

FRANK  
ARAGBONFOH  
ABUMERE

# Migration, Colonial Historical Injustice and Postcolonial Rectificatory Justice

**Abstract:** The traditional or mainstream relational approach and the non-relational approach remain the two major distinction lines in global justice although in recent times they have been challenged. This article argues that neither the former nor the latter can resolve problems of recent and current migration - from former colonies to former colonisers - that are partly conditioned by colonial historical relationships. Because of colonial historical relationship: in contradistinction with the position of relationists, citizens of empire (that is, a former colony) may have certain right-claims against metropolis (that is, a former coloniser) and the latter may owe the former certain duties of justice even though the former are non-citizens. Therefore, in order to deal with the aforementioned migration problem, the article argues for a special kind of postcolonial relational account whose principles of global justice are more extensive than those of traditional or mainstream relationists but less extensive than those of non-relationists.

**Keywords:** *Colonialism; Global Justice; Historical Injustice; Migration; Postcolonial Theory; Rectificatory Justice.*

## Introduction

The *traditional* or *mainstream* relational approach and the non-relational approach remain the two major distinction lines in global justice, including justice in migration, even though in recent times they have been challenged by a group of theorists whose intermediate accounts are different from both the former and the latter.<sup>1</sup> While the former is associative or member-based, the latter is non-associative or non-member-based. The former emphasises that the common relationships that bind moral agents of justice (insiders, for instance citizens, compatriots, etc.) together have moral significance (see Armstrong, 2012: 25; Maffettone, 2013: 127; Risse, 2012: 8-9; Sangiovanni, 2007; Abumere, 2022). Moral agents (outsiders, for instance non-citizens, non-compatriots, etc.) that are not part of such relationships do not have right-claims against insiders and have no duties of justice to the insiders. The latter denies that justice is

---

<sup>1</sup> I would like to thank the editors of *Global Justice: Theory, Practice and Rhetoric* for this.

based on any special relationship such as citizenship, compatriotism, and so on. It asserts that justice is based on our common humanity and common human factors such as natural prerogatives, basic needs etc. (see Armstrong, 2012: 25; Maffettone, 2013: 127; Risse, 2012: 8-9; Sangiovanni, 2007; Abumere, 2022).

Taking my cue from theorists whose intermediate accounts seek to tease out specific relations that cannot be reduced to those among citizens but which still lead to more significant and demanding duties than general obligations of humanity.<sup>2</sup> I think that neither the traditional or mainstream relational approach, nor the non-relational approach as currently conceived in mainstream Western theory on the ethics of migration can resolve the *recent* and *current* problem of migration - from former colonies to former colonisers - that is *partly* conditioned by colonial historical relationships (Abumere, 2025).

Traditional or mainstream relationists think that, as non-citizens of former coloniser X, citizens of former X's colony, Y, have no right claims against X, and X has no duty of justice to them. These relationists are *short-sighted* because they only see certain kinds of special relationship existing inside X, namely a vertical relationship between government and citizens, which is characterised by coercion, and a horizontal relationship among citizens which is characterised by cooperation. However, they do not see another kind of special relationship that exists outside of X (between X and its former colonies, in this case Y). In contrast, non-relationists think that citizens of Y, as human beings, have right-claims against X, and X has a duty of justice to them.

However, the problem for both these relationists and non-relationists is that the colonial historical relationship between X and Y suggests that: (I) in contradistinction to the position of relationists, in spite of the fact that Y-citizens are non-X-citizens, the former may have certain right-claims against the latter, and the latter may in turn owe the former certain duties of justice; (II) in contradistinction to the position of non-relationists, other non-X-citizens, who do not share the aforementioned colonial historical relationship with X, do not have the aforementioned right-claims against X, and the latter does not owe the former the aforementioned duties of justice (*ibid.*).

The above argument is not far-fetched if we are agreed that:

the most pressing question regarding the current global order is not whether there is such a thing as a “global basic structure”, but rather whether the re-

<sup>2</sup> I am also grateful to the editors of *Global Justice: Theory, Practice and Rhetoric* for their help in elucidating this point.

levant conditions that trigger the obligation to *establish* one actually obtain. However, affirming the moral necessity of establishing a supranational basic structure need not entail that such a structure and its institutions ought to be as rich and complex as our domestic ones, let alone implement the same conception of justice (Ronzoni, 2009: 230).

Although my argument does not entail the establishment of a supranational basic structure, it simultaneously extends beyond the remit of the state, but not to a global remit, and it requires us to think about justice in migration in ways that acknowledge obligations and rights above what traditional or mainstream relationists and statisticians allow and below what non-relationists and cosmopolitans allow. Again, my argument is not far-fetched because, as Miriam Ronzoni (2009: 231) says in her background justice argument, the argument can ‘identify the global order as a problem of justice proper without necessarily entailing that the same principles of justice apply in both the domestic and the international case, thus overcoming the sterile dichotomy between cosmopolitanism and statism’.

I refer to cases, such as the above X and Y case, as cases of exception because they fit neither the framework of the traditional or mainstream relational approach nor the framework of the non-relational approach. Using cases of exception that are based on historical injustice, specifically the colonial historical relationship between X and Y – and drawing insights from Ronzoni (2009)’s background justice argument and Laura Valentini’s (2011) account of coercion – I shall show a very important problem that both the traditional or mainstream relational approach and the non-relational approach have in common. The background justice argument is helpful in my framework because Ronzoni (2009: 232) argues that:

obligations of socioeconomic justice arise from engaging in specific forms of interaction, but do not require a preexisting basic structure. Indeed, the justificatory chain operates the other way around: interaction of the relevant kind raises problems of background justice, and these in turn trigger the obligation to establish an appropriate basic structure when this is not yet in place.

While Valentini (2011)’s association of justice with coercion is helpful in my framework because it creates a middle ground between statisticians and cosmopolitans. On the one hand, in contradistinction with statisticians, if it can be established that coercion exists outside the state, that is, at the transnational, international, regional and global level, then justice is applicable outside the state. On the other hand, in contradistinction with cosmopolitans, justice is only applicable at the global level where and when coercion is present; absent coercion at the

global level, absent justice.

The problem is that neither the traditional or mainstream relational approach nor the non-relational approach is sufficient to resolve the X and Y colonial historical relationship case of migration. By pointing out the aforementioned limitations of the traditional or mainstream relational approach and the non-relational approach, I am taking a cue from theorists who have noticed that there are gaps in the theories about global justice in different spheres. For instance, Andrea Sangiovanni and Juri Viehoff (2023: 5) argue that:

there still remains a ‘theory gap’ when it comes to theorising justice and fairness for the EU. Whilst there are numerous well-developed, competing theories of justice for domestic and global justice, the EU, as a novel and form of political cooperation, does not have a developed corpus of competing theories of justice or fairness. As questions of European integration are increasingly politicised (and rightly so!), there is still much work to be done for political theorists to put forward more detailed and worked-out theories for this unique institutional formation.

In view of the aforementioned theory gap, Sangiovanni and Viehoff (2023: 6) go on to argue that ‘the EU’s role in intra-union and external migration seems a topic ripe for more extensive collaboration and reciprocal engagement between normative theorists, economists, and other social scientists – not least because of the topic’s salience with European citizens’.

Sangiovanni and Viehoff’s endeavour signifies a current trend in global justice. In recent times, scholars of global justice have begun to theorise about different interactional and institutional spheres of international and global relations, which they think should rightly be brought under the domain of global justice. For instance, Peter Dietsch and Thomas Rixen (2014: 150-51) say that:

A globalised economy raises intricate questions of distributive justice. Some of these have come under scrutiny in the literature. Under what conditions can international trade be regarded as respecting norms of fairness? Are wages at the subsistence level a necessary step on the path to growth or a form of exploitation? Who does and who should benefit from the profits generated by the exploitation of natural resources? Yet, one important determinant of global justice, namely questions of international taxation, has received little attention in the philosophical debate. While the importance of taxation as a means of implementing domestic public policy and conceptions of justice is widely acknowledged—and indeed often taken for granted—issues of international tax justice are mostly neglected.

While Sangiovanni and Viehoff are concerned about the EU and Dietsch and Rixen are concerned about international trade, I am concerned about migration. My concern is not novel. For instance, Lea Ypi et al. (2009) and Lea Ypi (2013) have dealt with the problem of colonialism and rectification *sui generis* while Edward Said (1993, 2003), Sara Amighetti and Alasia Nuti (2015) and E. Tendayi Achiume (2019) have dealt with the problem of colonialism, *vis-à-vis* the problem of migration, from formal colonised states to former colonizing states. Nevertheless, as will be evident in the course of this article, although my concern with and approach to the problem of colonialism-induced migration is not novel, my approach still has the potential to make important contribution to the subject matter. For instance, Said (1993, 2003) and Amighetti and Nuti (2015) rely on the intertwining of the cultures of the former coloniser and the formerly colonised to argue that citizens of the latter should be granted right of entry by the former. Ypi et al. (2009) argue that the coercive and cooperative nature of colonialism is plausible grounds of distributive justice between the former coloniser and the formerly colonised. Then, taking her cue from Ypi et al., Achiume (2019) extends their argument further by arguing that the right of citizens of formerly colonised states to enter former colonizing states is part and parcel of such distributive justice. Unlike Said's and Amighetti and Nuti's cultural arguments and Ypi et al.'s and Achiume's distributive justice argument, I pursue a rectificatory justice argument in the context of the aforementioned recent and current problem of migration from former empires to their former *metropoleis* (Abumere, 2025).

My rectificatory justice argument is a relational argument rather than a non-relational argument. Nevertheless, it is a new kind of relational account that is different from the traditional or mainstream relational approach. For the above reason, although I draw insights from Said's, Ypi et al.'s and Amighetti and Nuti's postcolonial theories, my account is different from theirs.

Taking my cue from Ronzoni's background justice argument, and Valentini's account of coercion, I shall make the following argument. In the context of the aforementioned problem of recent and current migration from empire to metropolis, in order to deal with the aforementioned limitations of both the traditional or mainstream relational approach and the non-relational approach, we need a 'special kind of the relational account' – a special kind of *postcolonial* relational account – which entails the following.

- I. Unlike non-relationists, I think that relations matter.
- II. Unlike traditional or mainstream relationists, I think that different kinds of relations trigger different obligations.

III. The relationship between empire and metropolis triggers obligations.

IV. That citizens of empire have the right of entry into metropolis and the latter has a duty to respect such right is part and parcel of the obligations in (III).<sup>3</sup>

I divide the remainder of the discussion into three sections. In the first section, I present an overview of the arguments traditional or mainstream relationists use to support closed borders and non-relationists use to support open borders. Going further, I simultaneously preliminarily: explain why relationists should make exceptions for the X and Y case and similar cases - what I refer to as cases of exception (Abumere, 2025); and explain why, contra non-relationists, open borders should be *particular*, for instance in the X and Y case (cases of exception), rather than *universal*, that is, in all cases.

In the second section, I engage in a detailed and extensive analysis of the preliminary arguments in the first section. Using rectificatory justice as grounds of my cases of exception, I show, on the one hand, why traditional or mainstream relationists are wrong to extend closed borders to cases of exception such as the X and Y case. On the other hand, I show why non-relationists are wrong to extend their open borders beyond cases of exception such as the X and Y case. In view of the aforementioned problem with both the traditional or mainstream relational approach and non-relational approach in respect of cases of exception, then in the third section, I argue for a special kind of relational account (a postcolonial one), explain what the account is, give reasons for why it is necessary and show how it resolves the problem with the traditional or mainstream relational approach and non-relational approach and how it is a perfect fit with cases of exception.

### **The Limitations of the Traditional or Mainstream Relational Approach and Non-relational Approach**

Generally, the relational approach supports the restriction on the right to immigration whereas the non-relational approach opposes such restriction. There are several arguments both for and against restricting the right to immigration. In a nutshell, non-relationists argue that we may base the rights of migrants on three desiderata, namely equality, freedom and vulnerability: all humans are equal, prevention to enter is discrimination; if freedom of movement is va-

3 I am indebted to the editors of *Global Justice: Theory, Practice and Rhetoric* for suggesting this and prompting me to think about and follow this line of argument.



luable, it should not be limited to intra-state movement; and as humans, we owe one another the duty to protect or help vulnerable people. In spite of all the above arguments for open borders, the status quo – both in theory and in practice – does not support the above claims.

The above dichotomy between relationists and non-relationists mainly revolves around the (non)existence of a global basic structure. However, as Ronzoni (2009: 243) argues:

the most pressing question is not whether we *have* a global basic structure, but whether we *need* one. The absence of a full-blown basic structure at the global level cannot settle the question of global socioeconomic justice once and for all in the negative. If problematic background conditions are generated, it is this very absence that may constitute an injustice. If interaction between individuals across states, or indeed between sovereign states themselves, is sufficiently intense and complex to produce background justice-eroding effects, we might face problems of global background justice. Global actors (individuals, other non-state actors, and states themselves) may be experiencing injustice not because they are subject to a clear (global or regional) institutional order that coercively imposes unjust rules on them, but, quite on the contrary, due to an institutional *vacuum*, or to the asymmetrical and heterogeneous character of the institutional regulation to which they are subject. This very vacuum may be the source of the injustice: for actors may interact intensively enough to erode background conditions over time, but no institutional structure tackles the problem.

Traditional or mainstream relationists seem to have accepted, but to a very narrow extent, that some international or global institutional vacuums are indeed problems of justice. This acceptance is restricted to a particular case, namely the case of refugees. The crux of the refugee case is that although refugees are not citizens and have no special relationship with citizens, citizens have moral duties to them because of their humanitarian condition. That relationists deem the refugee case to fall within the domain of global justice is an important signal that one can indeed have international or global justice principles that go beyond the state but are not as extensive as what non-relationists would want.

Relationists (supporting restriction on right to immigration) and non-relationists (opposing restriction on right to immigration) meet at a juncture at which the former agree that there are some cases or conditions in which the right to immigration is morally justifiable (Abumere, 2025). Although this common ground between relationists and non-relationists is currently dominated by the refugee case, one can extend the logic of the common ground by arguing that:

if certain empirical conditions hold true, a problem of *background justice* may arise at the global level. If inter- and trans-national interaction are sufficiently intense and complex, it might well be the case that the global order raises problems of background justice that are relevantly similar in structure (although not necessarily in substance) to those which arise at the level of the state. If the problems are similar in structure, we have a duty to end global background injustice that is just as stringent as in the domestic case (Ronzoni, 2009: 230).

The refugee case is a variant of what I refer to as *cases of exception* because they fit neither the norm of the traditional or mainstream relational approach nor the norm of the non-relational approach. These cases are between the extremes of the traditional or mainstream relational and non-relational approaches. Contra the relational approach, cases of exception show that certain conditions demand that insiders (citizens, compatriots, etc.) have duties of justice to outsiders (non-citizens, non-compatriots, etc.) and the latter have right-claims against the former. Whereas contra the non-relational approach, such conditions entail that the former owe the duties of justice only to the latter and not to all human beings, and only the latter and not all human beings have those right claims against the former. Therefore, we need to devise principles that are more extensive than the traditional or mainstream relational or statist principles but less extensive than the non-relational or cosmopolitan principles in order to have an account that is the best fit with such cases.

I aver that the case of colonial historical relationships between former colonies and their former colonisers is another variant of cases of exception for the following reason. Using the X (former coloniser of Y) and Y (former colony of X) example, it seems plausible to argue for Y-citizens' right to immigration to X based on two variants of the relational approach's grounds for justice within the state, namely cooperation and coercion. On the cooperation argument, citizens owe one another duties of justice partly because the citizens of the state cooperate with one another as a collective in order to ensure the well-being of the entire citizens. While on the coercion argument, the state owes its citizens duties of justice partly because the state coerces its citizens to do things which they may not do absent coercion, or to restrain from doing things which they may do absent coercion.

It is plausible to extend the coercion argument beyond the state since the principal aim of justice is the evaluation of 'the moral justifiability of coercion' (Valentini, 2011: 4). Consequently, the validity and invalidity of the applicability of justice principles to any domain is dependent on whether coercion is present or



absent in such domain. It is a *fait accompli* that coercion was present in European colonialism. But the question is, can it be established that such coercion is directly or indirectly, or remotely or immediately connected to the current problem of migration from empire to the metropolis? As evident in my argument from the beginning to the end of this article, my answer is in the affirmative.

Valentini's account of coercion demonstrates that it is plausible to extend the coercion argument beyond the state. Her conception of coercion is more robust than the traditional statist understanding of coercion in which 'agent A coerces another agent B if A intentionally forces B to do, or refrain from doing, X through a command backed by the threat of sanctions' (*ibid.*: 129). For instance, she argues that 'a system of rules S is coercive if it foreseeably and avoidably places non-trivial constraints on some agents' freedom, compared to their freedom in the absence of that system' (*ibid.*: 137). In this sense, coercion is not just similar to the absence of negative freedom, it is also similar to the absence of republican freedom, or in her term, the absence of 'freedom-as-independence' (*ibid.*: 156).

She addresses the question that separates statist from cosmopolitans, which is 'the question of whether principles of domestic justice should extend to the world at large' (*ibid.*: 5). On the one hand, her intermediate account is not as extensive as that of cosmopolitans because 'While principles of justice establish persons' entitlements, principles of humanity ground duties to help those in need with resources that are rightfully one's own' (*ibid.*: 8). On the other hand, her account goes beyond the statist position, which holds that 'only more modest duties of assistance and just interstate conduct' (*ibid.*: 7) are required outside the state. She holds such anti-statist position because 'the cumulative effects of international transactions between states may lead to problematic power inequalities and undermine the ability of individual societies to be genuinely self-determining' (*ibid.*: 89).

Valentini thinks that we can only properly maintain the essence, and achieve the aim, of justice when we apply justice to instances in which we can establish the presence of coercion. Such instances are unique or special because, for coercion to take place, there must be a moral agent who is doing the coercion (the subject or perpetrator) and another moral agent who is being coerced (the object or victim). In this instance, there is a relationship between two moral agents, and the relationship is coercive. In virtue of the coercive relationship between the two moral agents, namely the subject and the object, or the perpetrator and the victim, principles of justice are applicable to the aforementioned relationship. But in instances where there is no relationship between two moral agents, and if there is a relationship between them but such relationship is not

coercive, she thinks that such instances are more accurately humanitarian cases rather than justice cases. She thinks that ‘non-relational cosmopolitans fail adequately to capture the special nature, and stringency, of duties of justice’ (*ibid.*: 55) because they conflate humanitarian duties with duties of justice.

In view of the coercion and cooperation arguments, as a former colony of X, Y-citizens can demand justice from X because in certain ways X coerced them and they cooperated with X during colonialism. In view of the coercion and cooperation that existed between former colonisers and the formerly colonised, it can be argued that former colonisers do not only owe the formerly colonised an obligation of reparation, the former also owe the latter an obligation to distribute equitably the advantages that resulted from the coercion and cooperation that happened during colonialism (Ypi et al., 2009; Amighetti and Nuti, 2015). Similarly, considering the coercion and cooperation that characterises (or at least is present in) the relationship between X and Y-citizens, I think it is plausible to claim that the former simultaneously owes the latter a duty to rectify the harms that resulted from the coercion and an obligation to distribute the advantages that resulted from the cooperation (Abumere, 2025).

Given that the relational approach is practice-dependent, it is logical that it accommodates practices that exist outside the borders of the state. It is for this reason I think that it is plausible to argue that the relational approach should accommodate the X and Y migration relationship. Moreover, as Ronzoni (2009: 234-35) explains:

When it comes to transnational and international socioeconomic justice, the practice-dependence view considers the existence of a basic structure as a *necessary or existence* condition for some relevant obligations of socioeconomic justice to apply. This seems to allow for two positions only. One can either endorse a fully cosmopolitan position, but only at the cost of supporting the (empirically controversial) view that the world at large is characterised by a global basic structure proper with the same structural features of that of the state. Alternatively, one can accept that the only existing global “practices”—strictly speaking, namely forms of activity with clearly specified systems of rules—are those that govern the interaction between states in issues of war, diplomacy, trade, and human rights under the regime of international public law, and hence do not amount to a basic structure. If one takes the latter view, however, one also has to accept that problems of international justice or injustice only concern those practices. This dual picture ... is incomplete.... a practice-dependent account of justice must also be concerned with social scenarios where full-blown socioeconomic practices with clearly identifiable

systems of rules are not in place, but where their establishment is *required* in order to preserve the justice of other existing practices. Thus ... the proponents of the practice-dependence view are right in claiming that conceptions of justice vary according to the practices they regulate, but wrong in assuming that scenarios with no existing basic structure raise no or few concerns of socioeconomic justice.

However, one may rebut my argument above by arguing that while there was cooperation and coercion between X and Y-citizens, such cooperation and coercion are not as intensive and extensive as those within X. Consequently, the coercion and cooperation that exist within X are *thicker* than the coercion and cooperation that exist between X and Y-citizens, and the latter are *thinner* than the former (Abumere, 2025). Accepting the above rebuttal *arguendo*, I shall offer the following counter-argument. In view of the thickness and thinness of coercion and cooperation, the relationship within X is thick while the colonial relationship between X and Y-citizens was thin. Consequently, justice within X is thick while justice between X and Y-citizens is thin. Therefore: (I) contra non-relationists, relationships matter, in this case, the colonial relationship between X and Y-citizens – although thin – matters; (II) contra traditional or mainstream relationists, there is a relationship outside the state – although thin – between X and Y-citizens; (III) consequently, we need a special kind of relational account (a postcolonial one) in order to be able to resolve the problem of immigration from Y to X (Abumere, 2025).

The aforementioned thickness and thinness of relationships that give rise to the corresponding thickness and thinness of justice is not far-fetched because it aligns with the background justice argument made by Ronzoni which I have already referred to several times in the course of this article.

According to Ronzoni (2009: 241):

the implications of the background justice argument are twofold: (1) under certain circumstances, justice requires the establishment of specific institutions; and (2) such institutions will have special principles applying to them. Is it possible for a coherent practice-dependent view to accept this conclusion? Is the background justice argument compatible with a practice-dependent approach to justice? I believe so. Indeed, the background justice argument exposes the oversimplicity of the practice-dependence thesis as it is currently construed, but does not challenge its most fundamental tenets. The thesis claims that the justice of a practice depends on the nature of that practice, that practices are clearly specified systems of rules, and that there are no problems of justice where there are no relevant practices. Therefore,

so the argument goes, in scenarios lacking clearly specified systems of rules for the allocation of the burdens and benefits of social cooperation, no issue of socioeconomic justice arises—or at least no comparative or egalitarian requirements. However, what the thesis, in its current formulation, does not envisage is a scenario where a practice is unjust according to criteria that pertain to the very nature of that practice, but the only instrument to tackle the injustice consists of establishing a new practice.

### **Right to Immigration as Rectification for Colonial Historical Injustice**

In the preceding section, I explained that there are certain conditions that can create grounds of entry in cases of exception. The refugee case is the prominent one but the case of colonial historical injustice is another one. Moreover, through the process of acculturation, inculturation, assimilation, association and/or socialisation, the formerly colonised have become deeply entrenched in the culture of their former colonisers. As Said (2003: n.p.) says, the history of the colonised and colonisers is intertwined, ‘one could not be written without taking the other into account’. Using the examples of the postcolonial relationships between the United Kingdom and Indian and between France and Algeria, Said (1993: 15) asks:

Who in India or Algeria today can confidently separate out the British or French component of the past from the present actualities, and who in Britain or France can draw a clear circle around British London or French Paris that would exclude the impact of India and Algeria upon those two imperial cities?

Said’s rhetorical question implies that citizens of empire have the right to immigrate to the metropolis, and this right to immigration can be justified on certain grounds (Abumere, 2025) which, as Amighetti and Nuti (2015: 12) argue, are as follows:

A major implication of colonialism... is that postcolonial migrants are already part of the “self” that determines the ex-colonising nation, because they are essential contributors to its identity. This makes it the case that former colonisers cannot justify the exclusion of immigrants they can regard as *historically* within the nation. Therefore, the exercise of the right to exclude is further constrained for nations that once were colonial powers. The obligation to let postcolonial migrants in is an addition to the constraints that liberal nationalists already accept, such as those stemming from humanitarian concerns. [...] It is precisely on the basis of this obligation that an argument can be put forward in order to justify the right of postcolonial migrants to

immigrate into a *particular* nation-state.

The formerly colonised's right of immigration to their former colonisers is not based on the grounds of culture alone. It can also be based on the grounds of historical injustice. As Said (2003: n.p.) says:

The problem, then, is to keep in mind two ideas that are in many ways anti-thetical – the fact of the imperial divide, on the one hand, and the notion of shared experiences, on the other – without diminishing the force of either.

My concern is with the grounds of historical injustice rather than the grounds of culture. Although there are other ways (reconciliation, apology, financial settlement, etc.) to rectify colonial historical injustice, the right to immigration may be one way. The push and pull factors, history and politics of contemporary migration from Africa to Europe are no less historical injustice and rectificatory justice matters than they are freedom of movement and territorial sovereignty matters. Even as freedom of movement and territorial sovereignty matters, they are normative in both an ethical sense (the morally right thing to do) and institutional sense (the acceptable norms, standards or rules of behaviour that are the order of the day). While the former is solely a matter for ideal and non-ideal moral theory, the latter is simultaneously a matter for international history and international politics on the one side and ideal and non-ideal moral theory on the other side.

Hence, the scope and content of the international historical and political relationship between, say, Africa and Europe have consequences for the global justice of migration, particularly migration from Africa to Europe. Therefore, given that historical injustice has characterised the international historical and political relationship between, say, Africa and Europe, (that is, the colonial and imperial domination of Africa by Europe) I will use insights from rectificatory justice to tease out why: on the one hand, contra relationists, X (the former coloniser of Y) has an obligation to extend the right to immigration to its formerly colonised, in this case, Y-citizens; on the other hand, contra non-relationists, X has no obligation to extend the right to immigration to others.

Ypi et al. (2009: 103) aptly observe that:

Imposing alien rule on people, exploiting their persons and extracting their resources are historical wrongs crying out to be put right. That is the first thing that inevitably comes to mind when thinking about justice for former colonies, and rightly so.

Consequently, they assert that 'the legacy of colonialism poses huge issues of

rectificatory justice' (*ibid.*). As a remedial principle of justice, rectificatory justice 'applies when one person wrongly interferes with another's legitimate holdings' (Miller, 2017: n.p.). Rectificatory justice entails that:

A bilateral relationship between a wrongdoer and his victim and demands that the fault be cancelled by restoring the victim to the position she would have been in had the wrongful behaviour not occurred; it may also require that the wrongdoer not benefit from his faulty behaviour (*ibid.*).

Explaining the essence of rectificatory justice, Aristotle (1984: n.p.) famously asserts that:

It makes no difference whether a good man has defrauded a bad man or a bad man a good one, nor whether it is a good or a bad man that has committed adultery; the law looks only to the distinctive character of the injury, and treats the parties as equal, if one is in the wrong and the other is being wronged, and if one inflicted injury and the other has received it. Therefore, this kind of injustice being an inequality, the judge tries to equalise it

David Miller's Alice and Bill case sheds light on Aristotle's assertion and clarifies the essence of rectificatory justice. In the case, Alice owns a computer which Bill dispossessed her of. Miller (2017: n.p.) argues that:

So long as Alice has a legitimate title to her computer, her claim of corrective justice against Bill does not depend on her having had, prior to the theft, the share of resources that distributive justice ideally demands. She might be richer than she deserves to be, yet corrective justice still requires that the computer be returned to her

In the X and Y-citizens context, I am not advocating for rectificatory justice as a means to rectify the distributive inequality - perhaps one may be or may not be right to call it distributive injustice - between X and Y or between X-citizens and Y-citizens. In line with Aristotle's explanation of the essence of rectificatory justice and Miller's Alice and Bill case, whether X-citizens are better-off or worse-off than Y-citizens does not matter, what matters is the wrongful behaviour of X-citizens against Y-citizens during colonialism. Therefore, rectificatory justice is a means to rectify X's historical injustice against Y-citizens.

In contradistinction with the position of traditional or mainstream relationists, in my X and postcolonial Y-citizens case, it is inconsequential that the latter are not citizens of the former (Abumere, 2025). What matters, taking a cue from relationists, is that colonial X had a relationship with colonised Y-citizens. Since that relationship was characterised by historical injustice, rectificatory



justice demands that X must rectify its wrongful behaviour against Y-citizens. As already mentioned, there are different ways to go about such rectification, and right to immigration is one way.

Given the essence of rectificatory justice as explained by Aristotle, and in view of Miller's Alice and Bill case, the nature of rectificatory justice has two related requirements. Firstly, it demands that it is Bill, and not any other person, that ought to compensate Alice. Secondly, it demands that it is Alice, and not any other person, that ought to be compensated by Bill. This is because rectificatory justice requires that it is the perpetrator himself, in this case Bill, who is to compensate the victim herself, in this case Alice, 'even if the cause of distributive justice could be better served by transferring resources from a third party' (Miller, 2017: n.p.).

Considering the first requirement, X is the appropriate and only state that has the moral obligation to compensate Y-citizens (Abumere, 2025). If right to immigration is the agreed form of compensation, then, contra non-relationists, it is X – and not any other state – that must respect Y-citizens' right to immigration (Abumere, 2025). Then, considering the second requirement, Y-citizens are the appropriate and only people:

that must be compensated by X. If right to immigration is the agreed form of compensation, then, contra non-relationists, it is Y-citizens – and not any other people – whose right to immigration must be respected by X. Combining the first and second requirements, contra non-relationists, X – not any other state – must respect Y-citizens' – not any other people's – right to immigration (*ibid.*).

The double requirements that X (the perpetrator) must be the state to compensate Y-citizens (the victim):

underlines the bilateral nature of corrective justice, and also the fact that it comes into play in response to faulty behaviour on someone's part. Its primary demand is that people should not lose out because others have behaved wrongfully or carelessly, but it also encompasses the idea that "no man should profit by his own wrong" .... each person must take responsibility for his own conduct, and if he fails to respect the legitimate interests of others by causing injury, he must make good the harm (*ibid.*).

On the one hand, the bilateral nature of rectificatory justice ties X and Y-citizens together. Therefore, it nullifies the assumption of traditional or mainstream relationists that X does not owe Y-citizens a duty of justice, specifically a duty to respect Y-citizens' right to immigration (in the context of this article).

To agree with traditional or mainstream relationists that X does not owe Y-citizens a duty to respect their right to immigration is simultaneously to accept that Y-citizens should lose out because X has behaved wrongfully, and to accept that X should profit by its own wrong (Abumere, 2025).

On the other hand, the bilateral nature of rectificatory justice does not tie X and other people together. Therefore, it nullifies the assumption of non-relationists that X owes other people a duty of justice, specifically a duty to respect their right to immigration (in the context of this article). To agree with non-relationists that X owes every people a duty to respect their right to immigration and that every state owes Y-citizens a duty to respect their right to immigration is to deny that X *specially* owes Y-citizens a duty to respect their right to immigration. To deny that X *specially* owes Y-citizens a duty to respect their right to immigration is to deny 'that each person must take responsibility for his own conduct, and if he fails to respect the legitimate interests of others by causing injury, he must make good the harm' (*ibid.*).

## Conclusion

I have been arguing for a postcolonial relational approach to migration which entails the following. On the one hand, because of the colonial historical relationship (and what such relationship entails, especially coercion and cooperation) between former coloniser X and formerly colonised Y, in contradistinction with the traditional or mainstream relational approach: even though Y-citizens are non-X-citizens, they have a right-claim to enter X (but not any other former coloniser that did not colonise Y); and X has a duty of justice to accept them. On the other hand, in contradistinction with the position of non-relationists, other non-X-citizens who share no colonial historical relationship with it are not entitled to the aforementioned right-claim against it and it does not owe them the aforementioned duty of justice.

Like the case of refugees, the case of colonial historical relationships represents cases in which: (i) contra the relational approach, insiders (citizens, compatriots, etc.) have duties of justice to certain outsiders (non-citizens, non-compatriots, etc.) and the latter have right-claims against the former, and these duties and rights demand that the former should lift the restriction on the latter's right to immigration; (ii) contra the non-relational approach, the former owe only the latter (not all human beings) such duties of justice, and it is only the latter (not all human beings) that have such right-claims against the former. This has a two-fold signification. Firstly, it signifies that there are cases of exception to the norms of the traditional or mainstream relational approach and non-relational approach. Secondly, it signifies that neither the traditional or mainstre-

am relational approach nor the non-relational approach is sufficient to resolve cases of exception.

Remember that the non-relational approach is practice-independent, that is, it does not rely on existing institutions and norms. Also, remember that unlike the non-relational approach, the relational approach is practice dependent. That is, it accepts the status quo or relies on existing institutions and norms in spite of their arbitrariness (Kime, 2010: 40; Risse, 2012: 42; Sangiovanni, 2008: 140). ‘The practice-dependent view holds that the appropriate principles of justice for specific practices depend on the nature of those very practices’ (Ronzoni, 2009: 231). Nevertheless, Ronzoni:

argue[s] that it is perfectly coherent, for a practice-dependent approach, to recommend the establishment of new practices under certain circumstances, namely when this is the only way of preserving the justice of other, already existing ones, and that the case of background justice is one such case (*ibid.*).

On the one hand, the non-relational approach is unable (Abumere, 2025) to recognise the *special* relationship that resulted from practical historical encounters between formerly colonised people and their former colonisers. Consequently, it is unable to recognise that there is a qualitative and moral difference between: (I) former colonisers restricting the right to immigration of their formerly colonised people and former colonisers restricting the right to immigration of other people; (II) formerly colonised people being denied their right to immigration by their former colonisers and formerly colonised people being denied right to immigration by other states.

On the other hand, the traditional or mainstream relational approach – because it limits its consideration of relationships to the confines of the state – is unable to challenge many arbitrary grounds (Caney, 2011: 526-27; Tan, 2004: 156) on which formerly colonised people’s right to immigration is restricted by their former colonisers. Therefore, if we maintain the approach as it is, it will remain an inappropriate approach to the problem of migration that is partly induced by colonial historical relations that were characterised by historical injustice. It is for this reason that I argue for a special kind of relational approach (a postcolonial one) that is different from the traditional or mainstream relational approach but at the same time not as extensive as what non-relationists and cosmopolitans would want.

In the context of the X and Y migration case – and in view of Said’s, Ypi et al.’s and Amighetti and Nuti’s postcolonial theories, Ronzoni’s background justice argument and Valentini’s account of coercion, as already discussed – since the

special kind of postcolonial relational approach I argue for is more extensive than what traditional or mainstream relationists allow but less extensive than what non-relationists allow, it can simultaneously: challenge the arbitrary grounds on which formerly colonised people's right to immigration is restricted by their former colonisers, and; recognise the qualitative and moral difference between what former colonisers owe citizens of their former colonies and what the former owe other citizens who are not the latter, and between what citizens of former colonies are owed by their former colonisers and what the former are owed by other states who are not the latter.

My postcolonial relational account allows us to know what former colonial states owe their former colonies and why the former owe the latter what they owe them. As shown in the preceding section, such account allows us to know what exactly X owes Y-citizens and why the former owes the latter what it owes them. While arguments for lifting restrictions on Y-citizens' rights to enter X are usually based on cosmopolitan egalitarian grounds (the universal equality of persons) and humanitarian grounds, my postcolonial relational account bases the argument for lifting such restrictions on the grounds of: generally, the colonial historical relationship between former colonial states and their former colonies; specifically, the historical injustice that characterised the relationship.

---

*Frank Aragbonfoh Abumere*  
*Clark Atlanta University*  
*223 James P. Brawley Drive SW, Atlanta, GA 30314, USA*  
*farafranki@yahoo.com*



## References

Abumere FA (2022) *Global Justice and Resource Curse: Combining Statism and Cosmopolitanism*. London: Routledge.

Abumere FA (2025) *Decolonisation and Postcolonial Migration: Citizenship and Empire*. Edinburgh: Edinburgh University Press (forthcoming).

Achiume ET (2019) Migration as Decolonisation. *Stanford Law Review* 71/6: 1509–1574.

Amighetti S and Nuti A (2015) A Nation's Right to Exclude and the Colonies. *Political Theory* 44/4: 1–26.

Aristotle (1984) *Nicomachean Ethics*. In: Ross WD (trans) *The Basic Works of Aristotle*. New York: Random House: n.p.

Armstrong C (2012) *Global Distributive Justice: An Introduction*. Cambridge: Cambridge University Press.

Caney S (2011) Humanity, Associations and Global Justice: In Defence of Humanity-Centred Cosmopolitan Egalitarianism. *The Monist* 94/4: 505–534.

Dietsch P and Rixen T (2014) Tax Competition and Global Background Justice. *Journal of Political Philosophy* 22/2: 150–177.

Kime M (2010) *Theories of global justice: Relational and non-relational approaches*. PhD Thesis, University of Sheffield, UK.

Maffettone S (2013) Normative Approaches to Global Justice. In: Telo M (ed) *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?*. Surrey: Ashgate: 125–143.

Miller D (2017) Justice. *The Stanford Encyclopedia of Philosophy*, Fall Edition. Ed. Edward N. Zalta, URL = <<http://plato.stanford.edu/archives/fall2017/entries/justice/>>.

Risse M (2012) *On Global Justice*. Princeton, NJ: Princeton University Press.

Ronzoni M (2009) The Global Order: A Case of Background Injustice? A Practice-Dependent Account. *Philosophy and Public Affairs* 37/3: 229–256.

Said E (1993) *Culture and Imperialism*. New York: Vintage Books.

Said E (2003) Always on Top. *London Review of Books* 25: s.p.

Sangiovanni A (2007) Global Justice, Reciprocity and the State. *Philosophy and Public Affairs* 35/1: 3–39.

Sangiovanni A (2008) Justice and the Priority of Politics to Morality. *The Journal of Political Philosophy* 16/2: 137–164.

Sangiovanni A and Viehoff J (2023) Introduction to the Special Issue: Justice and Solidarity in Europe. *Review of Social Economy* 81/1: 1-7.

Tan K-C (2004) *Justice without Borders: Cosmopolitanism, Nationalism and Patriotism*. Cambridge: Cambridge University Press.

Valentini L (2011) *Justice in a Globalised World: A Normative Framework*. Oxford: Oxford University Press.

Ypi L (2013) What's Wrong with Colonialism. *Philosophy and Public Affairs* 41/2: 158–191.

Ypi L et al. (2009) Associative Duties, Global Justice, and the Colonies. *Philosophy and Public Affairs* 37/2: 103–135.