

DEHUMANISING BORDERS: CAN ARTIFICIAL INTELLIGENCE MITIGATE RELATIONAL INEQUALITY IN BORDER CONTROLS?

*Jason Branford**

University of Hamburg, Centre for Ethics in IT, Hamburg, Germany

**jason.branford@uni-hamburg.de*

Abstract: Recent relational egalitarian objections to restrictive borders have highlighted the intrinsic moral harms perpetrated by these systems. Moreover, suitable mitigation strategies to redress these face significant feasibility constraints due to the resources required. This paper considers whether emerging artificial intelligence (AI) technologies might simultaneously alleviate the burden of such reforms while meeting the demands of relational equality. A two-pronged objection to their use on relational egalitarian terms is presented. First, the inherent incapacity of such systems to appreciate the moral context of the given interaction, together with the biases built into current and foreseeable systems, fatally undermines their ability to mitigate relational egalitarian concerns. Instead, they risk reintroducing them in revised forms. Second, AI systems are unable to preserve or promote relational equality in border assessments (even when assuming ideal functioning) due to the kinds of relationships they would either introduce or displace.

Keywords: artificial intelligence, relational egalitarianism, ethics of immigration, border controls, social injustice

1. Introduction

It is routinely accepted that nation-states have the legal (and moral) right to deny, at their own discretion, foreign entry into their sovereign territories (cf. Lægaard, 2010; Wellman, 2008). This is typically grounded in the idea that the foremost obligation of the modern state is to serve its own citizens' interests and that such exclusionary controls are necessary to do so. As a result, barriers to immigration are erected and enforced that have a dramatic impact on the lives of millions of people around the world who experience severe and largely avoidable harms as a result of—and in the process of—being denied the ability to migrate (cf. Fine & Ypi, 2016; Huemer, 2010; Shachar, 2009). However, in spelling out the harms many migrants endure, even when relying on the detailed reports of those working in the field of migration studies (e.g. De Haas et al., 2019; Kehoe et al., 2019), the philosophical literature on the ethics of immigration has tended to focus primarily on the tangible impact on the lives of those concerned.

For example, they note that persons prevented from crossing borders might have to return to lives of abject poverty, routine violence, or the threat of death. Alternatively, they might be denied economic opportunities available in more prosperous nations, which could significantly improve the quality of their life (Heilinger, 2020; Milanovic, 2011). Additionally, absent legal avenues for immigration, those already experiencing such hard lives are compelled to seek out alternatives and, therefore, to endure further hardships in the extremely high-risk enterprise of making illegal border crossings. However, beyond these *instrumental* harms, would-be migrants also experience—or so it will be argued—an *intrinsic* moral harm in this process.

In Section 2, it will be argued that the extent to which borders erode *relational equality*, which has only recently received attention in this context (cf. Heilinger, 2020; Sharp, 2022), provides a firmer normative basis for rejecting many of the routine practices entailed in restrictive border regimes around the world today. Section 3 explores specific aspects of existing border processes that hinder relational equality by failing to adequately account for the lived experience of the individual being assessed. This suggests clear avenues for possible reform. Yet, as Section 4 explains, such reforms will likely prove overwhelmingly labour-intensive. It is for this reason that the turn to artificial intelligence (AI) technologies in this context appears particularly promising. Put differently, the question is whether those features that make borders *dehumanising*, in the sense that they affront the moral standing of those involved, can be addressed by *dehumanising* those borders by offloading aspects to technology. Indeed, it will be argued that there are good *prima facie* reasons to suspect that AI can reform the features of existing border practices that render them suspect to relational egalitarians.

The brute fact that AI and other digital technologies are increasingly being deployed in border controls (Molnar, 2024b) provides sufficient substantiation to examine this possibility critically. Indeed, as Sager notes, the “use of biometrics, artificial intelligence, and big data [...] is ubiquitous and troublingly banal” (2023, p. 335). That the relational egalitarian impact of these technologies has also been underexplored in AI ethics (Heilinger, 2022) only bolsters this.¹ As such, Section 4 considers whether AI borders might enable nations to better meet the relational egalitarian demand without opening their borders, for example, by overcoming some of the feasibility constraints that underpin the proposed reforms. Section 5 then provides a two-pronged objection to the use of AI in border controls on relational egalitarian grounds. In short, it is argued that AI borders, in redressing the relational inequalitarian features of existing border practices, not only reintroduce these but further undermine relational equality by displacing relevant interpersonal relationships.

Ultimately, the contributions of this paper are two-fold. First, it expands and reinforces Sharp’s (2022) relational egalitarian criticism of existing immigration practices and introduces the possibility of responding to them by leveraging emerging technologies. Second, and more substantively, it initiates a discourse on whether the deployment of AI technologies at borders around the world ought to be seen as a boon or rather as a further barrier to relational equality, and evaluates AI in border controls on relational egalitarian terms. In short, it is argued that if relational equality is a concern vis-à-vis existing border controls (which I argue it is), then turning to AI is not a solution.

1. These “high risk experiments” (Molnar, 2020) have come under considerable ethical scrutiny. See Chouliraki and Georgiou (2022); La Fors and Meissner (2022); Minkin and Brandner (2024); Molnar (2024b, 2024a); Nalbandian (2022); Sánchez-Monedero and Dencik (2022); Turculet (2023).

2. The Relational Egalitarian Concern

2.1 Bracketing the instrumental concern

Famously, Joseph Carens (1987, 2013) draws an analogy between existing restrictive immigration policies and the practices of feudal societies to illustrate the moral wrongness of current restrictive border policies and to make the case for open borders. He explains that in many ways, “citizenship in Western democracies is the modern equivalent of feudal class privilege—an inherited status that greatly enhances one’s life chances” and that present day immigration mechanisms actively bar the options for people outside of this ‘class’ to improve their lot by “legally restricting mobility, making it extremely difficult for those born into socially disadvantaged positions to overcome that disadvantage, no matter how talented they are or how hard they work” (2013, p. 226).² At first blush, what this analogy suggests—and this is how many authors (cf. Miller, 2016b, 2016a; Tan, 2004) have tended to interpret it—is that existing border policies assert and secure an array of privileges by granting or denying access to valuable opportunities and resources to persons solely because of the entirely arbitrary fact of where they were born and the respective living conditions there.

While true, such distributive concerns do not exhaust the morally salient harms perpetuated by such practices. Indeed, this instrumental fixation risks obscuring intrinsic harms that provide a firmer moral case against such practices, as they demand reform of the border itself rather than ameliorative action outside it. Kok-Chor Tan (2004), for example, argues that the moral issue of equality of opportunity can be addressed through strategies for the equitable distribution of wealth and resources. Since he argues that a world of closed borders in which all individuals have equality of opportunity is conceivable, nations can fulfil their moral obligation by shifting resources to other countries rather than opening their borders (see also Wellman, 2011, p. 59). In fact, Tan suggests that such distributive measures may even be the “better strategy” (2004, p. 128).³

What are these intrinsic moral harms? Consider once more the moral repugnance of feudal societies. It seems that its moral wrongness is not fully captured by the fact that lords and serfs had access to different ‘goods’ or that this enabled the former to lead relatively more comfortable lives and the latter to lead comparatively harsher ones. In other words, the moral issue is not purely the lack of distributive equality (cf. Heilinger, 2024; Schemmel, 2011, 2021). Notably, the problem also appears to concern the fact that one group considered it legitimate to assert its will over another, implying the superiority of its members.⁴ This then resulted in serfs being actively barred from bettering their position. The *point*—to echo Anderson (1999)—is that those involved did not recognise one another as equals, and this was captured by the very fact that those with power felt entitled to exclude those without it in such instrumentally impactful ways.

2. For further reading on the notion of ‘class’ in this context see Sager (2012). Relatedly, there is growing literature exploring the influence of ‘race’ in border decision making. See Bosworth, Parmar, and Vázquez (2018); De Genova (2016); Mendoza (2017).

3. See also Miller (2013, p. 364f). Of course, many economists today reject this claim and support the idea that immigration is by far the easiest, safest, and most effective way to address global resource inequality (Bregman, 2017; Caplan, 2019; Pritchett, 2006; Van der Vossen & Brennan, 2018). There is also significant doubt over the oft-touted notion that permitting increased migration will entail massive economic burdens on receiving states (cf. Clemens, 2011; Kennan, 2013). All told, the economic advantages of open borders are increasingly hard to dispel. See also Kukathas (2013).

4. On the notions of “social equality” and “social status” see the collection by Fourie, Schuppert, and Wallimann-Helmer (2015).

This persists in current border practices, where the *status quo* is that nationals of a given territory feel entitled (and legally are) to thwart non-nationals seeking entry, regardless of the immense detrimental impact this assertion of power has on them. The pleas and needs of migrants—or, indeed, their relevant rights to movement and bodily integrity—are deemed less important than their own right to exclusion.⁵ Accordingly, these two parties do not stand on equal moral footing. Put differently, how they *relate* to one another does not reflect that they are moral equals. This is the crux of the “relational egalitarian” concern (see section 2.2 below). As Sharp (2022, p. 647) observes, “feudal lords do not relate to peasants as equals; peasants are their subordinates”. Serfs were demarcated as morally inferior and, as a result, were resigned to a category of existence in which valuable forms of life available to a select few (i.e. to landowners) were systematically denied to them. It is not only their material inequalities but also their abject failure to relate as moral equals that is morally objectionable.

To illustrate the inadequacy of instrumental concerns, imagine a world divided into two “domes”, which house distinct communities with *identical* resources and opportunities. A single passageway links these domes, but only some people are permitted to utilise it because only Dome A chooses to control it, allowing only Dome A residents to exit and return. Should Dome B residents wish to enter Dome A but be prevented from doing so by the will of Dome A, then this is unjust. And not because of how well-off the individuals are or how good their lives are with respect to one another. Rather, through the described policy, some people are immediately demarcated as superior to others—i.e., by the very fact that they can exercise their unharmed desire to move freely between domes, on the one hand, while also feeling entitled to constrain the ability of others to reciprocate, on the other. Instrumental accounts fail to account for this profound relational wrong.

To further illustrate, consider the segregation laws of Apartheid South Africa, which not only physically separated black people from white people in most social interactions but also relocated black people to “Bantustans” (or ‘Homelands’) where they had deplorable living conditions.⁶ If one accepts purely instrumental reasoning, this situation is wrong primarily because the conditions in which black South Africans could carry out their lives were far worse than those of white South Africans. And no doubt, they were (and still are) appalling. However, this does not *fully* capture what was wrong about those practices. It would not matter (other than in the obvious sense) if the quality of their housing and access to municipal services were excellent—or even identical to those of white South Africans. That is, even if Bantustan policies created a situation of “separate but equal” (as it was at times painted despite their remaining under the complete control of the Apartheid Government and the impoverished state of the lands in question), and territory division was not so horribly skewed (with Bantustans ultimately occupying only around 10% of land)(Clark & Worger, 2022), the discriminatory act of segregation itself remains objectionable because it renders inferior one group with respect to another by taking from them part of their power over their own lives that the other segment of society has—indeed, institutionalising white

5. This introduces a difficult challenge concerning how to balance competing “rights” that arise in the case of immigration. Especially since rights are often viewed as “trumps” over other demands. It also raises the issue of how to parse these through the lens of relational egalitarianism. Space does not permit adequately exploring either point here. For literature discussing human rights in the context of immigration (and the grounds for a potential right to emigrate) (cf. Huemer, 2010; Miller, 2016a; Sharp, 2023). My thanks to an anonymous reviewer for highlighting this point.

6. My thanks to an anonymous reviewer for highlighting the distinction between “Bantustans” and “townships”. The vast majority of forced relocations were to Bantustans. Townships resulted from requirements on where black people could live *within* white South Africa and were informally created by black people working ‘near’ those areas. For more detailed accounts of the abhorrent relocation policies of the Apartheid Era see Welsh (2009) and Evans (Evans, 2019, 2019).

control over black populations in this regard—and, in so doing, robs them of the ability to see one another as moral equals and relate to one another on those terms.

What was wrong with Feudalism and Apartheid South Africa holds for the case of the “domes” and, by extension, also for border regimes today. Specifically, those impacted by the respective practices are not treated as equals, nor are they able to—under those conditions—act as equals, even though they are, in fact, moral equals (cf. Lippert-Rasmussen, 2018, p. 170). Accordingly, I propose that the moral wrongness of existing border practices can be revealed by further considering their impact on relational equality.

2.2 The relational harm of restrictive borders

According to relational egalitarians (to group them loosely⁷), to identify whether a given situation meets the demands of equality, we must look to actual interpersonal relationships and ascertain whether they are egalitarian in character. Egalitarian justice obtains in “a society of equals [when members] relate to one another on a footing of equality” (Scheffler, 2015, p. 21) or “stand in relations of equality to others” (Anderson, 1999, p. 288). Egalitarian relations affirm or “honour” (cf. Lippert-Rasmussen, 2018, p. 170) the socio-comparative standing of interactants as moral equals. Heilinger (2024, p. 621) helpfully distinguishes between two kinds of demands of relational equality: a *positive* demand that social relations exhibit that “the equally important needs and interests of all are weighing equally in decisions” and a *negative* demand that “all forms of oppression of individuals [...] must end”, where he spells this out—following Iris Marion Young (1990)—to include all forms of domination, exclusion, marginalisation, and exploitation.⁸

Equality is evidenced by interactions that display the mutual recognition of participants as having equal moral worth, where this is visible not only to those party to the exchange but also those who witness it. Consequently, relational equality entails not only a subjective belief about how one views oneself with respect to others (or vice versa) but is rather manifest.⁹ Relational equality is, therefore, a social phenomenon. Accordingly, for concerns over relational equality to arise, it is necessary that some *relevant* social relationship in fact exists, which displays a disregard for the moral equality of someone involved.

The question of whether a relevant relationship exists in the case of borders is, as Sharp (2022) rightly notes, the first hurdle which a relational egalitarian critique must surmount. The challenge, Sharp explains, is to demonstrate why border practices “involve an objectionable relational inequality without making overinflated claims about the robustness of cross-border relationships and without denying the relevant relationship requirement” (2022, p. 649). Locating the relevant relationship in the case of border controls within the nebulous notion of universal membership in a cosmopolitan moral community fails to yield the concrete social interactions that relational egalitarians seek when they aim to identify inequalities that amount to injustices. The point is to identify specific interactions—perhaps institutionally mediated—that do not honour the moral equality of all those who are involved. I argue *both* that encountering border controls entails a concrete and relevant relationship and that its character is of the kind to raise concerns over relational inequality.

7. Key expositions of “relational equality” that distinguish it from “distributive equality” include Anderson (1999); Heilinger (2020, 2024); Lippert-Rasmussen (2018); Scheffler (2003, 2015); Schemmel (2021).

8. For Young’s account of oppression adapted to the context of algorithmic injustice see Naudts (Naudts, 2024).

9. Cf. Kitcher (2017). At the individual level, I cannot simultaneously, coherently, and *publicly* evidence my respect for another “as my equal” while denying them the ability, or at least the *possibility*, to lead the kind of life I live, where I am living it. Nor can the person so prevented publicly demonstrate that they are my equal when it appears that I am able to wield such power over them and can ignore entirely their concerns and ambitions without consequence. Claims to equality are simply vacuous in such a scenario, just as they would have been had a lord and serf *both* (i.e., subjectively) expounded that they *too* were “equals”.

So, who precisely is in a relationship with whom when it comes to border controls, what is the extent of that relationship, and is it of the kind to trouble relational egalitarians? The obvious party is, of course, the would-be migrants, but there are several candidates with whom they are in a relevant relationship. To start, migrants clearly interact directly with a host of individuals: police, security guards, border officials, as well as migration lawyers and immigration and embassy bureaucrats. While these interactions undoubtedly represent important sites for recognising attitudes and actions that fail to exemplify moral equality—and moral objections ought to be voiced against them as individuals and corrective steps taken to thwart such activities—focusing on these individual interactions encounters the problem that the particular persons (or combinations) met by any migrant vary greatly, and cannot therefore serve as a general indication of the moral wrongness of border controls as such.¹⁰ Grouping these individuals together as a system (i.e., as an instrument of the State in question) fares better in some respects, as it captures the systemic and structural nature of the issue that renders it *unjust* rather than merely *unfortunate*. However, it is not clear that something so vague as a system can exemplify through its (in)actions an attitude respecting the moral status of the migrant (or indeed any attitude), nor that the migrant can demonstrate their own moral standing by interacting with it or reciprocally recognise the moral standing of the system (since it has none). For similar reasons, identifying the State itself as the other partner also encounters difficulties.¹¹

Accordingly, we must look to the flesh-and-blood citizens of that State, on whose behalf the State acts, whose interests the borders are supposed to serve, and who could (if they felt compelled to) demand reforms that uphold the moral equality of migrants. However, would-be migrants typically do not encounter these citizens directly (other than in their capacity in the earlier-mentioned group that regulates border crossings). There is, as such, a need to recognise a ‘chain’ of interactions between migrants and citizens—via a system which acts as their proxy—as the relevant relationship in border systems. It is through this chain that the legitimisers of state coercion (i.e., citizens) systematically exercise their will over that of border crossers.¹²

With this relationship in view, Sharp’s (2022) apt criticism of border controls is both intuitive and demonstrates a nuanced grasp of the relational egalitarian endeavour. His relational egalitarian objection rests on three claims (p. 650): (1) that “significant disparities in power are *pro tanto* objectionable”, (2) that “standing in an asymmetrical power relationship with another person is a way of standing in a relevant relationship with them”,¹³ and (3) that “affluent states’ immigration restrictions involve the exercise of unequal power over disadvantaged immigrants”. Taken together, Sharp argues that “since the exclusion of disadvan-

10. Whether individual border officers treat migrants as morally inferior, while deplorable, is not the primary moral issue. Moreover, even in the genuine absence of any moral ill-will towards migrants on their part, they may nevertheless act, within a system, in ways that, when taken together, demonstrate such ill-will. This is a central feature of “structural injustice” developed by Young (1990). Recent work has developed this aspect of Young’s notion to recognise variations in instances of non-ill-intent (cf. McKeown, 2021).

11. This brief passage glosses over a large and hotly contested debate concerning collective (moral) agency (e.g., Erskine, 2003; Hindriks, 2018, 2024; List & Pettit, 2011). The recognition of various collectives (including the State) as moral agents capable of making decisions, of encoding and enacting norms, and of being held responsible has important moral and legal consequences that ought to be taken seriously by relational egalitarians. By turning to “citizens” in the subsequent passage I recognise those concerned both as individuals and as members of a legally recognised collective (this duality underscores Young’s (2010) notions of individual responsibility for structural injustices (cf. Heilinger, 2020)). This makes application of relational egalitarian reasoning more straightforward, since it has tended to emphasise relationships between individuals rather than recognise collectives as moral agents in the requisite sense (which poses challenges for the reasons I note above). I thank an anonymous reviewer for highlighting this point.

12. This may perpetuate a further instance of relational inequality *between migrants* who receive highly differential treatment.

13. The fact that in the border relationship only one side is able to shape the border structure while the other is purely beholden to it with no way to influence it has been rigorously examined by Abizadeh (2007, 2008).

tagged immigrants involves the exercise of unequal power, affluent states' border control policies constitute a form of objectionable relational inequality" (Ibid.).

Taken together, the relevant relationships emerge from citizens of affluent states exercising "power-over" another person, asserting their ability to "nontrivially constrain" the choices of another (Sharp, 2022, p. 652). Border controls entail specific acts of power, exerted in ways that directly affect the livelihoods of those seeking to cross. This activity makes relational inequality both a thing *felt* and a thing *seen*, which is to say that the unequal standing is evident to those directly involved—eroding, for example, the dignity of migrants who are subordinate to the wills of others who can wantonly dismiss them (even in times of great distress)—but also to any who might witness it. A socio-comparative signal is broadcast that the relationship here is not one between equals.

This is already evident in the stark contrast between the different reasons considered legitimate for gaining entry to a given territory, how their 'weight' varies between migrants, and how this shapes the actual border interactions that take place. Certainly, many people immigrate for material reasons (and not just those from comparatively poorer nations). Yet, it is also clear that people migrate for a host of other reasons (I did it for love). A lack of sensitivity to and responsiveness to the needs and interests of others, especially while they are beholden to yours, is antithetical to equality. This is not to suggest that *any* refusal of a request necessarily violates relational equality, nor that all exercises of power-over undermine relational equality (e.g., a judge to a defendant or a parent to a child). Rather, what matters is *how* such power is exercised—i.e., whether refusals are made with attentiveness to the moral standing and reasons of those affected—such that a mutual recognition of moral equality is plain to those involved in the interaction. The fact of the matter is that, under existing border practices, *some* can cross a border for all sorts of reasons, while others cannot (despite the seriousness or urgency of their need). Egalitarian relationships do not obtain in the face of such morally salient indifference.

As such, it is not only the brute fact of "power-over" that undermines relational equality in existing border controls, but the particular way it is exercised in practice. The coming section will explore several specific migration processes that actively curtail relational equality to maintain globalised forms of segregation and non-egalitarian hierarchisation.¹⁴

3. Relational inequality by design

One of the primary functions of borders is, clearly, to decide who can and cannot enter a given territory and to enforce that decision. As such, they are structured precisely to draw distinctions between persons and exercise power over them by systematically preventing *some* well-meaning individuals (who belong to one particular social group) from entering a given territory while permitting others (who belong to a different social group).¹⁵ However, it is also clear that this might be done in more or less morally objectionable ways or that some arrangements may better recognise the moral equality of those who encounter such a system than others.

Several features of existing borders fail to recognise migrants as moral equals. In particular, when (1) the morally salient characteristics of those prohibited entry do not distinguish them from those who are permitted entry (e.g., they are not known threats to others), (2)

14. Wellman (2011, p. 57) notes that "in today's world, the rich and poor are generally politically sorted in distinct countries". This language of political "sorting" (cf. Mau, 2022) already casts doubt over equality. For an incisive exploration of "social hierarchy" see Kolodny (2023).

15. It is beyond the scope to consider whether *any* system intended to serve this function would inescapably deny moral equality, however, see Sharp (2024).

different standards of assessment or application requirements are imposed on them (e.g., making it harder for some applicants to be successful), and (3) the interaction with those who are being denied is mechanistic (i.e., abstract criteria that are insensitive to individual particulars are thoughtlessly applied), then this publicly broadcasts a variable concern for the moral standing of migrants. Existing border controls are guilty on each count.

To illustrate, note that German citizens currently have one of the ‘strongest’ passports (i.e., it enables “visa-free” or “visa on arrival” travel to most of the world). However, only 61 countries (many of which are members of the EU) can do the same in entering Germany (O’Hare, 2021). Accordingly, in the vast majority of cases, the freedom granted to Germans is not reciprocated, i.e., they can do what others cannot. Moreover, of the 54 internationally recognised African nations, Germans require a full visa to enter only 16 of them. Conversely, citizens from *every* African country must successfully navigate the German visa process (even for short stays). What is more, around 22% of African applicants are rejected; a stark difference to North Americans and Australians (who experience a rejection rate of only around 2%) (Grün & Pelz, 2018).

Of course, borders are always two-sided, so all states theoretically have the same power to deny citizens of another state. That this is often not reciprocated does not negate the fact that such “power-over” is equally shared. Yet, as Sharp (2024) rightly argues, even assuming such power could be enacted—and therefore wholly ignoring the complexities and interdependencies of international relations—the consequences for citizens of the respective nations would not be equal, and therefore the restrictions do not carry the same weight. The ‘weight’ in question here brings together the instrumental and intrinsic harms detailed earlier. What is relevant for relational egalitarians is that the tendency to dismiss such harms or differences in experiences is a morally relevant feature of understanding the nature of the existing moral relationship between those involved. Instrumental differences and our responses to such differences are significant for ascertaining relational egalitarian reciprocity (cf. Heilinger, 2024). Particularly when these are part and parcel of systems that encode social hierarchies, broadcast discriminatory outcomes, and maintain patterns of rejection, which together reflect and sustain a broader system of disregard. It is this arrangement that undermines the possibility of relating as moral equals across borders.

In practice, Africans can expect to have vastly different experiences in seeking access to Germany than someone born almost anywhere else in the world.¹⁶ This particular social group systematically encounters a higher frequency of adverse outcomes in seeking to cross borders. And they do so despite frequently having a greater need to cross the border than most Germans, who face far fewer barriers. Moreover, the specific ways that existing borders abstract away from the individual in their processing to consistently reproduce such group dynamics further buttresses the idea that they are guilty of a non-egalitarian prioritisation of certain segments of the global population.

Of course, as defenders of highly restrictive border regimes are likely to indicate, border controls do advertise the requirements for gaining a visa and provide a list of reasons for rejection, both of which are public, are founded on supposedly legitimate concerns, and apply to *all* seeking a visa. Accordingly, they might argue that the aforementioned statistics are not indicative of any ‘targeting’ of particular social groups. However, this overlooks

16. Interestingly, three of the five countries most rejected by German authorities—namely, Tunisians, Moroccans, and Kenyans whose applications fail roughly a *quarter* of the time—do not require Germans to gain visas. Moreover, their rejection rates contrast to South and Central Americans, who together have only a 5% rejection rate (Grün & Pelz, 2018); even though their median household income is largely comparable to those in Tunisia and Morocco (Phelps & Crabtree, 2013). Noting that in all cases these numbers preclude those who are unable to even submit an application (e.g., due to their cost) or physically get to a border.

the extent to which those factors frequently considered in border decisions serve as a predictable functional “proxy” for having a particular national origin.¹⁷ Accordingly, it is possible to create a list of visa requirements that, when universally applied, reliably excludes particular groups of persons. Existing border practices do precisely this. More straightforwardly, however, such supposed ‘neutrality’ is undermined by the fact that requirements for gaining the same type of visa do vary considerably depending on where one comes from. This is undoubtedly a practical consequence of migration policies being negotiated almost entirely at the state level. Accordingly, being asked to stipulate one’s nationality (often the first step in any border-crossing procedure) is a prerequisite for triggering the relevant arrangements. Nevertheless, this presently unavoidable feature of border controls highlights further relevant ‘sites’ or ‘levels’ where relational equality is undermined (e.g., through unequal negotiating power, on the one hand, and discriminatory (dis)interest in rectifying such issues, on the other).

The divisive impact of this is then compounded when the additional requirements foisted on such targeted persons tend also to be harder for *them* to satisfy (i.e., than for others not so tasked). Indeed, it is possible to speak of a “paradox of need”, whereby those with the greatest need, given resource deficiency, have comparatively the most resource-intensive hurdles placed before them.¹⁸ As a result, such practices reliably divide the global population in non-egalitarian ways. Specifically, they enforce rules that asymmetrically hamper select groups of individuals (typically those with already diminished socio-economic ‘capital’) by employing arbitrary features of their lives against them.

To counter that existing border practices are, if not neutral, nevertheless suitably personal—in that they consider the merit of applications on a “case by case” basis—again lands our defender in hot water. Particularly since such an assertion would have to overlook the concerning ways in which individuals in such processes are not properly ‘seen.’ By which I mean that the fullness of their lives, their needs, and their reasons are truncated by a narrow list of questions deemed relevant by the respective enforcement agency. Here, two features that serve to de-personalise applications are worth noting.

First, requirements are applied “strictly”, leaving little room for detailing individual circumstances or for explaining missing or adverse data (cf. Gaibazzi, 2014). Particularly with online systems, applicants are tasked to merely upload the requested documentation and ‘tick’ the appropriate boxes. A failure to appreciate context and the nuances of individual lives, while certainly conducive to speeding up processing times, evidences a plain disregard for the lives of those encountering the border. The indifference of these practices raises severe doubts that those people are indeed valued as equals. In difficult situations, people make an effort to accommodate the particular needs of those they care about, especially when doing so can help them in a meaningful way. Additionally, when bad news must be given in challenging cases, an attempt is made to connect with the person receiving it and to help them make sense of it. Neither is true of existing border practices (see Bohmer & Shuman, 2007; Cabot, 2014).

Second, *if* accompanied by an explanation, rejections are typically non-specific and obscure a process that is riddled by arbitrariness and frequently “maddeningly subjective” (Lind, 2017). Rather than detailing exactly what about the application led to the rejection

17. Relatedly, see both the burgeoning literature on “intersectionality” (for an overview, see Collins and Bilge (2020)) as well recent concerns over “proxy variables” in AI decision-making (cf. Datta et al., 2017; Tschantz, 2022).

18. I here adapt the idea of the “paradox of exposure” by D’Ignazio and Klein (D’Ignazio & Klein, 2020, page 105), which captures the “double bind that places those who stand to significantly gain from being counted [by algorithmic systems] in the most danger from that same counting (or classifying) act”. It also overlaps with the “credibility crisis”: to be believed, asylum seekers are required to provide unattainable evidence of persecution that sets them up for failure, and so are punished both by the systems they flee and the ones they must navigate to escape (cf. El-Enany, 2020; Kagan, 2015).

and opening a dialogue about it, rejections frequently mirror the publicly listed requirements. This opacity inhibits future legal appeals and diminishes the likelihood of successful subsequent applications. Accordingly, respecting equality in border controls necessitates walking a tightrope between sufficiently recognising the uniqueness of individual lives and making fair, consistent, and predictable decisions that counter concerns of arbitrariness and discrimination antithetical to equality.

This tension is only apparent and can be navigated by persistently “seeing” migrants as possessors of equal moral standing and treating them accordingly. However, by divorcing the lived experiences of migrants, existing border control processes fail to do so. Relating as equals requires demonstrating appropriate concern in a given interaction that affirms equal standing. Yet, we are not able to adequately respond to one another in this way if we systematically exclude the possibility of knowing anything about one another that might speak to the moral weight of our actions. Accordingly, recognising the equality of migrants requires (re)centring the actual experiences of those being repelled by border controls, both before and during this process.¹⁹ In the coming section, I will explore whether emerging technologies—specifically, so-called artificial intelligence (AI) systems—can help ameliorate this in existing border controls.

4. Preserving Relational Equality with AI

Defenders of restrictive borders might counter each of the above concerns through the same objection: namely, that reforming existing border systems to meet these relational egalitarian concerns is simply *not feasible*. In short, relational egalitarian borders are untenable, and any meaningful attempt to individualise the migration process in the ways suggested above would, given the sheer time and resources required, collapse the immigration system or bring it to a grinding halt.²⁰ They might further drive this point home by noting the moral implications thereof on at least two fronts.

First, they might rightly contend that creating more efficient border systems is a moral requirement. With the incredibly high numbers of people seeking to cross the world’s borders daily, delaying them would (and already does) cause direct harms. It should not, therefore, be incumbent on them to enact such harms to redress the relational egalitarian harms noted. Especially since these harms would impact not just the same group of people which my relational egalitarian objection seeks to protect in its entirety, but also many others.

Second, they might also invoke relational egalitarian reasoning. Specifically, they might rightly recognise that the ability of any given nation to meet the relational egalitarian demand (while maintaining the border) will depend in significant measure on the resources at its disposal. Moreover, it is a brute fact that there are massive distributive inequalities between the nations of the world. This introduces a potential relational egalitarian paradox: imposing the demands of relational equality may create a moral distinction *between nations*, whereby wealthy nations that can meet those demands might claim moral superiority over those that cannot. Bracketing the question of whether relational egalitarianism is a suitable framework for reflecting on global inequalities in general and international relations in particular—as the parties to the relationship are nation-states rather than natural persons (see

19. Huemer applauds this ‘shift’ as resisting the more dominant consequentialist perspective evident in the academic literature to-date, which prioritises the concerns of the *inhabitants* of receiving country while largely ignoring “the welfare of the immigrants themselves” (2010, p. 459).

20. Of course, this feasibility issue exists only if maintaining the border remains a goal. Opening borders—or making them more porous—may be the easier and more cost-effective response.

Heilinger, 2020, 2021)—this nevertheless suggests that some form of objectionable moral imperialism might transpire.

Both concerns are legitimate. However, a recent trend in border controls might serve as a meaningful mitigator for each: namely, the turn to AI and other digital technologies. Indeed, over the past decade, there has been a rapid expansion and uptake of digital technologies in border controls globally.²¹ For this paper, I will focus only on AI. AI technologies are algorithmic systems, typically founded on machine learning techniques, whose enormous computational power—which undoubtedly dwarfs human processing on many (if not most) metrics—enables them to analyse vast datasets, recognise patterns, and make decisions or predictions.²² These systems can act autonomously to perform tasks previously reserved for human intelligence, such as decision-making, problem-solving, and real-time learning. In the context of border controls, AI systems are increasingly deployed to automate assessments and monitor visa interviews, for example, by evaluating visa applications, detecting anomalies, or identifying security risks, with the potential to operate independently of human oversight for routine tasks. They are also often deployed in tandem with related surveillance technologies such as facial recognition and so-called emotion recognition (as seen in systems like *iBorderCtrl*) (Chouliaraki & Georgiou, 2022; Minkin & Brandner, 2024; Molnar, 2024b).

While cognisant of many of the ethically concerning features of these technologies (more on these below), several authors have argued that, when properly deployed, AI systems can enhance the efficiency and consistency of decision-making in migration contexts, reducing human error and bias (cf. Bither & Ziebarth, 2021; Kabir et al., 2023). Put differently, this suggests that a meaningful way to address the *dehumanising* features of existing border controls (articulated here in relational egalitarian terms) may be to *dehumanise* these controls, in the sense of removing the human agents involved and implementing AI systems in their stead.

Bracketing the well documented issues of bias, discrimination, and fairness in algorithmic systems (Benjamin, 2019; Broussard, 2023; Eubanks, 2018; Noble, 2020) for now, the computational prowess of AI suggests that its use might not only alleviate the feasibility concern but also enable it to redress many of the inequality inducing aspects of existing border controls elaborated on earlier. Because there is no meaningful limit to the number of simultaneous migrant applications or interviews an AI system might evaluate, nor are they hampered by fatigue or limited work hours, they promise to mitigate any administrative bottlenecks arising from the requirements of more relational egalitarian borders. Further, since it is a technology that is, in principle, distributable, wealthy nations could provide it to less wealthy nations as part of meeting their relational egalitarian duties (thereby overcoming the relational egalitarian paradox noted above).

First, AI could address the issue of indistinguishable yet prohibited groups by providing a more rigorous, data-driven assessment of individual characteristics. For example, rather than relying on broad or vague exclusionary categories, AI is frequently touted as capable of consistently evaluating applicants based on precise criteria encompassing a far richer array of decision points than humans are typically able to compile, thereby reducing arbitrary rejections. This suggests that AI can potentially move beyond human intuition or prejudice by offering more accurate, evidence-based assessments that could minimise unjust discrimination between applicants. In short, even if borders were to become considerably more open,

21. See above n. 4.

22. While commonplace, this language is anthropomorphic. AI systems do not “learn”, “decide”, or “recognise” in the sense humans do. Nor do we “process” in the ways computers do. See Floridi and Nobre (2024).

AI would better be able to identify those persons who require closer examination and ought to, at least, be halted.

Second, and relatedly, AI can address the issue of subjectivity or inconsistent assessment standards by standardising the evaluation process across applicants. Whereas current differences in the requirements for border crossing between nationals of different countries might be rooted in historical arrangements and prejudices, AI could upend these in favour of a far more universal consideration of each would-be migrant. By processing vast amounts of data quickly and consistently, AI systems can ensure that all applicants are subjected to the same criteria. This capacity for uniform application of rules could reduce the discrepancies that currently plague human-led decision-making, where biases and inconsistent standards are common (Bither & Ziebarth, 2021).

Third, and ironically, AI might counteract what was earlier identified as the mechanistic and impersonal nature of migrant rejection by enabling greater personalisation in decision-making. Where, in the case of human decision-making, this stems from limited personnel and time, on the one hand, paired with a concern over the biasing potential of certain forms of information, on the other, these concerns do not arise (at least not in the same way) with AI systems. Their computational power, together with their lack of human emotionality, enables the inclusion and integration of the personal details and circumstances of any given applicant. For instance, as Kabir et al. (2023) have demonstrated, AI systems are already capable of processing both qualitative and quantitative data, enabling them to offer reasons for rejection that are directly related to an applicant's circumstances rather than relying solely on abstract, inflexible criteria. The introduction of individual-specific data (either supplied by the applicant or inferred from the data available to the AI) would then facilitate tailored responses to each applicant's unique situation and (potentially) improve the flow of those in most need across the border.

Together, these points suggest that AI systems may be able to straddle that thin line noted earlier, treating all applicants as similarly as possible while being receptive to their personal circumstances, revealing a potential to make border control interactions less impersonal and more respectful of relational equality. However, each of the above assumes much about the functioning of these existing systems that researchers have robustly disputed both in the context of borders and other forms of automated decision-making (e.g., in hiring, policing, education, etc.). The final section will detail these concerns through the lens of relational egalitarianism.

5. Relational Egalitarian Objections to AI Borders

5.1 Datafication and dehumanisation

Despite the stated potential benefits of AI, its use in border controls is problematic from a relational egalitarian perspective in several ways. To start, as has repeatedly been demonstrated, even when well-calibrated, AI risks reinforcing the very inequalities it seeks to mitigate. The assumption that AI can process morally salient characteristics without bias is challenged by the inherent biases in the data used to train these systems (Eubanks, 2018). As Nalbandian (2022) and Molnar (2024a) argue, AI systems deployed in migration management are embedded in political contexts that shape the data they use and the outcomes they produce. For instance, historical data on immigration may already contain discriminatory trends that an AI system could reproduce, thus perpetuating inequality by relying on the same flawed inputs (La Fors & Meissner, 2022). This poses a serious challenge to relational

equality, as individuals from marginalised backgrounds may continue to face rejection based on entrenched biases, now codified in algorithmic systems (cf. Benjamin, 2019; Broussard, 2023).

Relatedly, it is important to note that AI systems do not “see” the individual being assessed in the sense demanded by relational equality. Instead, AI only has access to a datafied version of the world converted into a computationally ‘readable’ form (Vallor, 2024). Accordingly, not only is the AI working with some reduced version of the individual, but this version is imbued with features probabilistically associated with them by the system’s analysis of an invariably biased data set. As such, its interactions and considerations are premised not on the individual themselves but on some amalgamated digital version of them. Any subsequent personalising information is processed through this lens.

As Naudts (Naudts, 2024) explains, the very “prospect of datafication might be experienced as dehumanizing and reductive” (p. 703). This follows both from the system and the experience. The latter is something many are likely already familiar with, for example, when experiencing a consumer issue and being directed to the company chatbot for assistance. Even in such relatively trivial circumstances, this eventuation irks, at least in part, because it suggests that the thing that concerns me does not demand another human’s attention. Imagine the perspective of someone who has had to overcome all sorts of obstacles to request border entry, only to encounter an AI decision-maker which holds their future in its computational hands. The interaction unfolding eschews the idea that they are being considered moral equals, or that they matter in the morally relevant sense, as this “depends upon their being actively heard and recognised” (Naudts, 2024, page 705). The previous point suggests that an AI system not only does not do so but is fundamentally incapable of doing.

As such, while AI promises to mitigate both the relational egalitarian worries concerning standardisation and personalisation, it does so in a particular way that rather divorces the assessment from the individual in question or else constructs its ‘impression’ of the individual in worrying ways. Moreover, AI systems rely on abstract calculations and probability models, which reduce complex human experiences to simplified data categories. The difficulties of computationally tagging the moral significance of individual experiences are obvious. However, even if surmounted, it would mean that migrants are considered in terms of their arrangement of ‘tags’ rather than as bearers of equal moral status as such. Through AI, migrants become objects to be sorted, classified, and managed (Mau, 2022). They are reduced to “e-subjects” vulnerable to algorithmic oppression (Turculet, 2023). In short, AI comes at the expense of the very moral attentiveness and responsiveness to the flesh-and-blood individual being examined that my earlier criticisms sought to emphasise. Relational equality demands that we treat people not merely as data points but as full moral agents whose specific circumstances warrant not only careful consideration but the consideration of someone who stands in relational equality with them and is therefore sensitive to their moral standing and value (more on this in 5.2 below). There is an important difference between treating people equally and treating them with equal concern.

Finally, the opacity of AI decision-making processes poses a fundamental challenge to relational equality. AI systems, as Pasquale (2015) famously noted, operate as “black boxes,” in which the reasons for decisions are often hidden or unintelligible to those affected (or, indeed, to those who developed the AI). This lack of transparency undermines the ability of individuals to engage in reciprocal, justifiable interactions with the institutions that govern their lives. When an algorithmic system rejects migrants without clear and understandable reasons, they are denied the respect due to them as equals in a relational sense. Together, the categorisation of migrants by AI, combined with the lack of transparency in how AI systems operate, leads to a scenario where migrants are placed in a position of permanent subordi-

nation. Not only are they vulnerable to AI “power-over” them, but they are even less able to engage the AI system as members of the same moral community than in non-AI-mediated contexts. Indeed, through AI, those who install such systems can entirely divorce themselves from the matter, rupturing any illusion that migrants were ever considered moral equals.

5.2 Offloading relational equality

For the sake of argument, let’s assume that the biases of these systems might be suitably overcome (for example, through some breakthrough in “debiasing” techniques, the utilisation of robust “fairness metrics”, or some overhaul of the system simultaneously scrubbed clean of bias perpetuating data and populated by diverse and inclusive data points²³) and that AI borders might be designed to maintain a closely cut image of would-be migrants unembellished by algorithmically associated data points. There remains a compelling case against their use on decidedly relational egalitarian grounds. This follows from the turn to AI technologies by human decision makers, on the one hand, and the inability of such systems to act in relational equality, on the other.

The very decision to deploy AI instead of a human system is itself an assault on relational equality. Or rather, a practice in inequality. It is a unilateral decision imposed on migrants as a direct exercise of “power-over”. An easy riposte is available, namely: that any inequality here could be mitigated if the deployment of AI came about either through a discussion with the applicants who decided to utilise the AI system (assuming no coercive elements are present) or, that the AI became available only after a human based system had already failed to produce a favourable outcome (therefore, intended to catch errors in the human decision making).

However, there is a more subtle feature of the problem that warrants explication. Specifically, if AI border systems themselves are either (a) threats to relational equality (as argued in the previous section) or (b) incapable of entering into a ‘relevant’ relationship (as will be argued next), then it ought not be an available option for those maintaining border controls that already threaten relational equality to offload the offending elements to an AI. That is, to alter the circumstances such that a problematic but still relevant relationship is supplanted by a system which cannot constitute a relevant relationship. In short, the turn to AI therefore supplies a potential avenue for disputing the earlier argument that border practices entail a relevant relationship. Specifically, because it could be argued that such a relevant relationship cannot obtain between an AI and a would-be migrant and that concerns of relational equality would not, therefore, have sufficient standing in the context of AI borders. Even if we posit that this only muddies rather than breaks the relational chain between citizens and migrants, the concern persists when these complex systems effectively obscure the people behind them through the fiction of their objectivity.

So why might AI not form part of a relevant relationship? AI systems lack several key qualities needed for egalitarian relations, which require that individuals interact on equal terms, acknowledging and responding to one another as equal moral agents. All relating parties must share and evince the mutual recognition of their respective claims, rights, and moral status. AI systems, however, are inherently unable to engage in this form of mutual recognition. It cannot interpret, respond to, or appreciate the specific moral claims made by migrants because it lacks a meaningful sense of the moral world within which migrants stake

23. Along the lines of, for example, Gebru et al. (2021); Hardt, Price, and Srebro (2016); Kearns, Neel, Roth, and Wu (2018); Meade, Poole-Dayán, and Reddy (2022); Subramanian, Han, Baldwin, Cohn, and Frermann (Subramanian et al., 2021); Zhang, Lemoine, and Mitchell (2018); Zweig and Krafft (Zweig & Krafft, 2018).

such claims, the moral consequences of these decisions, or the value of equality. As such, AI is not merely incapable of acting on principles of equality—it is *blind to the very concept*. This inability to engage in recognition prevents AI from forming the kind of relational bond that is central to egalitarian relationships.

Merely programming AI to act in accordance with this concept (i.e., aligning it) would not create a relevant relationship but rather only enable it to mimic what such a relationship typically looks like. In the same way that current generative AIs—such as ChatGPT—do not understand but merely mimic understanding as “stochastic parrots” (Bender et al., 2021). Rather, what seems to be required is a full-fledged solution to the so-called “value alignment problem” (Christian, 2020)—the idea that AI either develop values sufficiently similar to ours or act in accordance with our values—that could enable AI to participate in the moral community. However, as Wallach and Vallor (2020) have convincingly demonstrated, there appears to be no meaningful solution to this problem that does not involve the development of machine equivalents to human moral sensitivities and capacities: i.e. precisely those moral qualities exercised when people act in relational equality with one another—a task presently well beyond our grasp.

Enabling AI to give (or ‘generate’) reasons, which might indicate the necessary responsiveness to would-be migrants, also falls short. Indeed, in human-to-human interactions, accountability plays a crucial role in maintaining equality, in that individuals can expect others to provide explanations for their actions and engage in reason-giving. However, the earlier noted opacity of AI systems undermines this. Especially, since there is no way to meaningfully give any weight to any reason provided by an AI system because of the intersection of various elements already highlighted so far.

First, present abilities to penetrate the “black box” to ascertain whether the reasons provided are the *actual* reasons are limited.²⁴ Second, correcting this is insufficient since, as noted, AI systems work only with a representation of the world—even when equipped with cameras and microphones (see Vallor, 2024)—and possess no genuine “world model” (Chalmers, 2024). Finally, they neither possess a coherent ‘self’ that could enter into and participate in a relevant relationship, nor do they maintain a persistent history that would inform their egalitarian interaction. This last point captures what Chalmers (2024) details as a fundamental lack of a “unified agency,” on the one hand, and their inability to participate in a consistent and reflective “recurrent processing,” on the other. This refers to the way in which thoughts, experiences, and decisions wade through a constant feedback loop that ties the past to the present as well as desires for the future. In short, AI misses the vital ingredients that give its outputs the meaning sought after by relational egalitarians.

Taken together, these points raise considerable doubt that AI could enter into a relevant egalitarian relationship. Given this, the final relational egalitarian objection to AI borders might be termed an *appeal to displacement*. That is, it is morally objectionable to take what was once a relevant relationship and bypass the need to amend the features that rendered it inequalitarian by inserting a non-relevant relationship. This would, for example, enable feudal lords to displace their inequalitarian relationship with their serfs by offloading decisions about their lives to, say, weather events, the actions of wildlife, or the roll of the dice.

This argument is strongest when border control processes are *entirely* offloaded to AI systems. However, while the argument here is not intended to serve as a blanket objection to more constrained usages of AI within the border complex (e.g., to catch human errors), such other usages might also threaten relational equality. Even when AI systems do not entirely

24. Noting advances in explainable AI concerning “decision boundary visualization,” “counterfactual explanations,” and decision “heatmaps” (cf. Barocas et al., 2020; Sohns et al., 2023; Wachter et al., 2017).

displace human agents, their mediating role can still pose challenges for relational equality. Especially where the presence of “automation bias” (cf. Cummings, 2004; Romeo & Conti, 2025; Zerilli et al., 2019)—i.e., the human tendency to “disregard or not search for contradictory information in light of a computer-generated solution” (Cummings, 2004)—alters how human agents perceive or respond to those over whom they have power. This was, for example, highlighted by the groundbreaking study by Angwin et al. (2016), which not only revealed that algorithms designed to determine ‘risk scores’ concerning the likelihood of criminal recidivism were racially discriminatory, but also that in practice the impact of the algorithms “crept” into areas beyond their intended use—e.g., influencing perception of judges when it came to sentencing. AI utilised in such cases, therefore, stood between the judge and the defendant, shaping their relationship in concerning ways that led the defendant to be viewed merely as their algorithmically generated risk score (cf. Naudts, 2024). In such cases, the relationship in question is not only problematically mediated by the presence of such a technology but also results in a reduction or distortion of the individual concerned to a ‘score’ that fails to capture their full moral standing. Even supportive AI systems may, therefore, fracture the conditions under which relational equality can be meaningfully enacted. As such, the extent to which particular AI deployments in border controls threaten relational equality will need to be examined on a case-by-case basis, taking into account how they influence the relevant relationships at play.

6. Conclusion

This paper provides a relational egalitarian critique of restrictive border regimes, building on Sharp (2022). It argues that relational egalitarianism provides a compelling lens for assessing border practices because it captures both the instrumental harms—typically framed in distributive terms—that tend to dominate discussions of “open borders,” as well as the more subtle intrinsic harm to moral equality, which has received less attention. Focusing on relational equality centres the lived experiences of those harmed by existing border controls, neither ignoring their plight nor reducing them to it (i.e., making it the sole focus). This reflects a proper recognition of their equal moral standing, which I argue is ignored by specific practices routinely found within restrictive border regimes. Several features were identified that promote depersonalised and morally insensitive interactions that define border controls, facilitate arbitrariness and targeted exclusivity, and policies that limit the overall possibility for meaningful and receptive dialogue and appeal. Amending all this would, of course, entail a non-negligible cost. It is at this point that the paper offers the first sustained examination of the turn to artificial intelligence (AI) in border controls on relational egalitarian terms.

While acknowledging that features of AI may enable it to mitigate some salient aspects of the relational concerns highlighted, it was ultimately argued that there are strong relational egalitarian reasons to object to their use, rooted both in the technological limitations of these systems and the socio-political decision to deploy them in border control processes. Accordingly, despite the theoretical potential to mitigate some of the equality threatening features of border controls, it was argued that the turn to AI would either exacerbate or introduce new relational inequalities. It therefore remains an open challenge to conceive of AI borders that relational egalitarians ought to endorse (or prefer to human-run borders).

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