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Migration without borders:
an investigation into the free movement of people

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Global Commission on International Migration

In his report on the 'Strengthening of the United Nations - an agenda for further change', UN Secretary-General Kofi Annan identified migration as a priority issue for the international community.

Wishing to provide the framework for the formulation of a coherent, comprehensive and global response to migration issues, and acting on the encouragement of the UN Secretary-General, Sweden and Switzerland, together with the governments of Brazil, Morocco, and the Philippines, decided to establish a Global Commission on International Migration (GCIM). Many additional countries subsequently supported this initiative and an open-ended Core Group of Governments established itself to support and follow the work of the Commission.

The Global Commission on International Migration was launched by the United Nations Secretary-General and a number of governments on December 9, 2003 in Geneva. It is comprised of 19 Commissioners.

The mandate of the Commission is to place the issue of international migration on the global policy agenda, to analyze gaps in current approaches to migration, to examine the inter-linkages between migration and other global issues, and to present appropriate recommendations to the Secretary-General and other stakeholders.

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Potential contributors to this series of research papers are invited to contact the GCIM Secretariat. Guidelines for authors can be found on the GCIM website.

Introduction

What would happen if border controls were suppressed and people granted the right to move freely throughout the world? The 'Migration Without Borders' (MWB) scenario – sometimes called 'open borders' – is increasingly being discussed among academics, NGOs and policy-makers while receiving support from different horizons, including neo-classical economists as well as social movements on the left. In a globalized world in which migratory flows seem to escape states' attempts to regulation, it represents a challenging idea and fosters a critical rethinking of current migration policies and practices. In order to provide a global perspective on this scenario, UNESCO's section on International Migration launched a research project investigating its theoretical issues and bringing together regional approaches by scholars from the five continents. This article reviews the issues raised by free movement and summarizes the major findings of this project.

The MWB scenario is often dismissed as unrealistic. While it may indeed be an unlikely perspective for the near future, there are several reasons that militate for going beyond the simplistic dismissal of free movement. The Universal Declaration of Human Rights states that 'everyone has the right to leave any country, including his own, and to return to his country' (article 13-2): only emigration is recognised as a fundamental right, but this raises the issue of the actual meaning of this right in the absence of immigration possibilities, which points to the necessity of envisaging a more comprehensive right to mobility.

In today's world, most people are free to leave their country. But only a minority of them have the right to enter another country of their choice. The right to emigration will remain problematic as long as important restrictions on immigration will keep people from migrating, or even travelling, to other countries. The MWB scenario might therefore be morally desirable from a human rights perspective, in which case it would be worth promoting despite its apparent unfeasibility. The gap between what is and what ought to be should not keep us to search for fairer scenarios. Moreover, the unfeasibility of the MWB scenario is often uncritically taken for granted, but the reasons given are frequently fragile: one often hears for example that there would be huge migration flows but there are little empirical investigations to support this claim. One may wish to reject the MWB scenario, but need good reasons to do so.

And of course, the future is difficult to predict. If one had told a French or a German citizen in, say, 1950 that free movement would be a reality in the European Union a few decades later, he or she would have been difficult to convince. Even in the 1980s, it would have been difficult to predict that the free movement of people between East and West Europe would become normal some three decades later. Similarly, 'open borders' were a reality in the pre-1962 Commonwealth, within which citizens from the former British Empire had the right to move freely: people from South Asia or the Caribbean could for example move without restrictions to the United Kingdom. One also often forgets that, until recently, emigrating could be more difficult than immigrating; many states used to keep their citizens from leaving their country (Dowty 1987), a practice that has decreased in the last decades. From this perspective, the world may actually be progressing towards more, not less, freedom of movement.

While there have long been discussions on the ethics of free movement (Barry and Goodin 1992, Carens 1987, Gibney 1988), several recent books have dealt with the MWB scenario in a more comprehensive way (Harris 2002, Hayter 2000, Wihtol de Wenden 1999), indicating

its current attractiveness. Given the strong connotations associated to the 'open borders' notion, this project prefers speaking of 'migration without borders': after all, 'open borders' seem to be a contradiction in its own terms, and the MWB scenario better conveys the idea that one deals specifically with migration and not with all the other implications of borders. This article is structured in the following way. The first section describes the context, i.e. the contemporary evolutions of migration and border controls. The following sections investigate the MWB scenario from four different perspectives: human rights/ethics, economics, social and practical. It relies both on a review of the literature and on the contributions written by the participants to the project (indicated by an *), which are listed in the annexe.

Migration and border controls today

Controlling immigration has become an important field of policy. Most receiving states are strongly concerned with what is perceived as the porosity of their borders to flows of undocumented migration and are developing new measures to control them. By envisaging a greater level of freedom in people's movement across international borders, the MWB scenario directly challenges this trend and proposes a new vision, according to which migration flows should not be fruitlessly – and often inefficiently – stopped, but rather accompanied, managed and positively taken advantage of. This section examines recent tendencies in border controls and evaluates their efficiency, costs and advantages, in order to put the MWB scenario into a broader perspective.

Contemporary trends in migration controls

Contemporary immigration controls are characterised by several trends. Border controls rely on new technological tools to achieve their goals, and governments develop innovative measures to identify undocumented migrants after their entry into their territory. In the mean time, receiving states attempt to incite sending and transit countries to cooperate in their fight against illegal migration. Security concerns play an important role in these evolutions, which have both human and financial costs and raise the issue of the possibility of truly controlling people flows.

The borders between Western countries and less rich countries have become fortified and increasingly sophisticated tools are used to achieve stronger border controls. The most documented case is the U.S.-Mexico, where walls have been constructed along segments of the border and a growing number of patrol agents rely on technologically advanced equipment that includes high-intensity lighting, high steel fencing, body-heat- and motion-detecting sensors and video surveillance (Nevins 2002). The same trend can be observed in some European regions, notably around Gibraltar and the border between Spain and Morocco. New actors are involved in controlling migration, such as airline carriers that are required to check their passengers' right to travel to the country of destination, leading to a certain extent to a privatisation of control (Guiraudon and Joppke 2001).

If external controls at the border fail, governments may be successful in establishing internal controls to chase undocumented migrants after their entry. Controls on the workplace are often envisaged and sometimes practiced, but yield little results: they displease employers and therefore have high economic and political costs, while requiring huge efforts to be significantly implemented. Another option for governments is to control undocumented

migrants' access to welfare and social services. Immigration status is increasingly used to restrict access to welfare provisions, but this policy meets resistance: it is questionable from a human rights perspective, as it generates even greater exclusion for migrants and contradicts the inclusive nature of the welfare system (Cohen *et al.* 2002). Once undocumented migrants have been identified, they are sometimes subject to detention and expulsion. While these measures legitimately stem from states' right to control the entry and residence of non-residents, it is worth reminding that they have long been exceptional: they used to constitute responses to very specific circumstance such as wars, but are now common practice (Schuster 2004).

Another way of controlling migration lies in cooperation between countries, with sending states being incited to stop their outflow of undocumented migrants. Transit countries are also encouraged to better control their borders, and countries such as Mexico or Morocco become buffer zones to contain migration from Latin America or Sub-Saharan Africa (Andreas and Biersteker 2003). Development aid is increasingly being conditioned to the cooperation of sending states in controlling migration or reaccepting expulsed migrants. In this respect, the control of migration becomes an issue in bilateral relationships.

In recent years, security concerns have further reinforced the felt need to control borders, as it is feared that porous borders may facilitate the entry of terrorists. In North America, even the long-neglected U.S.-Canada border has become a source of concerns, as terrorists are suspected of entering the United States through this channel (Andreas and Biersteker 2003). On both sides of the Atlantic, security concerns have prompted the introduction of new biometric technologies in border controls (Thomas 2005). Supang Chantavanich and Sajin Prachason* highlight a conflict between national and human security, showing how these two paradigms oppose each other in a systematic way: national security approaches are state-centred, stress sovereignty and border controls, and are mostly concerned with refugees and undocumented migrants; human security approaches, by contrast, are people-centred, stress interdependences between countries and trans-border cooperation, and focus on the situation of economic migrants in terms of health, food, education or working conditions. While security concerns exacerbate the pressure to control borders, it is worth reminding that immigration controls were already a hot issue before their emergence and that they cannot therefore be given the main role in explaining recent trends in border controls. One could even add that security may justify policies that would have been elaborated anyway: Christine Inglis* shows how, after September 11, security reasons were given by some Asian governments to justify mainly economic decisions of deporting undocumented migrant workers.

The most disturbing consequences of these recent evolutions in migration controls are related to the number of people who die on their way to receiving countries. Illegal migration has become a very dangerous and risky process: it is estimated that at least one migrant dies every day at the U.S.-Mexico border, mostly because of hypothermia, dehydration, sunstroke and drowning (Cornelius 2001, Martin 2003). Similar trends can be observed in Europe. Eschbach *et al.* (1999) estimate that at least 920 migrants died while trying to reach Europe between 1993 and 1997; according to a 2002 statement to the UN Secretary General[1], over 3000 migrants died between 1997 and 2000, mostly when attempting to cross the Straits of Gibraltar. These tragic outcomes of undocumented migration are not specific to Western countries: the same UN document mentions casualties off the coasts of Australia, at the border

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[1] United Nations, Economic and Social Council, E/CN.4/2002/NGO/45.

between Mexico and Guatemala, and across the Sahara. Supang Chantavanich and Sajin Prachason* mention similar events in South East Asia. In any case, the figures are probably underestimated, as no one knows how many bodies lie undiscovered.

The costs of border control measures are not only human but also financial: according to an IOM report, the 25 richest countries spend 25-30 billion dollars per year on the enforcement of immigration laws (Martin 2003). These costs stem not only from controlling the borders, but also from the issuance of visas and residence permits, the prosecution, detention and removal of undocumented migrants, labour inspections and the implementation of sanctions on employers, the treatment of asylum-seekers' claims and the resettlement of refugees, and the search for undocumented migrants. To provide a better perspective on the costs of border control, it is tempting to juxtapose this amount of money with the sums dedicated to development: according to the World Bank's 2004 World Development Indicators[2], states spend some 60 billion dollars on development, and it is estimated that some 30-50 billions extra are needed to put poor countries on the path to achieve the Millennium Development Goals.

Is it possible to control migration?

The issue of migration controls has raised major debates in recent years, as states often seem unable to control their borders and, more generally, to successfully manage migration flows. The persistence of undocumented migration illustrates how even sophisticated forms of border controls do not manage to stop people from entering a country. Of course, some migrants are caught while crossing the border while others are expulsed. But motivated migrants manage to escape controls, by taking more risks, by crossing in new border areas and by relying to a greater extent on professional people-smugglers. There seems to be a consensus among experts on the fact that tougher measures of migration control do not reach their proclaimed goal (Cornelius et al. 2004).

Several explanations have been proposed to explain states' incapacity of controlling migration. Migration is now structurally embedded in the economies and societies of most countries: once both sending and receiving countries become dependent upon migration, migration is almost impossible to stop. In an era of globalisation, states face a dilemma because borders must be business-friendly, remaining open to international trade or tourism (Andreas and Snyder 2000). Moreover, 'migratory movements, once started, become self-sustaining social processes' (Castles 2004: 860): through migration, countries are connected via migrant networks that span the globe and facilitate further migration, illustrating that migration is easy to start but difficult to stop. Finally, lobby groups, such as employers, can also impose domestic constraints on governments to allow migration for labour market reasons.

As the contrast between Western countries and oil-exporting states in the Middle East shows, controlling immigration is particularly difficult for liberal democracies. These are characterised by the preponderant role of the market and the respect for people's fundamental rights (Hollifield 1992). The market constantly strives for expansion, seeking new people to produce and to consume, which quickly raises immigration as an option; as the state logic of control is challenged by market forces, this creates a tension 'between states and markets'

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[2] See http://www.worldbank.org/data/wdi2004.

(Entzinger *et al.* 2004). Respect for rights means that even undocumented migrants enjoy a minimal degree of legal protection; according to the philosophy of human rights, individuals are protected on the basis of personhood, not of nationality or citizenship, and the enforcement of these rights sometimes takes place supra-nationally, thereby constraining governments' autonomy (Jacobson 1996, Sassen 1996, Soysal 1994). In practice, this means that the civil society, human rights groups and NGOs can contest government measures and sometimes have them opposed by courts: in other words, control is controlled and states are limited in their initiatives.

While unquestionable, states' difficulty in controlling their borders should be qualified. Historically, full control has never been the norm. It is sometimes argued that open borders were a reality in the nineteenth century: while the picture of an era of laissez-faire in migration policies is probably exaggerated, it remains that states have only progressively acquired the ability and the legitimacy to control individuals' movements, a prerogative that used to be shared with other social actors such as churches or private enterprises (Castles 2004: 854-856, Torpey 2000).

From this perspective, states are now more able to control migration than before and their apparent loss of control relies on the myth of a once-perfect sovereignty that never was (Joppke 1998). Moreover, officially declared policies may be different from actual intentions: it is for example often observed that a benign neglect towards undocumented migration may fit into the interests of states or employers wishing to have access to an unorganised and irregular workforce (Freeman 1994). States' strategies may also not always be perfectly coherent, as economic concerns may conflict with security preoccupations, for example.

It is worth noting that border controls can be more a matter of symbols than of actual results. Frontiers have always played a psychological role in the formation of national identity and authority (Anderson 1996) and governments need to communicate to their citizens that they control the gates. This may lead to a self-perpetuating process: border controls create problems (such as smuggling or trespassing), which then call for more control (Andreas 2000). In this respect, border controls are policies that generate visibility but little results and enable governments to develop a pro-control (or even anti-immigration) rhetoric while maintaining access to foreign labour force. As Gustavo Verduzco* observes, border controls in the United States play a central role in ensuring that U.S. citizens realise that something is done to face the challenges of migration. Similarly, in Europe, countries strongly exposed to undocumented migration (such as Italy and Spain) feel the need to show other EU members that they are addressing the question.

While the social and political context exacerbates the issue of border controls in developed countries, the difficulty of controlling immigration is far from a Western exclusivity. According to a 2001 UN survey, 44 governments – including 30 in less developed regions – indicated that levels of immigration in their country were too high, and 78 governments – including 57 in less developed regions – had policies meant to reduce immigration levels (United Nations 2002: 17-18). This represents a sharp contrast with the situation of the seventies when migration was hardly a topic of concern and it illustrates the globalisation of migration preoccupations, not only in Europe and North America, but also in Africa, the Asia Pacific and Latin America.

Three policy issues for the future of migration controls

Whether or not it is possible to successfully control migration, it remains that contemporary practices raise a number of important policy issues. The first lies in the coherence of migration policies: should states stick to their claimed ambition of perfectly controlling migration despite the factual evidence that they do not achieve this goal? The risk is that the gap between what policymakers claim and the actual situation may render policies incoherent, especially in the eyes of the public opinion. It may foster the belief that governments are unable or unwilling to control people flows, thus feeding anti-immigration feelings. From this perspective, coherent and successful policies are needed to address public concerns over migration issues.

The second related issue regards the sustainability of migration policies. A decrease in the number of people on the move is unlikely and it is therefore necessary to envisage long-term answers to the challenges of migration. Contemporary policies, rather than offering a clear perspective for the management of migration, seem to lag behind and react restrictively and passively to the evolution of migration flows. But 'building walls is a peculiarly lonely job and an admission of the inadequacy of the system' (Nett 1971: 224) and one needs to envisage viable alternatives to face future challenges.

Finally, as Catherine Wihtol de Wenden* argues, the human costs of border controls raise the issue of their compatibility with the core values of the international community. To what extent can tough measures of border controls coexist with the harmonious functioning of democracies? The liberal values and human rights principles that guide societies cannot stop at their borders; they must guide countries' behaviour toward outsiders arriving at their gates (Cole 2000). The way a society handles the fate of foreigners ultimately reflects the values upon which it is based, and the issue regards the price – in terms of dignity and human rights – developed countries are prepared to pay to control their borders (Brochmann and Hammar 1999, Schuster 2004). In other words, the evolution of migration controls towards greater harshness might eventually back-fire and threaten the liberal principles and freedoms that lie at the core of democratic societies.

In this context, the MWB scenario offers a coherent and morally defendable way of envisaging migration policies on the long-term. It is a challenging idea that may be possible to implement only in the distant future. But given the current difficulties surrounding migration control, one cannot afford to ignore the stimulating ideas surrounding free movement.

Human rights and the ethical dimension of migration without borders

The ethical perspective is one of the most frequent approaches to free movement of people and in-depth debates have taken place around the moral arguments that militate for open or closed borders. Bearing in mind the complexity of the arguments (analysed in greater details by Mehmet Ugur*), this section reviews the major issues surrounding the human rights and ethical dimensions of the MWB scenario.

Human rights, emigration and immigration

As mentioned in the introduction, emigration is recognised as a human right but immigration is not. There is thus a 'fundamental contradiction between the notion that emigration is widely regarded as a matter of human rights while immigration is regarded as a matter of national sovereignty' (Weiner 1996: 171). This imbalance can be interpreted in two opposite ways. One can argue that 'immigration and emigration are morally asymmetrical' (Walzer 1983: 40). The right to emigration is fundamental because it gives people an exit option in their relation to states and governments, thereby protecting them from authoritarian regimes. 'The restraint of entry serves to defend the liberty and welfare, the politics and culture of a group of people committed to one another and to their common life. But the restraint of exit replaces commitment with coercion' (*ibid.*: 39). This reasoning does not imply that other states must welcome foreigners in an unlimited way: states must let their residents leave but do not have to let others in. As Dowty states:

'The right to leave does not imply the corresponding right to enter a particular country. Whatever the arguments over the authority of the state to block emigration, there is little dispute over its rights to limit immigration. The two issues are not symmetrical: departure ends an individual's claims against a society, while entry sets such claims in motion. Control of entry is essential to the idea of sovereignty, for without it a society has no control over its basic character' (Dowty 1987: 14)

By contrast, one can argue that having the right to leave one's country is meaningless as long as one cannot enter another country. From a practical perspective, an individual wishing to leave his country, authorised to do so but not accepted by any other country would see his right to emigration violated.

> 'Logically, it is an absurdity to assert a right of emigration without a complimentary right of immigration unless there exist in fact (as in the mid-nineteenth century) a number of states which permit free entry. At present, no such state exists, and the right of emigration is not, and cannot be in these circumstances, a general human right exercisable in practice' (Dummett 1992: 173).

Emigration and immigration then inextricably complement each other and the Universal Declaration of Human Rights has somehow stopped half-way in its recognition of a right to move. This complex debate is unlikely to be resolved soon and illustrates how human rights, far from being defined once for all, must constantly be rethought and, if necessary, complemented.

Migration and inequalities between people and countries

Another way of addressing the relationship between migration and human rights is to consider the inequalities it creates between people and countries. Mobility is a privilege that is unevenly distributed among human beings: citizens from developed countries may travel and settle down almost anywhere in the world, while their fellow human beings from less developed countries depend upon the uncertain issuance of visas and residence permits to migrate. In this respect, citizenship is a birthright privilege that is difficult to justify.

A different kind of inequalities regards qualification. Today, trained workers are looked for by states and enjoy a much greater level of mobility than their unskilled compatriots. At other times, unskilled workers were privileged, illustrating skills-based differences of treatments towards migrants. Rafael Alarcon* analyses how, in the context of NAFTA, skilled workers have been granted the right to move and to accompany the free circulation of goods, services and information, whereas the numerous (and much-needed) unskilled Mexican workers in the United States are left out of these agreements.

Christine Inglis* demonstrates that Australia, whose society is based on an openness to migrants that is still valid today, welcomes permanent settlers and students while developing a hard-line approach to asylum-seekers and imposing visa requirements to virtually all non-nationals entering the country. These examples illustrate how states select desirable migrants to the detriment of 'undesirable' ones: states' right to do so is hardly contested even if 'the line between preferences and discrimination … is a morally thin one that is easily crossed' (Weiner 1996: 178). In other words, restrictions on mobility violate the liberal egalitarian perspective according to which people should have equal opportunities.

Borders controls also play a role in inequalities between countries. Migration is grounded in the disparities between nations and partly functions as a redistribution mechanism: people from poor regions move where the money is and usually, through remittances, contribute to send it where it is needed. It is morally difficult to prevent migrants from poor countries to have access to the wealth of richer countries and, if receiving states close their borders, they remain compelled to find alternative ways of achieving greater equality between countries (Barry and Goodin 1992). Following Lucas (1999), this may include trade, foreign investment and development aid.

The problem is that these alternatives are not always successful: states have limited influence on foreign investments while development aid has so far not proved efficient enough to reduce poverty. And in any case, development does not substitute migration but tends to foster it: it leads to economic restructuring in sending countries, inciting people to find new jobs, and to rural-urban migration, creating a spirit of migration (Massey *et al.* 1998). Politically, developed states may be even more reluctant to freer trade in some sectors (agriculture notably) or to increased development expenses than to migration. Migration may then not only be the most efficient way of reducing equalities between countries but also, and contrary to widespread perceptions, the most acceptable solution.

Mehmet Ugur* stresses that the key question is the level of analysis: closed borders may ensure the well-being of a nation, but what about the well-being of the world? How can one justify the priority given to a particular group (the nation) to the detriment of the whole (the world)? While this can be interpreted as selfishness, it can also be understood, in a communitarian manner, as a moral imperative. In this view (best developed by Walzer 1983), communities of people have the right to determine who is entitled to membership and to exert control over their nature and composition; this is necessary to achieve desirable goals (such as the development of a generous welfare system), and to develop the moral values that stem from the involvement in a given community.

States are legitimately responsible for the well-being of their citizens, and ensuring the well-being of the world implies having all states care for their own citizens, rather than letting people move wherever they want in a way that would ultimately destroy the values upon

which communities are based. While this perspective rightly stresses the need to fully involve all residents in the community (which, as we will see, is not achieved in the case of many immigrant states), one can nevertheless object that the 'threat' represented by newcomers to community values is difficult to quantify and depends upon ideological and political factors. Moreover, newcomers may initially threaten the shared values but, over time, their eventual inclusion in the community is a process that may be beneficial for the community itself and for the evolution of its values: movement, rather than destroying the foundations of a community, creates a new form of community based on values of openness and justice (Carens 1987).

Towards a right to mobility?

Catherine Wihtol de Wenden* argues that, given the crisis of migration controls and the severe human rights consequences of the restrictions on people's mobility, it is now urgent to start debating of a comprehensive right to mobility, which would encompass both emigration and immigration and complement the existing Declaration of Human Rights. This right stems from the increasingly global and multicultural nature of today's world: in a world of flows, mobility becomes a central resource which all human beings should have access to. Graziano Battistella* adds that undocumented migration can be interpreted not only as a consequence of inadequate migration policies, but also as the expression of people's claim to their right to migrate. Mobility might then be regarded in the same way as other fundamental human prerogatives:

> 'At some future point in world civilisation, it may well be discovered that
> the right to free and open movement of people on the surface of the earth
> is fundamental to the structure of human opportunity and is therefore
> basic in the same sense as is free religion [and] speech' (Nett 1971: 218)

Nett adds that the right to mobility would fit into other human rights principles, such as the fight against all forms of discrimination and persecutions. A right to mobility is therefore not a matter of adding one more right to the existing list; it is about fostering the respect for the human rights that are already acknowledged as fundamental.

The economic dimension

Along with the ethical perspective, another frequent approach to the MWB scenario is of an economic nature and reflects the interest of neoclassical economists in this issue. What would be the economic impact of free movement on sending and receiving societies? Again conscious of the far-ranging developments of the economics of migration, this section outlines a few relevant points.

The national and international economic impact of migration

One can start to assess the economic impact of the MWB scenario by relying on the current situation. Despite numerous studies on the topic, the picture remains complex. Regarding sending countries, the mainstream idea is that emigration generates remittances (which are positive but can be fruitlessly spent), reduces tax revenues and results in a loss of skills, even

if it is sometimes argued that brain-drain could be replaced by brain-gain, whereby sending countries rely on their emigrants' skills for their development. As for receiving societies, some studies highlight the costs of immigration and the large share of welfare benefits received by migrants (Borjas 1999), while others – reviewed by Mehmet Ugur* – show that migrants are net contributors and that receiving countries benefit from their presence. In any case, as Ugur* also shows, the economic impact of migration on natives' well-being is limited; Faini *et al.* (1999: 6) confirm that 'immigration has played virtually no role in explaining the worsening labour market conditions of unskilled workers' in Europe and the USA. Having said that, one should note that it is obviously difficult to extrapolate from available evidence under current migration conditions to the possible consequences of a system of free movement.

One can then switch the analysis from the national level to the world level and evaluate the economic impact of the MWB scenario on the wealth of the world at large. In a classic article, Hamilton and Whalley (1984) argued that the liberalisation of the world's labour market would double the world GDP. More recently, Rodrik (2002) argues that the biggest gains in terms of development and poverty-reduction do not lie in the much-discussed issues surrounding free trade, but in the international movement of workers, and that even a minor liberalisation in this field would massively foster the development of poor countries (see also Iregui 2003).

For these reasons, neoclassical economists sometimes advocate free movement and the Financial Times is one of the few leading newspapers in favour of free movement; *FT*'s journalist Martin Wolf recently stated that 'controls on migration create the world's biggest economic distortion – the discrepancy in rewards to labour' but that 'nobody seems to be suggesting the obvious answer: free migration' (Wolf 2004: 117). In this view, restrictions on the mobility of people are economically counterproductive and should be banned in the same way as the circulation of goods and capital should be liberalised in a globally integrated economy. Free migration would be the best way to achieve equality at the world level, which would then reduce the necessity to migrate:

'If labour is viewed as an export, and remittances as the foreign exchange earned from the export of labour, then the opening of the borders could allow labour-surplus countries to export labour and earn remittances. In so doing, the transfer of labour from poorer to rich countries would increase the world GDP (because workers earn more) and eventually reduce migration pressure as wages tend to converge as they rise in emigration areas and fall or rise more slowly in immigration areas' (Martin 2003: 88)

Clearly, as Bimal Ghosh* reminds us, economic theory is based on assumptions that rarely correspond to reality, which calls for prudence in the interpretation of these results. But it remains that, in this view, the MWB scenario would be about letting market forces handle the issue of inequalities between countries, with the belief that the non-intervention of states in human movement would achieve better results than their intervention. A counter-argument is that free migration would create opportunities for skilled workers in poor countries but not for their unskilled compatriots, who lack the minimal qualifications (literacy for example) to find their place on the labour markets of developed countries; the MWB scenario would then hurt the interests of the most vulnerable people on earth, which would be both unfair and counterproductive from a development perspective: while this may be the case, the scale of this phenomenon remains uncertain and this argument cannot in any case justify closed borders (Piketty 1997).

In a more convincing way, one could object that the equalising impact of free movement on wages and living standards may be achieved at an undesirably low level, and will in any case be hard to reach as 'it would seem that social and political objections to further immigration will arise long before it reaches such a scale that it has any major impact on the labour market' (Stalker 2000: 91). The growth of inequalities between countries has historically gone hand in hand with the reduction of inequalities within countries (Giraud 1996), and it might be difficult to win on both sides.

Globalisation and the non-liberalisation of migration flows

Whatever the impact of free movement on world inequalities, it remains that restrictions on migration contradict the spirit of globalisation and liberalisation. Indeed, 'whereas increased trade integration at the turn of the century and in the 1960s was accompanied by increased migration, this was not so during the increased trade integration of the 1980s.' (Faini *et al.*: 5); international migration is thus an exception in the globalisation process. Borders used to stop everything – money, goods, people – but today they stop mostly people: 'there is a growing consensus in the community of states to lift border controls for the flow of capital, information, and services and, more broadly, to further globalisation. But when it comes to immigrants and refugees….the national state claims all its old splendour in asserting its sovereign right to control its borders' (Sassen 1996: 59). As Nigel Harris* argues, this is paradoxical given that the internationalisation of the economy creates a world labour market in which some countries tend to specialise in providing particular types of workers to the rest of the world, which then implies the circulation of labour.

The Mexico-U.S situation is the best example of this paradox: two countries united within a free trade agreement are separated by a militarised border. But it is not the only one. Sally Peberdy and Jonathan Crush* describe how, within the SADC (Southern African Development Community, comprising Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe), agreements on free trade have been much more successful than those on free movement.

Alicia Maguid* similarly reports that the MERCOSUR initial ambitions to facilitate the movement of people in the South American Cone were progressively reduced and that the current focus is mostly on free trade. The same trend is mentioned in the Asia Pacific by Christine Inglis* regarding the agendas of the Association of South East Asian States (ASEAN) and the Asia Pacific Economic Cooperation Forum (APEC). The European Union seems to be the only region in the world in which free trade agreements have been coherently accompanied by a substantial degree of free movement of persons, as documented by Jan Kunz and Mari Leinonen*.

Comparing flows of people to flows of capital, information or commodities is however simplistic, as the circulation of people is far more complex than the circulation of other types of items: as discussed in the next section, the mobility of people generates social and political challenges that cannot be ignored. Moreover, protectionism and state intervention are still very much present and free trade is strongly resisted, especially in vital sectors such as agriculture. In Europe, the Common Agricultural Policy imposes restrictions on the circulation of agricultural goods for the same 'communitarian' reasons that are sometimes used to justify border controls, namely social cohesion and national interests.

Yet, the contradiction between globalisation and the non-liberalisation of migration cannot be ignored and is tellingly illustrated by the World Trade Organisation (WTO) negotiations on the 'temporary movement of natural persons' (the so-called mode 4): recognising that trade in services needs direct physical contact between suppliers and consumers and wishing to foster the liberalisation of international trade in services, WTO members have engaged in negotiations on cross-border movement of workers. In principle, they regard exclusively temporary service providers and exclude all the issues surrounding permanent migration, citizenship, residence or employment. But the boundary is not clear-cut and this issue remains largely unexplored and controversial, dealing so far mainly with the mobility of skilled professionals of multinational companies and making very little progress (Bhatnagar 2004, Wurcel 2004). This however shows that trade and migration are interconnected in a globalised economy (Keely 2003), and that pressures towards liberalisation may one day promote a narrowly trade-oriented version of the MWB scenario.

The limits of the economic approach

While assessing the economic impact of the MWB scenario is an essential task, one should stress that migration policies have important implications in terms of ethics, human rights or global justice and cannot therefore be solely guided by economic concerns. For example, family reunification is sometimes criticised for bringing in immigrants' 'economically useless' relatives; writing on U.S immigration policy, Simon (1989: 337) argues that migrants should be chosen 'more for their economic characteristics and less on the basis of family connections'. But this would negate people's right to live with their family and most states authorise family reunifications (Carens 2003).

Moreover, migration policies cannot benefit to all: skilled migration is good for receiving countries, but less for sending countries; family reunification is important to migrants but not always useful to receiving countries; individual migrants' economic advantage can create an undesirable brain drain, and so on. It is difficult to satisfy simultaneously the citizens of both countries of destination and origin and the migrants themselves; one needs to make choices and to rely on social and political considerations:

> 'Economic analysis raises questions regarding what welfare objectives we should assume…. Should we seek to maximise the welfare of natives alone, or does the welfare of immigrants count as well? Should we seek to maximise national economic welfare or global economic welfare? Different welfare objectives will imply different optimal policies. Although economists can tell us what policies would maximise any given welfare objective, the choice of that objective is ultimately a moral decision' (Chang 2000: 225-226)

We are again confronted to the issue of the level of analysis. Usually, immigration policies focus on the interests the country, which, as argued above, raise moral questions. On the other hand, governments are responsible for their national interests and are expected to privilege natives' well-being. But even then, the picture is complicated, as determining the national interest may prove difficult. Different social actors – employers, unions, politicians – are likely to have different views and will try to influence policy choices (Humphries 2002); migration might then be beneficial only to the most influent segment of the population, thus

increasing internal inequalities. Moreover, focusing on the national well-being might be counter-productive if it creates tensions and social unrest within neighbouring countries: it is for example in the interest of Europe and North America of having friendly neighbours in North Africa or Mexico, and hence of welcoming at least some migrants from these regions (Borjas 1999).

The social dimension

Whereas the ethical and economic dimensions of the MWB scenario have been substantially analysed, little attention has been devoted to its social dimension, which remains by far its most unknown facet. This probably has to do with the near-impossibility of evaluating the numerous consequences of free movement on all dimensions of social life. As we will see, it is illusory to claim that we know what would actually happen if borders were to be opened; too many factors play a role and recent history reminds us that immigration policies have often had unpredicted results (Castles 2004: 852-854). This should however not keep us from attempting to shed light on the social impact of the MWB scenario as, whatever its moral or economic desirability, promoting reflections on free movement will be incomplete without reflections on its consequences.

How many people would migrate?

An often-heard argument against the MWB scenario is that it would lead to huge and unmanageable flows of migrants converging towards developed countries and the first obvious question is therefore: how many people would migrate under conditions of free movement? Contemporary policies are busy restricting people's mobility and it is therefore fair to assume that putting an end to such policies would enable many more people to move. But how many? A reasonable augmentation could be manageable, but what about a massive increase? One should first dismiss the idea that all inhabitants of sending countries are eager to migrate: after all, as the UNHCR states, 'it may be assumed that, unless he seeks adventure or just wishes to see the world, a person would not normally abandon his home and country without some compelling reason'[3]. Having said that, it is probably honest to say that one will never know exactly how many people would migrate under the MWB scenario but one can make a few suggestions.

The history of the European Union – reviewed by Jan Kunz and Mari Leinonen* – provides some indications. Each step of its enlargement (to Spain, Portugal and Greece) was accompanied by fears of massive migration flows, which turned out to be ungrounded. Today, many EU countries impose temporary restrictions to the mobility of people from most of the ten new EU members, but studies converge to show that substantial east-west migration flows are unlikely. In the future, the issue of Turkey's admission may raise the same issues but, as Teitelbaum and Martin (2003) argue, it is impossible to make credible predictions on how many Turkish workers would leave their country, as this depends upon the evolutions taken by both the Turkish and the European economies. Analysing the impact of the MWB scenario on North African migration to Europe, Ayman Zohry* argues that, given the number of young unemployed workers in the Maghreb countries, many could be expected to migrate

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[3] *Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees*, UNHCR, HCR/IP/4/Eng/REV.1, Chapter 1, article 39.

to Europe in search of better opportunities; he adds, however, that many would be disappointed and that, after an initial period of important migration flows, a phase of stabilisation could occur, characterised by return migration and less important flows of people.

One should further recall that migration flows and the legal conditions of migration are not always related. The people who are reluctant to take the risk of migrating illegally would be incited to do so legally under the MWB scenario; but as mentioned in the first section, restrictive policies do not keep people from trying to migrate illegally and the MWB scenario would therefore have little impact for the numerous migrants who leave their country no matter whether it is authorised or not: it would only reduce the dangers they are exposed to. Moreover, restrictions on mobility limit migrants' freedom to circulate, thus leading to a higher rate of permanent settlement. In this respect, the MWB scenario would enable more migrants to return, temporarily or not, which might to some extent counterbalance the increase in the number of people wishing to leave their country. Mexican migration to the United States illustrates these two points: migrants keep trying to cross the border until they succeed and, given the difficulty of doing so, tend to remain on a more permanent basis in the country (Cornelius 2001).

Welfare and social cohesion

Migration is often perceived as a threat to social cohesion and it is therefore important to address the possible impact of the MWB scenario on the functioning of receiving societies. A major issue here regards the welfare state: as Milton Friedman once observed, 'it's just obvious that you can't have free immigration and a welfare state' (quoted by Raico 1998: 135). As Han Entzinger* argues, the core problem lies in the contradictory logic of welfare schemes and free migration; the MWB scenario is about openness and circulation whereas welfare systems are based on closure: people make a long-term commitment to a community and enjoy its protection. Putting aside the possible negative impact of increased migration on the financial equilibrium of Western welfare systems, the more fundamental risk is therefore that free movement jeopardises the sense of common national identity and solidarity that incites people to take part in welfare systems. Jan Kunz and Mari Leinonen* thus conclude that the MWB scenario is incompatible with collective welfare schemes and would imply their privatisation.

This is a real problem, not only because welfare states are hard-won and socially valuable achievements, but also because incorporating migrants would precisely require strong welfare systems: in other words, the MWB scenario would threaten the viability of welfare states, but it would simultaneously demand efficient welfare mechanisms to make sure that newcomers' arrival in receiving societies does not create situations of social vulnerability. This is also why, as mentioned earlier, welfare arguments are used – by communitarians notably – to advocate restrictions on migration. Another position is illustrated by Carens (1988), who acknowledges with regret the undesirable impact of free movement on welfare but nevertheless believes that inequalities between countries are morally even more undesirable and that welfare schemes must be sacrificed to people's freedom and to world justice.

This pessimism should be qualified, as the MWB scenario would not be exclusively damaging to welfare schemes. It is for example often heard that migration would counterbalance the ageing of Western population (United Nations 2000) and welfare-based arguments may then

also militate for more migration. In this respect, Iregui (2003) shows that the costs of skilled migration in terms of brain drain may exceed welfare gains, but that this effect disappears if one allows both skilled and unskilled migration. As Han Entzinger* notes, states should then invest in migrants' linguistic and professional skills, thereby increasing their integration and the size of the workforce. Moreover, as Geddes (2003) argues, migration is far from being the main challenge to welfare states: other factors – labour market situation, demographic trends or political decisions – play a much greater role and one should not overestimate the impact of the MWB scenario on welfare. At a more immediate level, free movement would improve the well-being of undocumented migrants, whose status is a serious source of vulnerability; it would also reduce the size of shadow economies, thereby enlarging employers' and workers' contribution to welfare schemes.

Another question regards the incorporation of migrants in receiving societies under conditions of free movement. Again, migrants are often blamed for their reluctance to 'integrate' and are accused of threatening the socio-cultural foundations of the countries in which they live. In particular, the MWB scenario is sometimes dismissed for its consequences in terms of racism and xenophobia. Free migration, it is argued, would increase the number of migrants and the tensions between them and the native population, notably on the labour market. This would lead to anti-immigration mobilisation and foster populist and extreme-right political formations (Castles 2004: 873). Walzer (1983) similar argues that, if states do not control migration, people will do it themselves through more or less violent rejections of foreigners. But the correlation between xenophobia and the number of immigrants is not straightforward: very few migrants may sometimes cause disproportionate hostile reactions in regions not used to immigration. More fundamentally, as Teresa Hayter* notes, border controls indirectly feed racism: they fuel the idea that foreigners and foreign-looking people are undesirable, thus casting doubts on the right of documented and naturalised migrants to live in receiving societies. Ultimately, this reinforces internal boundaries along ethnic lines, jeopardising migrants' access to decent living conditions and challenging social cohesion (Fassin *et al.*: 1997). The connection between the MWB scenario and racism is therefore ambivalent.

Democracy and citizenship rights

Closely related to the issues of welfare and integration are the issues of rights, citizenship and participation in the public sphere. In principle, access to citizenship rights depends upon nationality, thereby excluding migrants. In practice however, non-nationals enjoy certain rights. Human rights are for instance based on personhood rather than nationality and protect both nationals and migrants. Migrants participate in unions, in the educational system, in welfare schemes, have rights protecting their situation on the labour market and sometimes even vote in local elections, thus illustrating how residency – and not only nationality – determines access to rights (Jacobson 1996, Soysal 1994). Hammar (1990) has coined the term 'denizen' to describe this intermediary status in which migrants are not total foreigners, but not full citizens either.

The MWB scenario would exacerbate this question, as it would enable people to move freely from a country to another, thus raising the question of their status at the different steps of their peregrinations. Of course, one could suppose that, even under conditions of unrestricted mobility, people would enjoy settling down on a durable basis in a given country and possibly become citizen, but one nevertheless needs to envisage situations in which nations are home to large number of non-nationals on the move.

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What seems obvious is that all people residing in a given country should have the same access to a minimal set of rights, including civil rights and social rights to education, health services and housing. This corresponds to a basic ethical principle and to the idea that all human beings should have access to fundamental rights, a notion that lies at the heart of the United Nations International Convention on Migrants' Rights (Pécoud and de Guchteneire 2004). This is also necessary to avoid the creation of an underprivileged category of population subject to exploitation and misery, which is in nationals' interest as rightless migrant workers would create a downward pressure on the well-being of the whole population. But what about other rights, such as access to pension and unemployment benefits, political rights or cultural recognition? Unrestricted mobility would challenge the traditional distribution of these rights, and there is therefore a need to examine them more carefully.

The same applies to migrants' participation in public affairs. It is easy to understand that two extreme situations should be avoided. First, non-nationals would have no access to political rights. Migrants would then live in a country without having any influence on its functioning, and would need to follow laws and obey governments over which they have no control. In immigration states with tight naturalisation policies, this situation is already frequent; in Michael Walzer's terms, such states are 'like a family with live-in servants' (1983: 52), an unjust situation that excludes migrants and confines them to a second-class status.

At the other extreme end would be the situation where migrants could all have full citizenship rights. This would mean that even recent newcomers would have the same influence over public affairs as natives, a situation that may ultimately threaten the principles of democratic institutions: it seems illogical and unfair to grant the same rights to natives and long-term residents who share a strong commitment to the country in which they live than to people who have just arrived. In other words, mobility is a challenge for democracy and one needs to find ways to conciliate freedom of movement with the functioning of democratic institutions. As Graziano Battistella* argues, this has led to the emergence of different forms of unorthodox citizenship through which migrants participate incompletely in the life of host societies.

A creative solution to these issues is to unpack citizenship and consider that its different components (political, civil, social, family and cultural rights, notably) can be distributed in a differentiated way. This approach avoids the binary logic of exclusion, in which people have either all rights or none. Migrants could then initially receive a first set of rights (civil rights and fundamental social rights). Only later would they receive, in a step-by-step fashion, pension rights, welfare rights or political rights. Such a system would make sure that migrants are not rightless (as today's undocumented migrants tend to be), while enabling high mobility and addressing the fears of nationals and long-term residents who are reluctant to share their privileges with newcomers.

According to Han Entzinger*, newcomers would not have to pay for the benefits they have initially no access to, which would lower their labour costs and foster their integration on the labour market. Of course, the risk is to transform this system of 'differentiated inclusion' into 'differentiated exclusion', but 'too much mobility is simply incompatible with a sustainable framework of rights [and] thresholds are needed to ensure durable rights' (Engelen 2003: 510). Nigel Harris (1995) similarly stresses the need to create a temporary status for migrant workers that would separate citizenship and the place of residence from the place of work: migrants would have the right to switch to a permanent status and eventually to citizenship, but he argues that, under freedom of movement, they would have less incitation to do so. Han

Entzinger* adds that this could be accompanied by a deterritorialisation of welfare provisions, by which migrants could enjoy benefits even if not residing in their country of work.

Transmigration and the other borders of mobility

As discussed in this section, migrants are not only banned from entering a country; once they are in, they are often inhibited in their participation and incorporation in the receiving society, particularly in terms of welfare, rights and citizenship. It is therefore not enough to ensure that people have the right to cross borders and to settle down wherever they wish: one must also make sure that, once in a country, they are not stopped by other 'internal' borders and able to fully participate in its society. This is a condition for social cohesion and for human emancipation, as people partly banned from the society in which they live are likely to develop resentment and frustration.

As Graziano Battistella* and Alejandro Canales* argue, participation in receiving societies also include mobility within its social stratification, a process in which employment opportunities play a key role. Scholars have often noticed the existence of a labour market segmentation that restricts social mobility and generates internal boundaries within the workforce. All too often, migrants are constrained in unattractive sectors of the economy and left to do the dirty work, in conditions characterised by precariousness, low wages and inexistent future perspectives. This reinforces their exclusion and generates a 'ghettoisation' of the society that jeopardises the even distribution of its resources and opportunities to all its members.

As Alejandro Canales* further notes, the labour market segmentation that affects migrants' socio-economic opportunities partly stem from a globalisation process that also characterises migrants' lives. Migration scholars increasingly emphasise how migrants have become transmigrants, living in-between sending and receiving societies and maintaining strong ties to both throughout the migration process, in a process that challenges the traditional integration process according to which newcomers eventually become fully assimilated or integrated in the host country. Gustavo Verduzco* describes for example the intensity of the inter-connections between Mexico and the United States, which include not only investments and free trade but also numerous human and social ties. Migration is thus shaping transnational spaces encompassing several countries in a process that challenges territorial separations and national borders.

This leads to paradoxical situations. Migration challenges borders, but is still regulated by borders. It blurs the boundaries between national entities, but is caught in forces that fuel internal divisions along socio-economic or political lines: there might then be strong contacts between Mexican and American elites or between Mexican workers on both sides of the border, but much less interactions between these different categories within national borders. Migration challenges conventional forms of citizenship as migrants may be democratically active in both receiving and sending societies. It may juxtapose people from different origins and foster intercultural contacts, but may also lead to situations in which people on the move do not speak the same language and cannot communicate with the people they meet; people would then only move within their networks of compatriots: this is not in itself wrong but one may nevertheless wish to see the MWB scenario generate more social and cultural openness.

In other words, globalisation may erase some borders while erecting other ones. In this context, the MWB scenario goes in the right direction as it facilitates the circulation of all human beings regardless of their class status and fits well into a world in which people have strong transnational connections. But it does not in itself prevent the creation of other borders that recreate divisions along other lines. Once again, this shows that opening borders, while potentially positive, is not the ultimate answer to all current problems and injustices.

The practical dimension

Discussing the different dimensions of the MWB scenario (and especially its social dimension) highlights our ignorance of the practical consequences: 'nobody can claim to know in any detail what would be the consequences of a worldwide system of open borders sustained over a number of decades' (Barry 1992: 280). While there are strong moral arguments in favour of the MWB scenario, its impact on wages, welfare, racism or citizenship are, as mentioned above, extremely uncertain. It is probably exaggerated to argue that free movement would lead to chaos, but it would also be a mistake to underestimate the problems: as Castles (2004: 873) puts it, 'the elegant simplicity of the open borders slogan is deceptive, as it would create many new problems'. There is therefore a need to envisage the practical dimension of the MWB scenario and what could be called its governance.

The need for a multilateral approach

A first principle of the governance of free movement lies in the necessary cooperation between states; no state can indeed be expected to progress toward free movement if at least some other states do not follow the same path. Unilateral openness is not only unlikely, it is also potentially damaging:

> 'Any country, rich or poor, that opened its borders might soon find other states taking advantage of its beneficent policies. A neighbouring country whose elite wanted a more homogeneous society could now readily expel its minorities. A government that wanted a more egalitarian society could dump its unemployed and its poor. An authoritarian regime could rid itself of its opponents; a country could empty its jails, mental institutions, and homes for the aged.' (Weiner 1996: 173)

One should of course add security issues: Bimal Ghosh* notes that the MWB scenario would enable not only terrorists but also all kinds of criminals to escape surveillance more easily. These dangers point to the importance of international cooperation. After all, these dreadful consequences of free movement could take place within federal states, where regions are partly responsible for welfare provisions and security, and can be prevented by interregional cooperation. Of course, such agreements are more difficult to achieve at the world level than within a single nation, but it remains that these obstacles are not inherently insurmountable.

A second principle should be the existence of supervision mechanisms to study and monitor the social transformations induced by increased freedom of movement and enable a less chaotic opening of the borders. Both principles – cooperation and supervision – highlight the need for multilateral agreements (or organisations) to ensure the governance of free movement in a more comprehensive way than the trade-oriented WTO negotiations

mentioned above. In recent years, many voices have called for moving towards a multilateral approach to migration, and propositions with similar names have been made: 'New International Regime for Orderly Movements of People' (Ghosh 2000), 'General Agreement on Movements of People' (Straubhaar 2000), 'General Agreement on Migration and Refugee Policy' (Harris 1995: 224), 'Global Agreement on the Movement of People' (Veenkamp *et al.* 2003: 98) or, on the model of the WTO, 'World Migration Organisation' (Bhagwati 1998: 316-317, 2003 and Mehmet Ugur*). Security concerns have also fostered the search for such agreements; Koslowski (2004) speaks of a 'General Agreement on Migration, Mobility and Security'. As Bimal Ghosh* notes, recent initiatives such as the Hague Declaration on the Future of Asylum and Migration Policy, the Bern Initiative or the Global Commission on International Migration go in this direction.

Without describing in detail the nature, functioning and purposes of these approaches (reviewed by Bimal Ghosh* and Mehmet Ugur*), the common points to all these propositions is that they envisage a joint management of migration flows by sending and receiving states that would avoid the pitfalls of unilateral policies while ensuring that the migration process does not hurt the interests of sending and receiving states and migrants themselves. With respect to the MWB scenario, there are two ways of envisaging the role of a multilateral approach. On the one hand, Bimal Ghosh* argues that an orderly system of migration management would be fundamentally better than free movement, as it would avoid the tensions and uneven benefits that, according to him, characterise the MWB scenario while being much more acceptable to states. On the other hand, one can see multilateral coordination as temporary, as a step towards free movement that would smooth the transition:

> 'In practical terms, even if states were to agree on a universal right to move in principle, it would probably cause chaos if all borders were instantly opened. But there are many matters on which states have agreed certain rights in principle and begun to implement these rights in a limited way, by agreement among themselves. … Could there not be similar progress towards acknowledging a human right to freedom of movement across borders? Even if the aim could not be realised at once, would it not be worthwhile to begin the process by an international agreement whereby each state party to it would accept, in addition to those it admits under its laws of refugees and other migrants, a quota of people who merely apply?' (Dummett 1992: 179)

A multilateral agreement or institution could for example serve as the framework in which temporary labour migration schemes could be handled. Despite the obvious failure of many of such schemes in the past (Castles 2004) and their limits in terms of long-term economic development (OECD 2004), these are often advocated as beneficial both for receiving countries (that would use the labour force without having to manage long-term settlement) and for sending countries (that would receive remittances while avoiding permanent out-migration and brain-drain), thereby representing an 'ideal' solution (Rodrik 2002, Weinstein 2002).

The MWB scenario and the internationalisation and/or liberalisation of migration policies finally raise the question of the fate of the asylum system. Today, asylum-seekers are the only migrants whose situation is taken care of in a multilateral manner, notably through the United Nations High Commissioner for Refugees and the widely-ratified 1951 Geneva Convention. In principle, the distinction between asylum-seekers/refugees and other kinds of

migrants is clear and most states have distinct procedures to address their situations, even if empirical evidence illustrates that the boundaries between the two are often porous. Under the MWB scenario, this distinction would become meaningless, which, Castles (2004: 873) argues, is regrettable because even the currently imperfect asylum system protects many vulnerable people. By contrast, one can argue, as Teresa Hayter* does, that the fight against undocumented migration incites many receiving states to treat asylum-seekers as disguised economic migrants, which leads not only to endless and unmanageable procedures to 'prove' the existence of persecution, but also to human rights abuses and sufferings for both 'genuine' and 'fake' refugees. In other words, sticking to the refugee/migrant distinction is not only unrealistic: it may also counter-productively threaten the right to asylum.

Regional approaches to free movement

Establishing a multilateral approach to migration at the world level is clearly a difficult task, and it makes therefore sense to envisage regional approaches as a preliminary step. Significant cross-border flows take place within them, and the countries involved tend to display a greater level of socio-economic convergence; from an economic perspective, open borders should come first and equality would follow but in practice too wide inequalities between states may prevent any discussion. As a matter of fact, several regions in the world have concretely discussed regional migration management, an indication that they have indirectly acknowledged the shortcomings of national approaches. Some have even considered free movement as a policy option, and their experiences are useful in understanding the difficulty of concretely implementing free movement.

The clearest case is of course the European Union, which has achieved free movement for EU citizens at an unprecedented scale. Jan Kunz and Mari Leinonen* relate how a core ambition of the European Union has been to create opportunities for its citizens to move freely from one Member State to another. Yet, migration flows have not increased substantially, which points to the importance of internal borders (including notably administrative, financial, cultural, linguistic and mental barriers). Mobility is mostly a feature of European elites while workers and employees tend to remain in their country of origin.

In the meantime, European leaders have engaged in the closing and monitoring of the EU's external borders, leading to what has often been called 'fortress Europe'. In principle, these two trends (the disappearance of internal borders and the consolidation of external ones) would call for a common approach to migration, but European leaders have found it extremely difficult to move forward in this field. Regardless of these obstacles, it remains that the European experience is the most comprehensive attempt to establish free movement in a large supra-national space.

But other less well-known cases exist, notably in Africa. As Aderanti Adepoju*, Papa Demba Fall*, Sally Peberdy and Jonathan Crush* all note, this continent is characterised by recent and porous borders, as well as by a long history of human movement in which free movement has often been the norm. While this should in principle provide a favourable context for the MWB scenario, post-independence nation-building has been a powerful process, sometimes inspiring exacerbated nationalism or xenophobia. Yet, since the early nineties, the continent seems to be engaged in some efforts to promote freer movement, which used to be grounded in a Pan-African ideology but is increasingly apprehended in terms of economic benefits. Continental organisations such as the New Partnership for African Development (NEPAD)

and the African Union (AU) have expressed their commitment to free movement, with the latter recently proposing the creation of an 'African passport' to facilitate the circulation of people throughout the continent. Efforts to go beyond national migration policies remain vague and uncertain however, as illustrated by the cases of West and Southern Africa.

Within the Economic Community of West African States (ECOWAS), Aderanti Adepoju* describes the efforts to foster free movement and establish a 'borderless West Africa'. ECOWAS treaties aim at removing all obstacles to the circulation of goods, capital and people; in a first move, visa requirements were abolished for ECOWAS citizens moving within the region, and governments agreed to create an ECOWAS passport to facilitate internal migration. As he suggests, given the history of migration in the region, establishing open borders is more about re-creating free movement rather than shaping a new regional organisation. Many obstacles remain however, and his contribution shows that economic uncertainty, inter-state conflicts (or even wars), along with the political strategies sometimes developed by ECOWAS governments, threaten the West African version of the MWB scenario, as they exacerbate tensions, fuel nationalism and xenophobia and sometimes lead to the expulsion of foreigners.

In the Southern African region, Sally Peberdy and Jonathan Crush* document the efforts undertaken towards free movement in the region, and their failure. The Southern African Development Community (SADC) drafted a protocol on the free movement of people in 1993-1994, which was strongly opposed by the South African government. Its fears regarded the consequences of open borders on unemployment, xenophobia and irregular migration; even if these arguments could be contested, they were sufficient to reduce the initiative to a much less ambitious version. The negotiations are still ongoing, and it remains to be seen in which direction they will go.

In the Asia Pacific, as Christine Inglis* writes, regional organisations have dealt with migration issues, but only aimed at business and skilled migration in accordance with the promotion of free trade. Other regional initiatives have focused on the fight against irregular migration, trafficking and refugees. As Graziano Battistella* writes, the prospects for progress towards the MWB scenario seems more limited in Asia than in other parts of the world. In South America, Alicia Maguid* reports that the free circulation of labour was initially considered as part of the MERCOSUR's ambitions to establish a common market and free trade in the South American Cone (Argentina, Brazil, Paraguay and Uruguay).

While progress has been made in the harmonisation of migrants' status in these countries, the free movement of goods and services has, as in the SADC, moved forward much faster than its counterpart in terms if human mobility. As in Europe, the felt need to fight against undocumented migration (particularly from the Andean region) has fostered a strengthening of border controls, while economic uncertainty has raised problems of racism and xenophobia. Finally, the North American Free Trade Agreement (NAFTA) is the most well-know example of a discontinuity between the circulation of goods and people: as Rafael Alarcon* documents, migration was never considered at it was clear from the very beginning of the negotiations that people would be excluded from the agreements.

These different experiences illustrate the extreme complexity of the establishment of free movement and the number of inevitable obstacles to such endeavours. They also show, however, that free movement is not an absurdity that has only been considered by the Europeans: it is discussed, and even sometimes partly put into practice, in many regions of the

world. The regional approach is not without critique though. Mehmet Ugur* argues that regional agreements only perpetuate world inequalities at another level; Bimal Ghosh* stresses that migration always defies bounded geographical arrangements and that the different paths taken by regions in their migration management could lead to tensions: closing borders in one region may for example divert flows to other areas. This points to the necessity of envisaging a global approach to migration that would ensure that regional agreements are coherent with each other.

Conclusion

This article reviewed the literature on the MWB scenario and assessed its relevance in the contemporary migration context. Throughout the world, states claim their will of controlling migration but are confronted to the extreme difficulty of developing policies that match this ambition. The number of people on the move is not going to decrease in the near future and it will therefore become increasingly apparent that even the most sophisticated and costly measures of control do not truly stop people. Migrants will probably remain the main victims of this unsatisfactory approach to migration, as they will be exposed to ever greater levels of risk in their cross-border movements. It is urgent to think of sustainable migration policies that will enable states to address coherently and more successfully the challenges of migration.

It may seem naïve to suggest that the MWB scenario can provide answers to current problems. But is equally naïve to assume that relatively minor arrangements of the contemporary migration system will provide long-term and successful answers. The MWB scenario has the advantage of being ethically defendable, and of usefully complementing the human right to emigration by a symmetric right to mobility. In a globalised world, movement of people is not an anomaly to be exceptionally tolerated; it is a normal process embedded in socio-economic structures as well as in migrants' transnational lives and identities. There is ample evidence that the classic migration pattern of permanent settlement does not apply to all contemporary cases of human movement, and policies should therefore take into account new practices of circulation. This would not only be more respectful for the aspirations of many people on the move; it would also lead to easier return migration and smaller rates of permanent settlement.

The social and economic consequences of the MWB scenario remain extremely complex however, and this review has highlighted the numerous uncertainties surrounding it. It is therefore necessary to examine both the strengths and weaknesses of this scenario, and to keep in mind that, while free movement may be a desirable option, it is also a complex goal that requires careful thinking. The MWB scenario is nor a straightforward and simple measure that would eliminate all injustices at once, nor an unrealistic utopia. It is an inspiring vision for the future of migration and a precious source of ideas to imagine fairer migration policies.

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