The history of mobility is the story of humankind—of various groups of people moving out of the African cradle and gradually spreading across all continents. It is a story of contacts and exchanges across groups and of population splits and fusions that resulted in the emergence of distinct ethnicities, languages, and cultures and shaped today’s world. Mobility has often driven economic and social progress—for example, by enabling the transmission of ideas and technology. But at times, it has also brought immense suffering. The main causes of these movements are well known to consumers of the daily news and students of history alike: a desire for a better life and fear of persecution or harm.

People’s ability to move across borders today varies significantly, depending on which passport and which skills they have. Movements are easing for some people (such as citizens of high-income countries or high-skilled workers), even as they are tightening for others (such as migrants from low-income countries or irregular migrants). The polarization of migration debates is part of a broader backlash against globalization. Similar trends prevailed in the Western world toward the end of the nineteenth century, leading to a similar antiglobalization sentiment and higher barriers to cross-border migration and trade in the run-up to World War I. Yet what is often taken as the “normal” state of affairs—the current understanding of cross-border mobility and the way it is managed—is just a moment in history.

Match: Economic and political considerations

For most of recorded history, migration was not only permitted but often encouraged. The power of rulers was frequently measured by the number of their subjects. But attracting subjects was a challenge. After conquering Constantinople in 1453, Mehmed II strove to repopulate it by attracting people from all over the empire and releasing captured prisoners in the city. His son Bayezid II invited and settled the Sephardic Jews expelled from Spain after the Alhambra Decree in 1492. As late as 1857, the Ottoman sultan issued a decree permitting anyone to immigrate who agreed to be a subject and abide by the Ottoman Empire’s laws. This decree was published widely in European newspapers, and the ruler enticed newcomers with guarantees of citizenship, religious liberty, tax concessions, free cattle, plots of agricultural land, and temporary financial aid.

As nation-states developed, systems were gradually put in place to regulate cross-border movements. The arrangements reflected the interests of powerful constituencies or democratic majorities, and they were based on a mix of economic, social, and cultural considerations. These systems were striking in their diversity across regions and countries and in the ways they constantly adjusted to evolving circumstances.

Some countries went so far as to seal themselves from any foreign influence, restricting immigration and even short-term visits. This approach to migration, dominant in Japan between 1630 and 1850 under the Sakoku policy of the Tokugawa shogunate, had lasting consequences for the country’s culture and history. Similarly, under the Joseon dynasty, Koreans were forbidden to travel abroad except on
diplomatic missions to China or Japan. Some trade with China and Japan was allowed, but the country was closed to other outsiders.12

Elsewhere, countries such as the United States have long defined themselves as the lands of immigration. “Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore” is inscribed on a plaque affixed to the Statue of Liberty in New York Harbor. Still, the level of openness has varied greatly over time, reflecting both economic conditions and national or racial prejudice. In the United States, the initial inflows of migrants came from a handful of European countries, typically through private enterprises, with little government intervention. With the country’s expansion in the nineteenth century, the need for labor and the available opportunities expanded dramatically, while parts of Europe were undergoing political, economic, and social turmoil. Immigration increased 200-fold between 1820 and 1850, primarily from Ireland and Germany, and later from Italy and Central, Eastern, and Northern Europe. This influx was not without controversy, however, and throughout the nineteenth and early twentieth centuries nativist movements emerged.13 In response, the US federal government sought to restrict the flows. In 1882, with passage of the Chinese Exclusion Act, it curtailed Asian immigration. In 1917, it introduced a literacy requirement to curb low-skilled migration, particularly from Europe.14 Then in 1924, it imposed national quotas through the Immigration Act.15 The country reopened to large-scale migration with passage of the 1965 Hart-Celler Act, a by-product of the civil rights movement and an integral part of President Lyndon B. Johnson’s Great Society programs. Race-based quotas were replaced by preferential categories based on family relationships and skills. Gradually, immigration from Asia, Latin America, and Africa became more common. Today, the debate remains intense as political controversies over low-skilled and mostly undocumented migration from Central and South America have led to a succession of policies aimed at curbing irregular migration movements.

Many European countries have gone through similar periods of relative openness and restrictions. In premodern Europe, border and immigration control was the exception rather than the rule. The United Kingdom was the first country to introduce an alien law that restricted immigration—in 1793.16 Yet mobility remained largely unhindered across the continent, and people could move and settle across borders relatively easily until 1914.17 A system of control was introduced only with the outbreak of World War I—initially for national security considerations, later as part of protectionist efforts in the Great Depression era, and even later to deal with the large movements of refugees during and after World War II, which reshaped the human geography of the continent.18 Western Europe’s reconstruction effort, and the rapid economic growth that followed for almost three decades, led to a rapid increase in the demand for labor. Several “guest worker” programs were put in place to attract people from within and outside Europe, originally on a temporary basis. At the same time, politics—the Cold War and the decolonization process—produced an influx of displaced persons who were rapidly absorbed by receiving countries. These open policies came to a halt, however, with the 1973–74 oil shock and the ensuing economic recession.19

Today within Europe, about half of new migrants arrive on a work visa and the other half as family members, students, or asylum-seekers—and some are undocumented.20 Their integration has been uneven, and it is increasingly controversial, especially where the economy is sluggish and politics are polarized. Although immigration from outside the European Union was curtailed, mobility within the regional bloc is encouraged, and it increased sharply following the 1985 Schengen Agreement and the expansion of the European Union.21 This pattern—facilitation of some movements, restriction of others—is an illustration of the two forces at play in setting migration policies: economic forces and political considerations.

Very different patterns prevailed in Persian Gulf countries. In the oil-producing countries of the Gulf Cooperation Council (GCC), migration increased dramatically from 241,000 migrants in 1960 to over
30 million in 2020. Although there had been a long history of permanent trading posts along the Persian Gulf coast and a trickle of South Asian migrants under British colonial rule, movements accelerated from the 1970s on, mainly because of the oil boom and accompanying investments. Governments put in place contractual arrangements with a range of origin countries to attract large numbers of migrant workers on a temporary basis. In just a couple of decades, the region was transformed as migrants became indispensable to the economy. By 2020, migrants accounted for about half the region’s population and over 80 percent in Qatar and 90 percent in the United Arab Emirates.

Migration patterns are different in other parts of the world, especially in low-income countries, although they are still heavily influenced by a mix of economic and political considerations. Some South-South migrants move to regional economic hubs in the hope of finding better jobs—hubs such as Angola, Brazil, Chile, Malaysia, Mexico, South Africa, or Thailand. These movements can be temporary or permanent. Other movements take place across borders that do not correspond to ethnic or cultural distinctions but instead to the legacy of colonial administrative boundaries, such as in Africa. In some contexts, such as South Africa, migration has led to social tensions, rejection, and even incidents of violence. In others, migrants are encouraged to come. For example, residents of the former Soviet Union are encouraged to migrate to the Russian Federation. Once again, the patterns reflect a combination of economic forces and political considerations.

Motive: The concept of international refugee protection

Until World War I, people fleeing war or persecution were not regarded as a matter of international concern. Instead, they were generally dealt with on an ad hoc basis by affected states and their allies when problems arose. Because states were traditionally the only subjects of international law, individuals had to rely on their state of nationality to “protect” them in relation to other states—for example, through documentation for international travel, representation in disputes with other states, and other forms of diplomatic protection. However, individuals who had been expelled or displaced from their origin country and had lost their nationality in a de jure or de facto sense were unable to depend on that country to fulfill its protection obligations in relation to other states. These individuals needed protection from a substitute entity.

The first legal framework for international protection was developed by Fridtjof Nansen in the aftermath of the Russian Revolution. A renowned Arctic explorer and a diplomat, Nansen (1861–1930) was appointed High Commissioner for Refugees at the League of Nations in 1921 with a mandate to secure the resettlement of about 2 million Russian refugees. Without legal status in their country of refuge, the refugees were unable to move elsewhere because they could not obtain travel documents from the Soviet Union. In response, Nansen devised a system of international travel documents that became known as the “Nansen passports.” It was eventually extended to other groups of people fleeing crises deemed to be “of international concern,” including Greek, Bulgarian, Turkish, and Armenian refugees. The Nansen passport provided both a legal status and a form of international protection for its holders, enabling them to cross borders in search of work. It was issued to about 450,000 refugees and was recognized by more than 50 governments.

This approach was transformed after World War II to adjust to new patterns of displacement. The United Nations High Commissioner for Refugees was established with a dual mandate of international protection and solutions, and international standards were codified in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. Under these instruments, refugees are defined as those who are outside of their country of nationality because of a well-founded fear of persecution against which their country of nationality is unable or unwilling to provide protection. The international
refugee protection regime granted to these individuals includes a list of specific rights that signatory states committed to provide. Among those is the principle of non-refoulement: countries shall not forcibly return or deport a refugee or asylum-seeker to a country or territory where he or she faces threats to life or freedom because of race, religion, nationality, membership in a particular social group, or political opinion. The refugee protection regime is based on the notion of international responsibility-sharing, even though there is no compulsory mechanism for collective action—a deficiency that is at the root of many of the current challenges.

The international architecture for refugees has continued to adapt to changing circumstances—from the aftermath of decolonization to the end of the Cold War to the emergence of new forms of fragility. The definition of refugees has been expanded through regional legal instruments in Africa (the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa) and in Latin America (the 1984 Cartagena Declaration on Refugees) to reflect circumstances specific to these two regions. Other regions and countries, such as the European Union and the United States, have developed arrangements to provide complementary forms of protection to specific groups or individuals who do not meet the traditional refugee criteria. The recent movements of people out of República Bolivariana de Venezuela have raised new questions about who should qualify as a “refugee” or as “in need of international protection.” Defining who should be granted international protection—and accepted regardless of society’s labor needs—has been an ever-evolving issue, and it continues to drive the public debate in many countries.

Notes
1. Armitage et al. (2011); Beyer et al. (2021).
23. Hameed (2021); Khadria (2016); Naufal (2011); Winckler (1997).
28. Chudinovskikh and Denisenko (2017); Nikiforova and Brednikova (2018).
30. Aleinikoff and Zamore (2019); Goodwin-Gill (2020).
32. UNHCR (2011).
33. “For the purposes of the present Convention, the term ‘refugee’ shall apply to any person who . . . , owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it” (OHCHR 1951, articles 1.A and 1.A.2).
34. OHCHR (1951, article 33).


