this division of labour. Being part of this, is therefore unconditional to existing. This can also be said about Ypi's (2008) condition for being part of a political system. As individuals have no choice not to be part of a political system or state. Therefore, Ypi's theory is in

² The highly skilled and trained citizen willing to emigrate will from now on be referred to as 'emigrant'.

line with relational egalitarianism. Her claim that highly skilled citizens emigrating before joining the workforce can be considered free-riding is therefore valid. Considering the corresponding mutual dependency thesis, it is immoral for citizens not to reciprocate. Therefore, citizens that have enjoyed the publicly provided goods of their compatriots, having not yet reciprocated, have a *moral debt*. Emigrants can as a result be found to have moral debt.

In light of this moral debt, possibilities to settle this debt are available in multitude. However, some scholars have only focused on specific solutions. For example, Ypi (2016) argues solely for emigration restrictions. Thereby, a justification to place conditions on the *right to exit* of the emigrant is needed. For this reason, Ypi (2016) aims to strengthen the argument of reciprocity when applied to the phenomenon of brain drain. The emigrant acquired his knowledge through scarce tertiary education while living in an economic system where the theorem of mutual dependency applies. Hence, up until finishing of his tertiary education, he was enabled by his fellow citizens. Ypi (2016) however, goes beyond stating that this individual is solely enabled and thus needs to reciprocate. By being dependent for developing, the result of that development is subject to all that contributed. Here, the result of that development is the *self* of an individual. Ypi (2016) therefore finds the *self* of an individual does not solely belong to that individual (p. 40). Due to the mutual dependency thesis, ‘all who contributed’ translates to anyone in the division of labour. The self is therefore a product of the environment in which it developed. She illustrates this by presenting Blake’s (Brock & Blake, 2016) example of the Gerard Depardieu case. The case demonstrates how a state is authorised to tax its citizens. However, the state is limited in its capacity to constrain the right to exit of citizens emigrating to avoid tax (Ypi, 2016, p. 40). Ypi (2016) finds it wrong to separate the self from the social and political relations one holds, that enabled the self to develop. Therewith, the possession of self and objects do not fundamentally differ. Which has the implication that also the self can be taxed by the state, through the form of the proceeds of the self. An analogy can thus be drawn between paying taxes and doing compulsory service. Since money, as well as the proceeds of self can be taxed. Ypi (2016) reinforces this for applying this to the brain drain phenomenon. Emigrants have accumulated their workforce value mostly from learned skills derived from others and not talents. This strengthens the claim that their self is derived through the combined efforts of compatriots. Thus, reinforces her argument for reciprocity. Therefore, Ypi (2016) considers compulsory service to be justified if that settles the moral debt.

Nonetheless, a justification is still required for limiting the right to exit. Ypi (2016) provides this by firstly equating the weight of *positive* and *negative duties*. She does so with regards to the freedom to movement. In other words, it is just as morally wrong to prevent someone from leaving as to prevent them from entering. A popular reason for scholars to restrict the right to exit is to protect the group of citizens the emigrant leaves behind. However, this reason is also used to restrict immigration. Namely, to protect the rights of a vulnerable population in the country of arrival for example (Ypi, 2016, p. 39). Accordingly, if the right to enter can be conditional, so is the right to

leave. Given that both are subject to their context, restricting the right to exit should be possible according to Ypi (2016, p. 43).

Brock (Brock & Blake, 2016) aims to extend the argument made by Ypi (2016). She does so in light of two different distinctions. Brock (Brock & Blake, 2016) firstly distinguishes between *past investments* and *expected possible future gains* (pp. 36-38). In contrast to Ypi (2016), who solely focuses on past investments done by fellow compatriots. Likewise Ypi (2016), she argues that citizens have the obligation to repay their moral debt according to the principles of reciprocity. This is part of her argument concerning past investments. Nonetheless, she finds emigrants also obliged to compensate for withholding the possible future proceeds of their talents from their compatriots (Brock & Blake, 2016, pp. 36-38). Brock thereby claims that not only do emigrants engage in free-riding, they also harm the future of compatriots. The absence of emigrants that harms compatriots presents itself in the form of several potential burdens. Such as: heavier workload for other workers, whilst rendering compatriots more vulnerable to insufficient access to basic human needs (Brock & Blake, 2016, p. 36). These needs cannot be secured due to the lack of skilled and trained workers, such as for example medical staff. As well as insufficient funding for core institutions due to loss of revenue. Thereby, emigrants are limiting possibilities for institution building in a state (Brock & Blake, 2016, pp. 36-38). Considering the mentioned burdens created by the emigrant, the state is compromised in its task to take care of its citizens and might potentially fail to do so. With that, emigrants are limiting possibilities for fellow citizens to support their government (Brock & Blake, 2016, p. 37). The detrimental effects of the burdens showcased here leads Brock (Brock & Blake, 2016) to justify the need for reciprocating. Brock (Brock & Blake, 2016), like Ypi (2016) finds emigrants to have a moral debt. However, Brock (Brock & Blake, 2016) extends the concept of moral debt. As she finds it to consist of past investments by compatriots, as well as future proceeds that are withheld from them.

Her second distinction is that between the existence of moral debt towards *fellow citizens* and to *the government of state*. While Ypi (2016) exclusively emphasises the moral debt emigrants hold towards their fellow citizens, Brock's (Brock & Blake, 2016) argument stretches further. Brock (Brock & Blake, 2016) makes mention of two forms of implicit contracts citizens must uphold (pp. 36-38). First, a public contract between citizens that has the aforementioned implications. In addition, a private contract with the government of state that subventions tertiary education for the emigrants. She finds a return on investments from the emigrant towards the government fair. Provided that the expectation is created that one would be part of an effective and yielding labour force. By leaving without compensating, the emigrant would also undermine the government's efforts to plan and efforts to follow through on their policies. Furthermore, governments are obliged to ask for a return for their investments as not doing so would result in unwise spending. Lastly, Brock (Brock & Blake, 2016) also points to the responsibilities a citizen has to compensate for inadvertent consequences of one's actions (pp. 36-38). She argues from this line of reasoning that it is unfair for emigrants to leave their country of origin and auction off their work potential (Brock & Blake, 2016, p. 5). According to her,

emigrants are obligated to have their fellow countrymen and the state benefit from their investments. Hence, a moral debt exists and is more significant than in Ypi's (2016) case.

Brock (Brock & Blake, 2016) argues that the most effective way to remediate all negative effects is to have the emigrants remain in the sender country (p. 41). She finds compulsory service to be the most effective measure that ensures that an emigrant stays, stays longer or even returns (Brock & Blake, 2016, p. 41). Policy wise, the requirement of fulfilling compulsory service should then be offered as a conditionality upon accepting a spot in tertiary education. A justification for doing this, is the government's duty to spend the funds of the collective capital wisely. The government of state has the responsibility to take care of its citizens to the best of its ability. Brock (Brock & Blake, 2016) gives the example that a government would be better off investing in students who will not emigrate in contrast to those that will (p. 42). The students that stay are an investment for the future, because by way of illustration a larger working population is created, which can save lives. It is therefore permissible to oblige students to undertake compulsory service. For not to require so would be inadequate governance. Proper functioning of government translates to the well-being of the collective in that state. Therewith, the interests of the group comes before that of the individual. As a regulating power, the government can thus impose temporary conditions on individual rights, within reasonable limits³. In this case, the government can temporarily restrict the right to exit⁴.

B. Against emigration restrictions

The aforementioned authors agree that emigrants have a moral debt which can be settled through compulsory service. Therefore, this moral debt may require restrictions on the right to exit. Teson (2008) rejects this idea. That people can be assessed for the proceeds of their talents undermines the view of man as an *autonomous* being (p. 906). According to Teson (2008), the possession of 'self' lies at the core of human being (pp. 908-911). He refers to Lockean arguments concerning *self ownership*. Ownership means to withhold someone else from using the matter (Teson, 2008, p. 909). To own land translates to a property law. In other words, nonconsensual use of your land by me is trespassing (Teson, 2008, p. 909). To use the talents of another without their consent is akin to slavery. However, there must be a boundary as to where 'self' starts. According to Teson (2008), beyond that boundary no invasions can be made by others (p. 914).

Egalitarianism finds some goods in the public sphere subject to redistribution for they have originated from the commons (Teson, 2008, p. 917). What was once available to all and became property of the first to discover it, can still be owed as compensation to 'latecomers'. It is therefore

³ In order for a state to be entitled to specifically assign compulsory service it must follow the following conditions: a) a student's presence should be proven beneficial to resolving poverty, b) consent to performing compulsory service is mandatory for being eligible to receive tertiary education, c) performing compulsory service should not require exceedingly large sacrifices. Provided these conditions are satisfied, the state is permitted to temporarily restrict emigration (Brock, 2016a, p. 19).

⁴ Provided that the state which imposes the obligation, a) respects their own citizen's human rights, b) is part of a legitimate state system and c) adequately contributes to the maintenance of this state system.

prone to redistribution to compensate worse-off others. Teson (2008) argues that talent is not acquired through diminishing others property (p. 910). For it is a natural endowment, thus the ultimate possessing of self. Because talent does not originate from the commons, there is no scarcity. Therefore, it does not harm the collective of citizens to monopolise it. Put simply, it does not fall under the Lockean proviso. Consequently, it is not prone to redistribution. The state may be able to appropriate revenues generated by talent should it be necessary to pay for the provision of public goods. But the state may not compensate others in this way, because talents are not subject to redistribution.

Hereby, Teson (2008) partly ignores the mutual dependency thesis and implicitly argues that citizens are not entitled to each other's capacity to decrease inequality in society. Meaning that Teson (2008) would not approve of Brock's (Brock & Blake, 2016) argument concerning possible future gains. He also implicitly rejects a burden illustrated by her. Brock (Brock & Blake, 2016) mentions potential issues with government planning if highly skilled and trained citizens leave. This indicates that the labour force is an asset that can be deployed to achieve goals. Teson (2008) concludes that human capital is then a resource for governments (p. 906). Which is again in contrast with his conception of autonomy. He thereby makes the 'self', thus the individual superior to the interest of the group. Teson (2008) describes this as autonomy being pre-political (p. 917). Therefore, takes precedence over the moral obligations arising from political citizenship, contrary to the claim of Ypi (2016). Therewith, he rejects Ypi's (2016) reasoning concerning self ownership. As Ypi's (2016) theory would imply that the state has an absolute power to redistribute (Teson, 2008, p. 914).

Autonomy being pre-political ensures that proceeds of one's talents are not subject to political obligations. Nor, the moral obligations stemming from it. Meaning that a citizen has no moral debt towards the state. Potentially, he only has this towards his fellow citizens. This depends on the circumstances in which the emigrant finds himself, Teson (2008) says (p. 919). However, the emigrant's talents and knowledge are constant. Implying that these assets of their 'self' can never be the deciding factor, thus irrelevant. Accordingly, emigrants potentially have a moral debt towards compatriots, but this is contingent on common morality (Teson, 2008, p. 919).

Teson (2008) continues to evaluate the concept of moral debt specifically in light of reciprocity. He thereby divides the principle of reciprocity in two arguments: the *general-reciprocity* and the *specific-reciprocity argument*. The specific-reciprocity argument is like Brock's (Brock & Blake, 2016) argument concerning moral debt towards the state, besides that towards compatriots. For the state financed tertiary education of the emigrant. The state reflects the collective of taxpayers in Brock's (Brock & Blake, 2016), but Teson (2008) solely mentions taxpayers for its explanatory value. Teson (2008) speaks of specific-reciprocity as a contract, like Brock (Brock & Blake, 2016). However, he finds the contract to be invalid, for both parties have not consented to the contract. Taxpayers involuntarily provide means for public education. Meanwhile, the emigrants stemming from developing countries have no option but to enjoy education via public institutions (Teson, 2008,

p. 923). What remains is that the emigrant has received benefits which they have not requested. Therefore, they could be seen as bestowed upon the emigrant. If an obligation were to follow from a nonconsensual received benefit, one could easily be exploited. It is thus objectionable that because the taxpayers indirectly paid the emigrant's tertiary education, that the emigrant has a moral debt towards them. This can be translated into Brock's argument. Namely, emigrants having their tertiary education being financed towards the state would not have a moral debt towards that state. Therefore, Teson (2008) disagrees with Brock's (Brock & Blake, 2016) notion that emigrants have a moral debt for enjoying tertiary education.

The general-reciprocity argument is akin to Brock's (Brock & Blake, 2016) version of reciprocity towards fellow citizens, as well as Ypi's (2016). Teson (2008) disagrees with general-reciprocity as this would undermine his concept of autonomy. Consequently, he rejects general-reciprocity by the same line of reasoning as specific-reciprocity. Teson (2008) finds that debts can only exist towards those who provided benefits. Private education thus requires repayment. However, general-reciprocity assumes in both cases of private and public education, the existence of an extra moral debt. Namely, towards the state for developing the emigrant into his current being. This is in line with the mutual dependency thesis. Every individual in the division of labour is dependent on all others. Teson (2008) points to his earlier line of reasoning here. Not only public education is enjoyed by the emigrant without the explicit consent of the emigrant and the taxpayer, so are all other received benefits. Therefore, all advantages that enabled the emigrant to develop further, are also foisted upon the emigrant. These advantages are provided by his compatriots. As a result, there is no necessity to reciprocate towards compatriots for their unsolicited nurturing (Teson, 2008, pp. 924-926). There is one exception: public institutions. The emigrant may still be obliged to reciprocate to the state for its various institutions. Moral debt can thus exist only towards the state by enjoying the institutions that it established and maintained. Also, the proceeds of his talents can be taxed in order to do so (Teson, 2008, p. 925). Given that every individual makes use of public institutions, this is how far the moral debt of an emigrant possibly goes according to Teson (2008).

Teson (2008), in contrast to Ypi (2016) and Brock (Brock & Blake, 2016) finds compulsory service an ill-fitting solution to settle the moral debt. This would require autonomous beings to be allocated as human capital by the state. For the same reason he argues that the state has no power over whether an individual might emigrate (Teson, 2008) p. 906). As the state is not the holder of human capital. Moreover, he believes that emigrants can make better use of their talents in a suitable working environment. Ultimately helping the world's worst off and their state of origin. He exemplifies this by Nobel Prize winner Amartya Sen who was better able to help India by studying famines, but only through working in economics outside of India (Teson, 2008, p. 929). Accordingly, restricting the right to exit is off the table for Teson (2008).

IV. Evaluation

The arguments of the aforementioned authors will be assessed on their strengths and weaknesses. Incongruities in Teson's (2008) line of reasoning are highlighted. In addition, a case is built to strengthen both Brock (Brock & Blake, 2016) and Ypi's (2016) claims that the emigrant may be restricted by its compatriots to leave, for his moral debt is not yet settled.

A. Invalid contracts and obligations

Teson (2008) finds talents to be pre-political for they do not fall under the Lockean proviso (p. 910). As talents are not prone to redistribution, the proceeds of these talents fall under complete authority of the individual possessing them. He thereby draws an analogy between having the sole right to one's own talents and reaping all the benefits of one's labour as a highly skilled and trained citizen. Here, there are no reciprocity implications for mixing scarce common goods such as tertiary education with self. Teson (2008) finds these scarce common goods to be bestowed upon the individual as a form of a received benefit. He argues that public education (specific-reciprocity) as well as other received benefits (general-reciprocity) following from being mutually dependent are consequences of involuntary contracts. The receiving end of the bargain had no option than to enjoy public education and the taxpayer had no say in where his money went. I consider this false as paying taxes is a semi-voluntary transaction between citizen and government. If the citizen were to disagree with the purpose assigned by the government, he is capable of expressing this dissatisfaction. More so, it is one of the rights that stems from political citizenship. Also, individuals in developing countries who would like to pursue tertiary education have no other option to do so with government funding. However, this does not mean they have to do this involuntarily. Other possibilities can be taken to obtain education sufficient for a decent standard of living. Secondary vocational education is such an option. This education degree also falls under public education, but it often involves lower absolute costs than tertiary education. Thus, an individual has an option as to which extent it exploits government funding and its co-citizens. So, an individual chooses to participate in this contract as well as the taxpayer. Here, the constituted contract can be considered voluntary, thus legitimate. Which invokes the principle of reciprocity. Furthermore, Teson (2008) expresses that making use of public institutions does oblige an individual to reciprocate (p. 925). Public education would have to differ from a public institution for this argument to hold. Institutions are facets of society coordinated by the government, often organisations or systems of organisations (Miller, 2019). Public education is an organisation overseen by the government, subject to their rules. Therefore, public education can be seen as a public institution. The refutations of Teson's (2008) arguments point to the fact that the principle of reciprocity is valid here, once his line of reasoning is adopted.

B. The state as holder vs. coordinator of human capital

Teson finds the state may not restrict emigration as a solution to brain drain. Restricting emigration allows the state to control the amounts of human capital. The state being a holder of human capital is considered undermining the autonomy of individuals. Yet, in the case of compulsory service autonomy is temporarily subverted. Thereby, prioritising the interest of the group, for they will be worse-off if this measure is not taken. However, there are situations in contemporary society in which compromising on a single right for the greater good is morally acceptable. Teson (2008) already mentioned this himself, through for example taxation. The individual's right to property is not absolute as property is still subject to redistribution. Because, it is purely legitimately allocated to the individual from the commons on the basis of the possibility of withdrawing it earlier (Teson, 2008, p. 917). Taxation is a measure taken to establish and maintain public institutions and enables government functioning. It partly undermines one's autonomy and property rights, for one does not have full ownership of their property. Taxation is therefore an example where the rights of the individual are reasonably subjected to a regulatory power to support the public good and thus compatriots. Hence, a single human right can within reason and under conditions be subjected to that of the group. The state being this regulatory power must accordingly not be seen as a holder of human capital, but as a coordinator. Being a holder would indicate that the state possesses its inhabitants. Which is not the case, as the state functions on behalf of its people. The fact that the state temporarily restricts individuals to promote the collective can therefore better be regarded as providing guidance. The state is consequently a coordinator of society, by order of society. Within Teson's (2008) argumentation, the right to exit can be legitimately restrained if compulsory service is thought of as the solution.

C. Compatriots as the most important actor

Teson's (2008) line of reasoning is thus able to consider the possibility to restrict emigration. Brock (Brock & Blake, 2016) and Ypi (2016) find restricting emigration just for different reasons while discussing brain drain. Brock (Brock & Blake, 2016) explores the possibility of having government functioning be dependent on emigrants leaving. For government functioning to be regarded as good, the government must keep its agreement with its constituents. This agreement is that the government will take care of its constituents to the best of its ability. Through brain drain, the government is not able to do so. The government will not be capable of keeping this agreement with its constituents, because higher capacity constituents are withdrawing. To ensure government functioning, the higher capacity constituents can be temporarily restrained in their right to exit. This is justified by the moral debt the emigrants have accumulated enjoying mutual dependency, without reciprocating to their compatriots. While the justification is valid, the reason to restrict the right to exit remains superficial. The state has the opportunity to demand from the emigrant his presence for its functioning will be

compromised. But, it is acting on behalf of its citizens. This thesis aims to seek whether an argument can be made for the citizens to demand the presence of the emigrant, with the state solely being their enforcer. Not as the actor that needs to be compensated for potential absence. After all, compatriots are included in the division of labour as suggested by the mutual dependency thesis, not the state. Consequently, they are taken advantage of without being reciprocated towards.

Ypi (2016) finds the argument that immigration can be constrained to protect vulnerable populations analogous with justifying emigration restrictions, to protect those left behind. This argument provides the basis for the claim that compatriots may make. What must be considered is how vulnerable these populations are. If one were to genuinely understand the principle of reciprocity on relational egalitarianism terms, a stronger claim can be made. This vulnerability does not only display itself through the implications Brock (Brock & Blake, 2016) has mentioned (pp. 36-38). Relational egalitarianism as established by Anderson (1999) bases its concept on having individuals stand in relation of equality to each other, in order to be free. To achieve this freedom, there are two necessities. The absence of oppression, as well as having the minimum capabilities to function as a democratic citizen. The case of brain drain illustrates that as highly skilled and trained citizens leave, they are often indirectly taking away capabilities. An example often employed in the brain drain debate is that of the severely depleted medical field in developing countries. Doctors leaving cumulatively reduces the amount of quality care that can be provided in a state. This reduction is immediately worrisome, because there has never been a labour surplus in this or other sectors in developing countries. Brain drain illustrates a problematic reduction. To the extent that this could have major consequences for the minimum standard of living that can be offered to the emigrant's compatriots. It is therefore possible that the minimum standard of living falls below the threshold of Anderson (1999). Meaning that positive freedom cannot be guaranteed when there is brain drain according to relational egalitarianism. Equality can thus not be established as long as no measures are taken against brain drain. Already established is the moral debt an emigrant has for profiting from the mutual dependency thesis, while not reciprocating. Consequently, the emigrant enables the process in which positive freedom gets lost. They are therefore partly responsible for its consequences. The issues at hand can be solved most adequately by having emigrants settle their moral debt. Thereby, restricting freedom of movement can be justified. Taking relational egalitarianism to its core gives the state, which is a tool of its constituents, the power to restrict the right to exit of emigrants. Provided they contribute to brain drain.

V. Conclusion

This thesis has examined whether highly skilled and trained citizens wanting to emigrate have a moral debt according to the principle of reciprocity. And if so, whether this justified limiting the emigrants' right to exit. Thereby, researching whether by relational egalitarianism the phenomenon of brain drain could be problematized. Established is the moral obligation emigrants hold towards their fellow compatriots considering the mutual dependency thesis. As according to relational egalitarianism everyone is dependent on each other, the expectation is created that everyone contributes. For no one can provide for all their needs by their efforts alone. This can be considered the principle of reciprocity. Highly skilled and trained citizens enjoying tertiary education, emigrating right after violates this principle. As they have received benefits from society and compatriots according to the mutual dependency thesis, but have not compensated for this. Consequently, they are believed to be free-riding on their compatriots. A moral debt is thereby established, however a right to restrict the emigrant's freedom of movement is still needed.

The cornerstone of relational egalitarianism finds its purpose in providing people with equality, in order to constitute freedom. It illustrates how in order to achieve this freedom, negative and positive freedom are required for each individual. Negative freedom presents itself through the absence of oppression. Positive freedom translates to having the right to equally participate in democratic society. This demands a certain amount of capabilities, following Sen's (1979) theory. However, the absence of skilled workers prevents these capabilities from being met. Without doctors, given high quality care on a country-scale is not feasible. Thus, positive freedom is not within reach for all individuals, establishing inequality. The emigrant is the catalyst for this process and is therefore at least partly responsible. This thesis can therefore conclude that emigrants have a moral debt towards their compatriots and are responsible for their compatriot's lack of freedom if leaving. If relational egalitarianists follow through on their theory, the right of the emigrant to exit can thus be withdrawn. Consequently, to settle their moral debt, their right to exit may be temporarily restricted.

The confined scope of this research results in limitations considering the normative arguments that could be reviewed and assessed here. Therefore, it was not possible to assess what constitutes a reasonable settlement of moral debt. Moreover, the justification for restricting emigration: the lack of positive freedom for compatriots, implies that the moral debt may be higher than initially argued. Further research could potentially focus upon these unclarities in order to have societal relevance through policy making.

VI. Bibliography

- Angell, K., & Huseby, R. (2019). Global luck egalitarianism and border control. *Ratio Juris*, 32(2), 177-192.
- Blake, M. (2016). Positive and negative rights of migration: A reply to my critics. *Ethics & Global Politics*, 9(1), XXXXX
- Blake, M. (2016). On money, god and dogmatic liberalism: A reply to my critics. *Moral Philosophy and Politics*, 3(1), 109-117.
- Brock, G., & Blake, M. (2015). *Debating brain drain: May governments restrict emigration?* Oxford, United Kingdom: Oxford University Press.
- Brock, G. (2009). *Global justice: A cosmopolitan account*. New York, United Kingdom: Oxford University Press.
- Brock, G. (2020). *Justice for people on the move: Migration in challenging times*. New York, United Kingdom: Cambridge University Press.
- Cole, P. (2016). Comment on Brock and Blake: Debating brain drain. *Journal of Medical Ethics*, 43(8), 562-563.
- Ferracioli, L. (2016). Vulnerable populations and the duty to exclude. *Ethics & Global Politics*, 9(1), 33501-33508.
- Higgins, P. W. (2021). Migration justice and legitimacy. *Res Publica*, 28(3), 425-433.
- Lenard, P. T. (2016). Debating brain drain: May governments restrict emigration? *Contemporary Political Theory*, 15(4), 36-39.
- Miller, S. (2019). Social Institutions. In E. N. Zalta (ed.). *The Stanford Encyclopedia of Philosophy* (Summer 2019 Edition). Stanford University Press. Retrieved from: <https://plato.stanford.edu/archives/sum2019/entries/social-institutions>.
- Moellendorf, D. (2016). Can a liberal state make access to medical service conditional on public

service? *Moral Philosophy and Politics*, 3(1), 45-53.

Sen, A. (1979). Equality of what? Stanford University: Tanner Lectures on Human Values: 195-220.

Owen, D. (2016). Compulsory public service and the right to exit. *Moral Philosophy and Politics*, 3(1), 55-65.

Ypi, L. (2016). Sharing the burdens of the brain drain. *Moral Philosophy and Politics*, 3(1), 37-43.