

4 Global Migration Management, Order and Access to Mobility

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Migration governance is often described as an exceptional case in world politics. There are at least two ways in which it differs from the established pattern: One is the lack of international cooperation. In the post-war decades, states have established institutionalized forms for cooperation in an expanding range of issue areas, usually by setting up a specialized agency within the United Nations (UN) system. In contrast, the field of migration is characterized by its lack of multilateral cooperation.¹ Another deviation concerns its regulation. In an era often described by catch phrases such as *flows*, *de-territorialization* and *interconnectedness*, what we have seen in migration policy is instead a reassertion of sovereign territoriality as states increasingly have sought to control and filter those who cross their borders.² The result is that conditions for international movement differ considerably between different groups of people.³

If these two deviations from the pattern have characterized migration policy in the first post-Cold War decade, they may now be modified. After having been a neglected area in international affairs, cross-border migration now attracts a great deal of attention from policy-makers at different levels. Over the past relatively few years a number of international organizations, agencies and institutions have started to engage with the issue from their respective perspectives. Moreover, new forums have mushroomed both at the regional and global levels.⁴ Although the complex and opaque governance

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- 1 Bimal Ghosh, Managing Migration. Towards the Missing Regime?, in: Antoine Pécoud/Paul de Guchteneire (eds.), *Migration Without Borders. Essays on the Free Movement of People*, Oxford/New York 2007, pp. 97–118.
- 2 Peter Andreas, Redrawing the Line. Borders and Security in the Twenty-First Century, in: *International Security*, 28. 2003, no. 2, pp. 78–111.
- 3 Anja Weiß, The Transnationalization of Social Inequality. Conceptualizing Social Positions on a World Scale, in: *Current Sociology*, 53. 2005, pp. 707–728.
- 4 Kathleen Newland, *The Governance of International Migration. Mechanisms, Processes and Institutions*, Geneva 2005.

structures that emerge are still far below the standards of a traditional and binding international regime⁵, they nevertheless seem to testify to a recognition that this topical issue has to be met at least partly through cooperation and dialogue at the global level.

Besides institutional developments there has also been a remarkable turn-around in migration policy discourse. After having approached migration mainly as a problem or threat, politicians now tend to focus on its potential economic and social benefits.⁶ This renewed optimism particularly concerns its potential to contribute to growth and development in both origin and destination countries. Most of the international institutions and forums just described tend to focus precisely on the issue linkage with development⁷, which sets another tone than the previously dominating linkage with security.

This contribution aims to explore these recent policy developments. It does so through investigating the meanings and implications of *migration management*, which has become the new buzzword in this institutional and discursive context.⁸ The term management signals a relatively optimistic view of migration, recognizing the benefits of international cooperation and of opening up more regular channels for movement, and therefore approaches migration as something to be managed rather than controlled – what are the actors mobilizing the term migration management at the global level? How are the issue of migration as well as the goals of migration policy articulated? Does migration management pose a challenge to the existing structure of mobility rights?

Globalization and Mobility

»[T]here is a curious inconsistency between the nature and extent of controls on human freedom and the dominant ideology of our time: liberalism [...] the free, rational individual – unbound by authority – is a principle tenet of liberalism. It is odd, then, that political and economic liberalism has come to blossom at a time when political authorities effectively shackle these rational individuals to a given territory.«⁹

5 Stephen D. Krasner, Structural Causes and Regime Consequences. Regimes as Intervening Variables, in: *International Organization*, 36. 1982, no. 2, pp. 185–205.

6 See the contribution of Bimal Ghosh in this volume.

7 Stephen Castles, Development and Migration. Migration and Development. What Comes First? Global Perspectives and African Experiences, in: *Theoria*, 56. 2009, pp. 1–31, here p. 5.

8 Martin Geiger/Antoine Pécoud, The Politics of International Migration Management, in: idem (eds.), *The Politics of International Migration Management*, Basingstoke 2010, pp. 1f.

9 Jonathon W. Moses, *International Migration. Globalization's Last Frontier*, London 2006, pp. 36f.

The current era of trans-border interconnectedness contrasts starkly with the so-called first global century (1820–1913): That period was characterized by the dismantling of mercantilism and the rapid expansion in transatlantic trade and investments, and also by the relatively unrestricted migration regime.¹⁰ It has been estimated that at least 50 million people left Europe for the New World in this period. Many of the emigrants were poor, which demonstrates that mobility was not treated as merely a privilege for the elite. Furthermore, international norms of the time regarded free migration as a central element of individual liberty, as evidenced by documentation from several international conferences and high-level meetings.¹¹ The First World War ended the free regime of movement and it has not been restored since. Instead, as the quote above describes, contemporary liberal politics is characterized by its neglect of free migration. The current form of globalization has so far been partial, selective – tearing down barriers to the movement of goods and capital, while simultaneously strengthening control over the movement of people.

To begin to understand this apparent contradiction one needs to take into account the pessimistic view of migration that until recently has marked this period of globalization. Among policy makers as well as among many social scientists, migration has been approached as a sign of development failure rather than as a resource for development; something that could and should be avoided by policies aiming for growth, efficiency and development, prescribed in for instance structural adjustment programs associated with the so-called Washington Consensus. Specifically, the notion has been that if trade and investment flows were liberalized, gains in growth and employment would follow which eventually would cause labor migration flows to ebb out.¹² The consequence has been a marked asymmetry in mobility rights between capital and labor.¹³ Moreover, different groups of people also tend to move with widely varying degree of ease. To some sociologists, mobility is now becoming an increasingly important dimension of transnational inequality.

10 Jeffrey G. Williamson, *Winners and Losers over Two Centuries of Globalization*, Cambridge 2002.

11 Moses, *International Migration*, p. 47.

12 Deepak Nayyar, *Cross-border Movements of People*, in: idem (ed.), *Governing Globalization. Issues and Institutions*, New York 2002; Douglas S. Massey et al., *Worlds in Motion. Understanding International Migration at the End of the Millennium*, Oxford 1998.

13 Doreen Massey, *Imagining Globalization. Power-Geometries of Time-Space*, in: Avatar Brah/Mary J. Hickman/Martin Mac an Ghail (eds.), *Global Futures. Migration, Environment and Globalization*, Basingstoke 1999, pp. 27–44.

Anja Weiß argues that social positions within a world system are not only determined by differing access to resources, but also by varying levels of »spatial autonomy«. ¹⁴ Zygmunt Bauman holds that the actual freedom to move is becoming »the main stratifying factor of our late-modern or post-modern times.« ¹⁵ Then how is access to transnational mobility structured? It partly reflects the division between North and South. Mark Salter writes:

»In this post-Cold war, post-modern, postcolonial era, we see a bifurcation in the contemporary regime of international movement. Citizens of the developed North have a freedom of movement that is legitimated by domestic and international government structures. Citizens and refugees of the developing South, however, are restricted in their movement both domestically and internationally.« ¹⁶

The freedom of movement one enjoys is hence partly determined by one's citizenship. It is therefore one important example of how profoundly one's life prospects are affected by such an arbitrary condition as place of birth. To Joseph Carens, »Citizenship in Western liberal democracies is the modern equivalent of feudal privilege – an inherited status that greatly enhances one's life chances.« ¹⁷ Several political theorists now also want to expand the notion of global justice to not only include just distribution of resources but also just distribution of membership. ¹⁸

Besides citizenship, social class also significantly impacts the stratification of freedom of movement. ¹⁹ Western elites, including businesspeople, journalists and academics are in a privileged position. But highly skilled citizens of the global South who possess qualifications that are needed in Northern labor markets also often have relatively good chances of transnational mobility. In contrast, the current phase of globalization is much less friendly to the migration of low-skilled people than the previous wave of globalization referred to above. The low-skilled are largely expected to stay within their borders, or – if they choose to move anyway, they often must expose themselves to the risks associated with irregular movement. ²⁰ The stratifica-

14 Weiß, *The Transnationalization of Social Inequality*.

15 Zygmunt Bauman, *Globalization. The Human Consequences*, New York 1998, p. 2.

16 Mark B. Salter, *Rights of Passage. The Passport in International Relations*, Boulder 2003, p. 2.

17 Joseph Carens, *Aliens and Citizens. The Case for Open Borders*, in: *The Review of Politics*. 49. 1987, pp. 251–273, here p. 252.

18 Seyla Benhabib, *The Rights of Others. Aliens, Residents and Citizens*, Cambridge 2004; Nancy Fraser, *Scales of Justice. Reimagining Political Space in a Globalizing World*, Cambridge 2008.

19 Sara Kalm, *Governing Global Migration*, Ph.D. Thesis, Lund University, 2008.

20 Nigel Harris, *Thinking the Unthinkable. The Immigrant Myth Exposed*, London 2002, p. 41.

tion of mobility hence tends to reflect, and maybe also reinforce existing global inequalities. In the words of Mark Duffield, »What is at stake [...] is the West's ability to contain and manage international poverty while maintaining the ability of mass society to live and consume beyond its needs.«²¹

As these remarks outline, migration controls have been tightened at the same time as the movement of trade and capital has been liberalized. This seems to clearly contradict the »spirit« of globalization. Moreover, different groups of people enjoy very different levels of freedom of movement, where the movement of the low-skilled citizens of the global South is subject to most restrictions. An important question for the current century is whether or not the contradiction in terms of mobility rights between capital and labor will be possible to sustain or how it otherwise will be resolved; by putting an end to global trade, or by opening up for more migration.²² The global migration management initiatives represent a call for the latter alternative, emphasizing the positive contributions of migration and the need for a more open migration regime. Thereby, and as we will see below, it diverges in several and interesting ways from the stratification of freedom of movement.

Towards A Global Governance of Migration?

Martin Geiger and Antoine Pécoud argue that the term *migration management* refers to several different trends: how an expanding set of *actors* have become involved in migration, the specific *discourses* on migration and the goals of migration policy that justify actions, and a number of concrete policy *practices*.²³

Starting with the actors and institutions of migration management the first observation to be made is the comparatively low level of institutionalized cooperation between states in comparison to many other areas of international affairs. The issue of refugees and forced migration marks a clear exception: the refugee regime is based on the norms set out in the Geneva Convention of 1951 and has a clear center in the organization of the United Nations High Commissioner for Refugees (UNHCR). But refugees constitute a separate area in international law, and so-called voluntary or economic/labor migration significantly lags behind when it comes to international co-

21 Mark Duffield, Global Civil War. The Non-Insured, International Containment and Post-Interventionary Society, in: *Journal of Refugee Studies*, 21. 2008, no. 2, pp. 145–165, here p. 162.

22 Douglas S. Massey/J. Edward Taylor, Back to the Future. Immigration Research, Immigration Policy, and Globalization in the Twenty-First Century, in: idem (eds.), *International Migration. Prospects and Policies in a Global Market*, Oxford 2004, pp. 373–388, here p. 378.

23 Geiger/Pécoud, *The Politics of International Migration Management*.

operation. Another caveat should be added immediately: there are examples of far-reaching interstate cooperation in some world regions, most notably in the EU.²⁴ But there is no binding international regime setting out norms, rules and decision-making procedures for governing (labor/voluntary) migration at the global level, in contrast to issue areas such as trade, climate change and human rights.²⁵ One reason is states' general unwillingness to cooperate on issues such as migration that are perceived as being closely related to the core of Westphalian sovereignty: the control over territory and population. Another factor that inhibits cooperation is the absence of a joint vision and the existence of widely differing interests between origin and destination states in this issue area.²⁶

Nevertheless, the recent past has witnessed a surge in interest in international migration on part of the international community. For the very first time, migration was discussed in an international policy setting in 1994, in the context of a subtheme of the International Conference on Population and Development (ICPD) in Cairo (Egypt). The ICPD's program of action made a relatively optimistic outlook on the developmental potential of migration, and advocated more cooperation between sending and origin states. It would, however, take a long time before interstate cooperation again appeared at the global policy agenda. Over the course of the 1990s, several UN General Assembly resolutions called for an international conference exclusively focused on migration; however, the major destination countries swiftly thwarted this. Apart from the question of refugees and the area of forced migration, international migration was largely absent from the global agenda for most part of the 1990s.²⁷ Yet, the need for more international cooperation was not wholly forgotten. For instance, in 2001, it was restated in the UN World Conference against Racism. Two years later, the UN Secretary-General along with a number of governments established the independent Global Commission on International Migration (GCIM). This forum was mandated to put international migration at the global agenda and to suggest improvements in the field of migration governance, it was made up of representatives of governments from different world regions as well as business, labor, human rights groups etc., and the final report (entitled: ›Migration in an Inter-

24 For overviews, see Pécoud/de Guchteneire (eds.), *Migration Without Borders*.

25 Alexander Betts, *Global Migration Governance*, Oxford 2008.

26 Sara Kalm, *Limits to Transnational Participation*. The Global Governance of Migration, in: Christer Jönsson/Jonas Tallberg (eds.), *Transnational Actors in Global Governance. Patterns, Explanations, and Implications*, Basingstoke 2010, pp. 134–154.

27 Bimal Ghosh, *Managing Migration*. Interstate Cooperation at the Global Level – Is the Emergence of a New Paradigm of Partnership Around the Corner?, in: *Interstate Cooperation and Migration*, Berne/Geneva 2005, pp. 108–135; Newland, *The Governance of International Migration*.

connected World: New Directions for Action»), containing six principles and 33 specific recommendations, was seen as an important consensus document.²⁸

New decisive steps were taken in 2006, when the UN General Assembly held its first High-Level Dialogue on Migration and Development.²⁹ At that occasion, state delegates displayed only little appetite for new highly institutionalized forms of cooperation. In a report preceding the High-Level Dialogue, the Secretary-General had suggested that forms for continued dialogue be organized. Most states approved this idea but had different preferences as to the specifics of such dialogue. One group opted for an open-ended, non-bureaucratic, non-decision-making forum for consultation. Another group, that included China and the Group of 77, wanted discussions to be more formal in character and take place within the UN framework. A few states rejected any sort of forum. This position was taken among others by the United States and Australia. Other important destination states, such as the EU members, were however favorable to the idea of setting up a forum.³⁰

The following year, Belgium was the host of the first Global Forum on Migration and Development (GFMD). The forum has been convened annually since then, each year in a different country. The organizational structure is closest to the one promoted by the first group mentioned above. It is not an arena for formal negotiations and it is not an international organization. It merely offers a space for informal discussions between state delegates, standing formally outside of the UN system.³¹ In comparison to many other forms of international cooperation and dialogue, the GFMD's interaction with civil society is quite restricted. Each year, a civil society organization from the host country has organized so-called *civil society days* parallel to state sessions, but consultation with states has so far been limited to a short interface session. Still, civil society activities have burgeoned during the GFMD sessions. Some groups seek influence through participation in the civil society days while others reject the GFMD altogether and instead organize oppositional events and demonstrations.³² The non-committing/non-binding character of the GFMD is quite telling of global migration govern-

28 Philip Martin/Susan Martin, GCIM. A New Global Migration Facility, in: *International Migration*, 44. 2006, no. 1, pp. 5–12.

29 See the contribution of Catherine Wihtol de Wenden in this volume.

30 Philip Martin et al., High-Level Dialogue on Migration and Development, in: *International Migration*, 45. 2007, no. 1, pp. 7–25.

31 Romeo Matsas, *The Global Forum on Migration and Development. A New Path for Global Governance?*, Bonn 2008.

32 Stefan Rother, Inside-Outside or Outsiders by choice? Civil Society Strategies towards the 2nd Global Forum on Migration and Development (GFMD) in Manila, in: *Asien. The German Journal on Contemporary Asia*, 2009, pp. 95–107.

ance. States have so far tended to avoid binding multilateral instruments in this area. Only a small minority of states has ratified the relevant ILO Conventions. The UN Convention on the Protection of the Rights of Migrant Workers and Members of their Families has met a similar fate. After it was adopted in the UN General Assembly in 1990 it took 13 years before it got the sufficient number of ratifications to enter into force.³³ At the time of writing, it has only been ratified by slightly more than 40 states, not including any of the major destination states. On the other hand, soft law instruments, vague guidelines and principles have flourished. The most important one is probably the ILO Multilateral Framework on Labour Migration, which spells out a set of non-binding principles and guidelines for the formulation and implementation of labor migration policies.

Another example is the Berne Initiative, which was initiated in 2001 by the Swiss Government. In its work it organized consultations with states in all regions in order to develop a joint approach to migration management. Its final document, called International Agenda for Migration Management (IAMM), is explicitly non-binding, and it consists of *common understandings* and *effective practices*. A final example is the so-called Hague Process. Launched in 2000 by the Netherlands' chapter of the Society for International Development, it included around 500 representatives from governments, international organizations, nongovernmental organizations as well as academia and is widely perceived as a civil-society initiative. Its final report, the Hague Declaration, includes 21 principles for migration policy.³⁴

In the light of all these developments and institutions, what is most important, is the fact that at present there is no single international organization that can provide the core of migration management in the way that WTO and UNHCR do for the trade and refugee regimes respectively. Instead, a large number of international organizations tackle migration from their respective points of view. For instance, while the ILO deals with questions regarding labor migration, the WHO deals with the migration of health care workers and the UNHCR handles mixed refugee-migrant flows. Following upon a lengthy period of uncoordinated activities, in 2006 the Global Migration Group (GMG) has been set up to coordinate the actions of the 14 most involved organizations through recurrent meetings between directors. Within the GMG, the International Organization for Migration (IOM) deserves special mentioning. At present IOM is the only interstate organization that deals exclusively with migration. Established in 1951, it has grown considerably

33 Antoine Pécoud/Paul de Guchteneire, *Migration, Human Rights and the United Nations: An Investigation into the Low Ratification Record of the UN Migrant Workers Convention*, Geneva 2004.

34 Susan Martin, *The Legal and Normative Framework for International Migration*, Geneva 2005, pp. 36f.

over the course of the two decades as Western states' control ambitions have increased after the end of the Cold War. It now has 127 member states, 440 field offices and 7,000 members of staff. It is not part of the UN system and is therefore often described as lacking in normative authority. Its work is almost exclusively project-based and its operations are commissioned by states.³⁵ The IOM is also a key promoter of the term *migration management*. Bimal Ghosh originally coined the term in the early 1990s. The NIROMP project (New International Regime for Orderly Movements of People)³⁶ advocated the establishment of a binding regime, and it was in this sense that IOM (the main executing agency in this project) first used the term.³⁷ But in the early 2000s, the post-Cold War optimistic view of international cooperation had waned. As governments' attitude to binding international regimes became increasingly weaker, IOM began to use the term *migration management* in a more loose and imprecise way.³⁸

To sum up, there is still no binding international regime on migration. However, an expanding number of international actors have lately become involved in migration. States still want to avoid binding commitments in this area, but new forums and arenas provide space for discussion, and several collections of guidelines and principles have been elaborated.

The Discourse of Migration Management

This section explores the discourse on migration management as it appears among agencies and forums operating at the global level.³⁹ It has been argued that cooperation on migration is inhibited by a lack of consensus on the subject, as states disagree on the causes of migration as well as whether it is desirable to liberalize or restrict it.⁴⁰ However, many actors are now involved in consensus-shaping activities. We have seen above that a number of organizations, commissions and initiatives have published reports on how to improve migration governance. Although weak and non-binding, the guide-

35 Fabian Georgi, For the Benefit of Some. The International Organization for Migration and its Global Migration Management, in: Geiger/Pécoud (eds.), *The Politics of International Migration Management*, pp. 45–72.

36 See the contribution of Bimal Ghosh in this volume.

37 Geiger/Pécoud, *The Politics of International Migration Management*, p. 2; Bimal Ghosh (ed.), *Managing Migration. Time for a New International Regime?*, Oxford 2000.

38 Georgi, *For the Benefit of Some*, pp. 59f.

39 Parts of this analysis have previously appeared in my dissertation; Kalm, *Governing Global Migration*.

40 Sarah Martin, *The Legal and Normative Framework for International Migration*, pp. 37f.

lines and principles thus elaborated reflect a minimum level of consensus, and they may also have a certain normative power in the longer run. The dominating way in which a social phenomenon is understood will have consequences for policy. In this context, it is therefore important to study the particular knowledge of migration that is expressed in migration management documents.

International migration, first, is increasingly described as a permanent or normal phenomenon in world affairs. For instance, the previously mentioned Hague Declaration emphasizes that »[i]t is essential to understand migration as a normal fact of life for individuals, families, communities and states.«⁴¹ Specifically, migration is seen as such because it now occurs in the context of globalization:

»Today, globalization, together with advances in communications and transportation, has greatly increased the number of people who have the desire and the capacity to move to other places.«⁴²

The understanding of migration as permanent reflects the realization – or perhaps resignation – that migration is an unavoidable reality in a world of ever more intense trans-border flows and interdependencies.

»Migration reflects our times: with globalization bringing new technologies and deepening international integration and dependency, the movement of goods, services, capital and people has been greatly increased and facilitated.«⁴³

In short, the way that migration is linked to globalization is often understood as a combination of three elements: first, the persistent de facto disparities between rich and poor countries. Second, the increased awareness of these disparities that is brought about by such developments as the ICT revolution and the global reach of the media, and which strengthens the allure of the more developed countries. Third, the availability of means to overcome the mentioned disparities, including improved and cheaper costs of transportation as well as the establishment of migrant networks and the operation of the migration industry (legal or illegal) which facilitate the actual movement and seem to defy any governmental regulative effort. As goods, capital and information are moving ever more freely across national boundaries, it seems in effect impossible to exercise complete control over the movement of people. This stands in stark contrast to the previously dominating understanding of the relationship between different sorts of flows. That view, referred to

41 United Nations (UN), Declaration of The Hague on the Future of Refugee and Migration Policy, New York 2002, p. 5.

42 United Nations (UN), International Migration and Development. Report of the Secretary-General, New York 2006, p. 5.

43 International Catholic Migration Commission (ICMC), Connecting the Dots. A Fresh Look at Managing International Migration, Geneva 2009, p. 1.

above, assumed that trade and investment flows would actually substitute for the movement of labor. In contrast, it is now recognized that the liberalization of these flows increases migration: migration is both produced by globalization and made unstoppable by processes relating to it. As Stephen Castles has put it, »Globalization has the inherent contradiction of producing both a North-South gap and the technological and cultural means of overcoming this gap«⁴⁴, and: »Since the factors that enhance migration are unlikely to be reversed, migration is generally thought to continue and probably even increase in the future.«⁴⁵ What all this boils down to is the more or less outright admission that individual states do not have the capacity to prevent migration, something which they probably never did anyway but for long were hesitant to admit: »History shows that trying to keep people at home is not only costly, but futile.«⁴⁶ Stating that migration is now a permanent phenomenon seems to imply that pursuing a zero-immigration policy is not a feasible alternative. Hence, it calls for a more comprehensive re-orientation in migration policy. In an era of globalization, the world's population must be understood as potentially mobile. In such a setting it is not realistic for states to handle the issue unilaterally and in an ad hoc manner, treating it as temporary aberration from the normal state of things. The empirical claim that migration is unavoidable therefore challenges the control paradigm.

Migration is now also increasingly described as a (potentially) positive phenomenon. This contrasts with the perceptions of migrants as socially disruptive and as threatening to the welfare and security of receiving states, which have dominated affluent countries' immigration policies in the post-Cold War era.⁴⁷ In commenting on the discussions in the first two sessions of the Global Forum on Migration and Development, Philip Martin and Manolo Abella concluded that »[m]ost participants in the GFMD believe that more migration is inevitable, [and] that migration is generally beneficial to migrants and receiving countries.«⁴⁸ The self-presentation of the GFMD gives the same impression:

44 Stephen Castles, *Why Migration Policies Fail*, in: *Ethnic and Racial Studies*, 27. 2004, no. 2, pp. 205–227, here p. 223.

45 The Global Commission on International Migration (GCIM), *Migration in an Interconnected World. New Directions for Action*, Geneva 2005, p. 12; The Berne Initiative, *International Agenda for Migration Management*, Geneva 2004, p. 15.

46 UN, *International Migration*, p. 63.

47 Didier Bigo, *Globalized-In-Security. The Field and the Ban-Opticon*, in: Naoki Sakai/Jon Solomon (eds.), *Translation, Biopolitics, Colonial Difference*, Hong Kong 2006, pp. 109–155.

48 Manolo Abella/Philip Martin, *Migration and Development. The Elusive Link at the GFMD*, in: *International Migration Review*, 43. 2009, no. 2, pp. 431–439, here p. 437.

»The GFMD has established a new approach to migration by squarely moving development to the centre of the migration debate; and enabled a shift of the migration and development paradigm by promoting legal migration as an opportunity for development of both origin and destination countries, rather than as a threat.«⁴⁹

For destination states, the perceived benefits of migration mainly involve its potential for tackling labor market scarcities and the problems of aging populations. As mentioned above, developed countries are already competing over attracting highly skilled migrants who possess knowledge relevant to certain technical and professional sectors. This demand has led to a significant although highly unequal relaxation of migration policy, reversing the previous European ban on primary labor migration, and tilting the US emphasis from family reunification as the foremost reason for immigration.⁵⁰

But the need for migrants is not just limited to the highly skilled: aging and higher job expectations among the native populations are also producing shortages in sectors such as agriculture, construction and domestic services.⁵¹ Declining birth rates in many industrialized countries, notably Western Europe and Japan⁵², have caused shrinking and older populations. This is not only problematic for productivity but also for keeping pensions and welfare on politically and socially acceptable levels, and it might have to be partially solved by immigration.⁵³ The other factor, that increases the need for migration, is the refusal of natives to take in certain kinds of jobs for low-skilled workers. The GCIM explains that the competitiveness of the global economy has created a demand for »a flexible labor force« – »prepared to work for low wages and under difficult conditions. This demand can be satisfied by migrant workers from developing countries.«⁵⁴ In fact, it already is – we now

49 Global Forum on Migration and Development (GFMD), Report of the First Meeting of the Global Forum on Migration and Development, Brussels 2007, p. 16.

50 Nigel Harris, The Economics and Politics of the Free Movement of People, in: Pécoud/de Guchteneire (eds.), *Migration Without Borders*, pp. 33–50; Pradip Bhatnagar, *Liberalising the Movement of Natural Persons. A Lost Decade?*, in: *The World Economy*, 27. 2004, no. 3, pp. 459–472.

51 UN, *International Migration*, p. 12; United Nations Department of Economic and Social Affairs (UN DESA), *World Economic and Social Survey 2004. International Migration*, New York 2004, p. 79.

52 See the contribution of Hideki Tarumoto in this volume.

53 The UN Commission of Human Security (UNCHS), *Human Security Now*, New York 2003, p. 44.

54 GCIM, *Interconnected World*, p. 6.

have a »de facto liberalization of the global labor market«⁵⁵ as the demand for this specific labor is met by irregular migrants.⁵⁶

The policy suggestion that follows is therefore to expand possibilities for regular migration, not only of high-skilled but also for low-skilled workers, in order to satisfy this demand in an authorized and safe manner.⁵⁷ For sending countries, labor emigration has important developmental potentials.⁵⁸ The most tangible benefit here is remittances, the volume of which has expanded in recent years. The World Bank estimates that worldwide remittances in 2010 reached USD 440 billion, 325 of which went to the developing world.⁵⁹ While remittances are usually used for consumption, they are sometimes also invested and saved. Other potential developmental benefits include the enhancement of migrant skills, as well as the transfer of social, financial and cognitive resources when the migrant returns.⁶⁰ Diaspora networks may also contribute to development through collective investments in development projects back home.⁶¹ It has therefore become a trend for governments to tend to their diasporas, offering everything to them from formal recognition to tax cuts and voting rights.⁶²

There are two aspects of the optimistic outlook on migration that should be emphasized. One is the perceived relation between migration and development.⁶³ In contrast to the formerly dominating view of migration as being caused by (under)development, the direction of causality is now reversed: migration is now approached as a tool or instrument that can be used in order to bring about development.⁶⁴ It can even be argued that migration provides a way of transferring developmental benefits that fits particularly well with the spirit of our time. In the words of Devesh Kapur,

55 Ibid., p. 16.

56 The Berne Initiative, *International Agenda*, pp. 40f.

57 For a similar suggestion, see United Nations Development Programme (UNDP), *Human Development Report 2009. Overcoming Barriers – Human Mobility and Development*, New York 2009.

58 International Organization for Migration (IOM), *Essentials of Migration Management. A Guide for Policy-Makers and Practitioners*, vol. 2, Geneva 2004, sect. 2.3, p. 11.

59 Sanket Mohapatra/Dilip Ratha/Ani Silwal, *Outlook for Remittance Flows 2011–13*, Washington, DC 2011.

60 International Conference on Population and Development (ICPD), *Programme of Action*, Cairo 1994; The Berne Initiative, *International Agenda*, p. 58.

61 GCIM, *Interconnected World*, p. 30; The Berne Initiative, *International Agenda*, p. 59.

62 Alan Gamlen, *The Emigration State and the Modern Geopolitical Imagination*, in: *Political Geography*, 27. 2008, no. 8, pp. 840–856.

63 See the contribution of Doris Hilber and Tatjana Baraulina in this volume.

64 Ronald Skeldon, *International Migration as a Tool in Development Policy. A Passing Phase?*, in: *Population and Development Review*, 34. 2008, no. 1, pp. 1–18.

»[r]emittances strike the right cognitive chords. They fit in with a communitarian, ›third way‹ approach and exemplify the principle of self-help. People from poor countries can just migrate and send back money that not only helps their families, but their countries as well. Immigrants, rather than governments, then become the biggest provider of foreign aid.«⁶⁵

While ›migration-development‹ is associated with increased freedom of movement, this mobility also comes with a price. The responsibility for development is shifted from governments and corporations to individual migrants and diaspora groups who are expected to compensate for developmental mismanagement and global inequalities.⁶⁶ The particular embodiment of the ›ideal immigrant‹ vision⁶⁷ in migration management is mobile, thrifty, entrepreneurial and with a strong sense of responsibility towards homeland development. Partly following from the above, the second aspect of the positive view of migration that I want to stress is that the contemporary structure of global capitalism is taken for granted rather than questioned in the migration management discourse. As Gerald Boucher has argued, capitalism is somewhat implicitly assumed to be a solution rather than a problem:

»Not only are capitalists and the global capitalist system not part of the problem, the solution involves more capitalism in the form of neoliberal policies to deregulate states' control over the free mobility of migrant labour... After all, is it not capitalist employers, benefiting from neoliberal policies, who profit the most from the international migration of high- and low-skilled, and irregular labour?«⁶⁸

The Shift from Control to Management

This conceptualization of migration has consequences for the goals and the forms of migration policy and results in a shift from control to management. The permanent character of migration suggests that we *cannot* control, and the recognition of migrants' contributions suggests that we *shouldn't* – at least not in the sense of 100-percent migration restrictivism. Aiming at a restrictive migration regime would be both unrealistic and economically unwise. The term *management* is sometimes taken to suggest that states acknowledge that

65 Devesh Kapur, *Remittances. The New Development Mantra?*, New York/Geneva 2004, p. 7.

66 Parvati Raghuramm, *Which Migration, What Development? Unsettling the Edifice of Migration and Development*, in: *Population, Space and Place*, 15. 2009, no. 2, pp. 103–117.

67 Bonnie Honig, *Democracy and the Foreigner*, Princeton 2003.

68 Gerard Boucher, *A Critique of Global Policy Discourses on Managing International Migration*, in: *Third World Quarterly*, 29. 2008, no. 7, pp. 1461–1471, here p. 1464.

they find themselves in an unavoidable situation with which they must deal.⁶⁹ As was demonstrated previously, this situation is also perceived as to be turned into something positive. As explained by the Berne Initiative,

»[d]ebates regarding whether to have immigration or not are being replaced by debates on how to manage migration to maximize the positive effects that migration – skilled and unskilled, temporary and permanent – can have.«⁷⁰

The overall goal of migration policy here appears as one of optimization: to maximize the positive contributions while at the same time minimizing the negative consequences of migration.⁷¹ But then, we have to ask ourselves: for *whom* is migration to be optimized? Whose interests shall it be designed to serve? The position in the migration management discourse is that everybody could gain.

»The challenge for States is to maximize the positive effects while minimizing the negative implications of migration for States, societies and the migrants themselves.«⁷² This discursive element together with the main slogan of the IOM, Managing Migration for the Benefit of All, connotes the general idea of a win-win-win (triple win) situation when it comes to governing international migration. Migration is described as potentially working in the service of both sending and receiving states as well as the individual migrants themselves:⁷³ »There is an emerging consensus that countries can cooperate to create triple wins, for migrants, for their countries of origin and for the societies that receive them.«⁷⁴

The insistence on shared interests and a triple win outcome is instrumental insofar as it creates possibilities for cooperation in an issue area that has so far been marked by divergent interests between origin and destination countries. But it also displays a liberal institutionalist conviction that joint gains are attainable. This idea seems a modern and secular manifestation of »harmony ideology«, as anthropologist Laura Nader has pointed out.⁷⁵ By emphasizing common interests and downplaying conflict and power asym-

69 Savitri Taylor, From Border Control to Migration Management. The Case for a Paradigm Change in the Western Response to Transborder Population Movement, in: Social Policy and Administration, 39. 2005, no. 6, pp. 563–586.

70 The Berne Initiative, International Agenda, p. 34.

71 International Organization for Migration (IOM), World Migration 2003. Managing Migration. Challenges and Responses for People on the Move, Geneva 2003, p. 52; GCIM, Interconnected World, p. 23.

72 The Berne Initiative, International Agenda, p. 15.

73 Ibid., p. 15 and 58; ICPD, Programme of Action, sect. 10.1.

74 UN, International Migration, p. 5.

75 Laura Nader, Harmony Ideology. Justice and Control in a Zapotec Mountain Village, Stanford 1990.

metries, the term migration management, like other managerial concepts (such as security management or water management), depoliticizes its subject by presenting it as a technical problem rather than a matter of political choice.⁷⁶ In Fabian Georgi's words:

»What previously was politics of migration, with all its connotations – principles, power, interests and conflicts – has been transformed into nondescript, apolitical migration management.«⁷⁷

What, then, does migration management entail concretely – given that it is presented as a tool for maximizing the benefits of migration? According to the IOM's ›Glossary on Migration‹ the term is used to

»encompass numerous governmental functions and a national system of orderly and humane management for cross-border migration, particularly managing the entry and presence of foreigners within the borders of the State and the protection of refugees and others in need of protection.«⁷⁸

In general terms, migration management refers to a comprehensive approach to migration policy⁷⁹: Migration cannot be dealt with in isolation, but an integrated approach must be taken so that migration policy is complemented by measures in other areas. The Berne Initiative states that migration is linked to, for instance, economic, social, labor, trade, health, cultural and security domains.⁸⁰ Whereas the linkage between migration and security has got the most attention, especially since September 11, the Global Commission on International Migration (GCIM) emphasizes that migration is also linked to such areas as development, human rights and good governance. In order to produce positive outcomes, migration policy needs to be complemented by policies in these other areas which do both: They affect migration and are affected by migration themselves.⁸¹ This stresses the need for enhanced capacity and coordination at the national level. Issues of migration are often addressed by several governmental ministries, and with poor coordination between them, the result is policy incoherence. Therefore, enhancing the coordination between various governmental agencies is perceived as vital for effective migration management.

The comprehensive approach also concerns the scope for migration policy. Migration policy does no longer equate only control at the border, but

76 Georgi, *For the Benefit of Some*, p. 56.

77 Ibid., p. 64.

78 International Organization for Migration (IOM), *Glossary on Migration*, Geneva 2004.

79 Geiger/Pécoud, *The Politics of International Migration Management*, p. 2.

80 The Berne Initiative, *International Agenda*, p. 29.

81 GCIM, *Interconnected World*, p. 8f.

should span all the stages of the migratory process – from the causes of migration, its means and routes, to the regulation of entry, settlement, integration and return.⁸² The comprehensive global migration management documents therefore contain sections on a wide variety of fields. The recommendations of the GCIM, for instance, concern everything from addressing root causes, the regulation of labor migration and the prevention of irregular movements, to policies of integration as well as return. Addressing such a wide variety of issues, the general goal of optimizing the positive effects of migration is necessarily broken down into a number of sub-goals and recommendations within different fields of policy. However, there is one overriding concern which marks the texts on migration management, and that is the quest for making migration *orderly*. It is this *orderly* migration, or sometimes »orderly and promptly managed« migration⁸³ that has the potential of bringing about the positive effects for states and individuals. *Orderly* in this sense equalizes authorized movements, movements that comply with laws and regulations in all its different stages.⁸⁴ On the one hand, irregular migration is a constant reminder of the lack of state capacity whereas with orderly movement this is not a problem. Also, it is orderly migration that can be managed, i.e. can be adapted to social, developmental or labor market requirements and so on. To achieve orderly movements is thus a precondition for subsequent maximization strategies. From a human rights perspective, it seems beyond doubt that orderly and authorized movement is preferable for the individual migrant. Combating trafficking in people for the purposes of slavery, sexual exploitation and so on is certainly imperative. For individual migrants, authorized movement probably decreases the risk of exploitation from both smugglers and employers. Irregular movement is not only seen as threatening state sovereignty but threatening the migrants themselves.

Finally, migration management is comprehensive in that it calls for cooperation among a larger range of actors. In international law, states have the sovereign right to decide whom to admit into its territory, with very few restrictions (mostly concerning refugees). In migration management proposals this right is thoroughly respected. But the complexities of contemporary migration call for increased cooperation with various actors – for example IGOs, NGOs and the private sector – at national, regional and global levels.⁸⁵ Most importantly, however, there are invariably calls for increased inter-state cooperation on migration. The transnational character of migratory movements, the effort of broadening migration policy to cover all stages in the

82 Kristof Tamas, Mapping Study of International Migration, Stockholm 2003, p. 37.

83 IOM, Essentials of Migration Management, vol. 1, p. 3.

84 IOM, Glossary.

85 The Berne Initiative, International Agenda, p. 28.

migratory process, along with the general efforts for achieving orderly migration makes cooperation between states appear necessary in order to bring about the positive potentials of migration.

»Given the internationalization of migration, national migration strategies developed in isolation are unlikely to result in effective migration management. Thus, a sine qua non for migration management is inter-State cooperation.«⁸⁶

Enhancing international cooperation, particularly in the form of multilateralism, is a cornerstone in the recommendations of the GCIM, the Berne Initiative, the Hague Process and the IOM. According to the Berne Initiative, it is a »common understanding« that »[a]ll States share a common interest in strengthening cooperation on international migration in order to maximize benefits.«⁸⁷

To summarize this necessarily brief overview, global migration management initiatives understand migration as a normal and potentially positive feature of world affairs. The goal of migration policy can thus no longer be to prevent migration but to *optimize* it, by addressing and *managing* it in a more comprehensive manner – importantly through inter-state cooperation and multilateralism. In general, there is also emphasis on human rights in these documents.⁸⁸ The GCIM, for instance, calls on states to protect the human rights of everybody on their territory and to use the UN human rights instruments more effectively.⁸⁹

Manageable but Beyond Control?

As we have seen, the notion of migration management recognizes that migration is an inevitable reality, which states have to deal with in the best possible ways. Then, in the first instance, management becomes a question of *handling* a situation that is experienced as uncontrollable. Simultaneously, though, the term suggests that although migration cannot be turned on and off at the borders as one pleases, there is still a whole lot that can be done about it. Acknowledging the permanent and (potentially) positive character of migration, the objective becomes one of steering and guiding it so as to maximize its positive effects at the same time as its negative consequences are avoided.⁹⁰ There is a clear belief in the potential capacity of migration policy to bring

86 International Organization for Migration (IOM), Eighty-Forth Session of the IOM Council. Elements of a Comprehensive Migration Management Approach, Geneva 2002, p. 3.

87 The Berne Initiative, International Agenda, p. 23.

88 UNDP, Human Development Report.

89 GCIM, Interconnected World, ch. V.

90 Massey/Taylor, Back to the Future, p. 387.

about the desired goals, which gives the notion of migration management a »technocratic ring.«⁹¹ Surely, the flaws and inadequacies of current policy and implementation measures are acknowledged; improving the handling of migration is the whole point. But there is a great confidence that *if* the knowledge about migration is increased by the collection and dissemination of timely and accurate data, *if* migration officials get more professional training, *if* national administrative capacity is enhanced by increased resources and expertise, and *if* inter-state cooperation is promoted... *then*, migration policy can be used as an effective tool with which to capitalize on the opportunities presented by the constant of human movement. The faith in the capacity of migration policy thus indicates that migration is something that can (and must) in fact be brought under control.⁹² This may seem a bit paradoxical, as the conceptualization of migration as permanent and normal betrayed the acknowledgement that it is now beyond the control of states. If management is put forward as a realistic alternative to control *because* control is no longer possible, yet management itself seems to equalize control – then what does management really mean, and how are we to understand the relation between the terms?

A dictionary throws some light on the issue by exposing the multiple meanings of the terms.⁹³ A first possibility of understanding the apparent contradiction is that control is given up only in the sense of *preventing* or *restraining* and not in the sense of »exercising authoritative or dominating influence over.« This latter meaning coincides with the connotations of management as precisely »exerting control over« and »making submissive to one's authority.« Apart from *handling* (which is possibly the most common association to the term) management is thus actually synonymous to control. If this interpretation is correct, then the rhetorical change from control to management is to be understood as follows: migration can no longer be prevented but it can still come under the effective authority (of states). If the recommended management measures are adopted (approaching migration in a comprehensive way, spanning all stages of the movement, enhancing cooperation and so on), then there is a good chance that the unruly and disorderly phenomenon of migration can indeed become if not restrained then at least disciplined, orderly, submitted again to the authority of the state. In this

91 Jeff Crisp, *A New Asylum Paradigm? Globalization, Migration, and the Uncertain Future of the International Refugee Regime*, Geneva 2003, p. 14.

92 Lisa Schuster, *The Realities of a New Asylum Paradigm*, Oxford 2005, p. 17.

93 The meaning of the terms are from *The American Heritage Dictionary of the English Language*, fourth edition (2000), accessed at <http://www.dictionary.com>.

sense, and although it appears on the contrary, migration management signals the quest for *more* rather than less control.⁹⁴

The term migration management may sometimes be used instrumentally in order to create an illusion of control while in reality there is little. When Sabine Hess interviewed staff members of the migration policy think tank International Centre for Migration Policy Development (ICMPD), one of her interviewees said that

»[m]anagement pretends that one has migration under control or as if it [were] possible to control it, and as if this is only a matter of technique and how to make it more efficient. And this, I doubt quite a lot.«⁹⁵

Continuing, he admitted the tactical use of the term: »For the public it seems to be good to use this term in order to show that the government has migration under control.«⁹⁶

Irregular migration seems to epitomize the lack of control. In a way, this form of movement could be interpreted as an act of resistance to states' claims to exclusive authority over territory and regulation over movement. The point is not to romanticize the situation in which irregular migrants find themselves, but to grasp the challenge that this kind of movement poses for states. Néstor Rodríguez argues that irregular or autonomous migration holds an enormous transformative capacity. The strategies and process whereby workers, families and transnational communities organize movement »decentres the state as the regulator of human movements across international boundaries.« Therefore, irregular migrants are not just docile victims, but historical actors since they participate in reconfiguring state power. In Rodríguez' analysis there is a constantly ongoing battle for the border between autonomous migrants and their transnational communities, on the one hand, and state authorities striving to halt the »worker-led transnational socio-spatial reconfiguration«⁹⁷, on the other. Sandro Mezzadra similarly emphasizes the autonomous agency of irregular migrants. He also suggests that migration control actually tends to follow the migrants rather than the other way around. That is, rather than first establishing a control system to which migratory movements adapt, the governments' control system itself tends to adapt to the routes established by migrants: »In a certain sense, the

94 Jean Grugel/Nicola Piper, *Critical Perspectives on Global Governance: Rights and Regulation in Governing Regimes*, London 2007, p. 44.

95 Sabine Hess, *We Are Facilitating States! An Ethnographic Analysis of the ICMPD*, in: Geiger/Pécoud (eds.), *The Politics of International Migration Management*, pp. 103f.

96 Ibid.

97 Néstor Rodríguez, *The Battle for the Border. Notes on Autonomous Migration, Transnational Communities and the State*, in: *Social Justice*, 23. 1996, pp. 21–37, here p. 23.

migrants are in control, since their movements establish this geographical route, relegating the exclusionary measures to the status of a mere response.⁹⁸ From this perspective, the goal of migration management appears in a somewhat different light. The concern about irregular migration provides a major impetus for international cooperation, and it is also at the center of the global migration management initiatives' preoccupation with order. Thus, the discourse could be interpreted as a massive quest for order in an area of human activity that has developed far beyond the effective regulation of states.

The question is whether achieving orderly movement of people really is attainable. If human movements are of such a character today that they cannot actually be prevented, then what makes them likely to be manageable? Even if channels for regular migration are opened to a greater degree than at present, even if some efforts were made to increase well-being in the states of origin, even if greater coherence is achieved at the national level and multilateral cooperation strengthened and so on – wouldn't we still be in the same situation as regards the difficulties in controlling migration? It would seem as if the same reasons that make migration impossible to be prevented also today make it impossible to be managed, even if a greater degree of openness is introduced into the system. For the foreseeable future, world disparities would still be there, as would the global economic and cultural interconnectedness, and the inventiveness of the various migrant-exporting schemes and the smuggling industry to circumvent governmental restrictions would not be likely to weaken just because the restrictions are of a somewhat different character. Moreover, perhaps the most important question concerns whether there is anything in this world of orderly migration that would increase people's sense of loyalty towards its regulations. Just like any regulatory system ultimately depends on the majority's voluntary compliance, isn't the long-term survival of states' actual power to control movement conditioned by whether or not people at large respect this authority? Here, it is important to realize that whereas people enjoying comfortable lives in developed countries may tend to have a positive view of the state and the law, this experience is far from universal. The majority of the world population still lives under corrupt and inefficient regimes and may experience the state as something which has to be overcome, something you have to survive despite of rather than as a benefactor whose rules you willingly follow. Then migration regulation is only another restraint to be overcome, as part of one's survival strategy.⁹⁹

98 Sandro Mezzadra/Brett Neilson, *Né Qui, Né Altrove. Migration, Detention, Desertion. A Dialogue*, in: *borderlands e-journal*, 2. 2003, no. 1, http://www.borderlands.net.au/vol2no1_2003/mezzadra_neilson.html.

99 Castles, *Why Migration Policies Fail*, p. 209.

It is against this background that we should understand the governing role of information campaigns. As part of its recommendations to fight irregular migration, the GCIM recommended the use of information campaigns for »providing prospective migrants with a better understanding of the risks entailed in irregular migration.«¹⁰⁰ The IOM is actively directing such campaigns at the populations in origin areas. As Antoine Pécoud has noted, this policy practice aims to work on individuals' self-control. It therefore complements the tougher border control measures that have so far not succeeded in halting irregular migration:

»[I]nformation campaigns hope to achieve the only goal that would ensure the success of migration control: the adherence of those primarily concerned – the migrants – to the objectives of Western governments.«¹⁰¹

Such campaigns are fighting an uphill battle. In one of the rare empirical studies on irregular migrants' own perceptions concerning their breach of migration law, David Kyle and Christina Siracusa's findings seem to support this hypothesis. The prevailing attitude among the interviewed Ecuadorians in Spain was *not* to regard their illegal status as a crime – instead, these migrants considered their illegality defensible on the basis of both current and historical injustices.¹⁰² Another interview-based investigation similarly demonstrates that irregular migrants often make use of existing ways of argumentation to defend their irregular movement. Their arguments tend to fall into one of two main categories. Some base their argumentation on the fact that businesses move freely across the world. Wanting to be given the same opportunities, this category presents itself along the lines of the neoliberal idea of the free, entrepreneurial, economic actor. Others, however, tend to present themselves as collective actors and motivate their movement by social justice arguments. In their opinion, migratory movements are required for the transnational distribution of resources. Neither group considers state regulation legitimate.¹⁰³ Adding failing legitimacy to the other factors, there

100 GCIM, *Interconnected World*, p. 35.

101 Antoine Pécoud, *Informing Migrants to Manage Migration? An Analysis of IOM's Information Campaign*, in: Geiger/Pécoud (eds.), *The Politics of International Migration Management*, p. 197.

102 David Kyle/Christina A. Siracusa, *Seeing the State Like a Migrant. Why So Many Non-criminals Break Immigration Laws*, in: Willem van Schendel/Itty Abraham (eds.), *Illicit Flows and Criminal Things. States, Borders, and the Other Side of Globalization*, Bloomington 2005, pp. 153–176.

103 Franck Düvell, *Implicit and Explicit Concepts of Justice in Irregular Immigration*, in: idem (ed.), *Illegal Immigration in Europe. Beyond Control?*, Basingstoke 2006, pp. 212–214.

are definitely some formidable hindrances for ›international migration managers‹ to achieve orderly movements.¹⁰⁴

There is something very ambiguous in the assertion that migration is at the same time impossible to prevent and yet possible to manage. On the one hand, *if* we really are capable of developing all the administrative tools, the technical means for surveillance, the police capacities, and the cooperative structures to really make migration orderly – then, shouldn't we also be able to totally prevent migration in case we want to? On the other hand, considering what migration policy is up against, it seems that anything short of a serious redistribution of world wealth, along with reformed political systems and administrative cultures in a majority of the world's poor countries would have poor chances to succeed.

Conclusions

Migration management is often understood as a middle way between repressive control measures and open borders.¹⁰⁵ Migration is recognized as something potentially positive, and various global migration management actors are advocating the opening-up of regular channels for labor migration. In its most important recommendation¹⁰⁶, the GCIM encourages the elaboration of temporary labor migration programs.¹⁰⁷ Such a measure would promote world growth by achieving a better match between the supply and demand for labor; it would help developed countries in meeting their demographic challenges and labor market scarcities and it would enhance development in sending countries. Furthermore, it would provide the individual worker with a secure legal status. It is also hoped to decrease irregular migration, since this type of movement often arises as a response to labor demands.¹⁰⁸ The guest worker recommendation illustrates how migration is approached as something that can be influenced and maximized to the benefit of everyone involved. Then, what does it teach us about mobility rights? Clearly, the low skilled of the South would be endowed with greater access to mobility, were regular labor migration opportunities to be expanded. Maybe guest worker programs, that limit workers' rights situation in important ways, can be criti-

104 Ronaldo Munck, Globalization, Governance and Migration: An Introduction, in: Third World Quarterly, 29. 2008, pp. 1227–1246, here p. 1232.

105 Massey/Taylor, Back to the Future, p. 387.

106 Martin/Martin, A New Global Migration Facility.

107 As regards these programs see the contributions of Victor Piché and Hideki Tarumoto in this volume.

108 GCIM, Interconnected World, p. 37.

cized on the account of only offering the status of »live-in servants«¹⁰⁹ to its beneficiaries. But in terms of mobility, this might still be an upgrade from the role of immobilized »serfs« of the system; »...tied forever to the soil on which they were born.«¹¹⁰ However, considering the terms for this increased mobility, it should be noted that it is still very much predicated on preserving the ties to the homeland: In contrast to the Northern migrant, the Southern migrant travels as an agent of development for his or her home country as well as a labor market asset for the receiving state, rather than in his or her individual capacity. Reinforcing national belonging and loyalty thus becomes instrumental for the maximization exercise in question. Whether this is to be seen as a problem or not depends on one's stance on mobility rights. If migration is primarily thought of as something that can and should be used in order to achieve other goals (development, global equality, labor market efficiency or the like), then this does not have to be problematic. If on the other hand one considers mobility as a human right, closely connected to personal autonomy, then state-managed migration appears in another light.

As we have seen, global migration management can be considered an effort to bring disorderly human movement back under the authority of states. This does not necessarily have to be restrictive – in fact, arguing for orderly movement in a context where movement itself is understood as inevitable amounts to arguing for more regular migration opportunities, as exemplified by the guest worker recommendation. But the relatively greater openness is still an openness guided and managed by states, that in new and inventive ways seek to preserve the monopoly of the »legitimate means of movement«¹¹¹ in a context transformed by globalization. Hence, migration management should not be misinterpreted as free movement. In fact, if at all possible, achieving orderly migration would seem to require a heavily bureaucratized system of governance. Moreover, the aim of putting an end to irregular movement often translates into cutting off spontaneous or supply-based migration, replacing it with demand-based movements.¹¹² This implies a larger emphasis on the selection of migrants: movement is not accessed freely but instead granted on the basis of (most importantly) labor market

109 Michael Walzer, *Spheres of Justice. A Defense of Pluralism and Equality*, New York 1983, p. 52.

110 Harris, *Thinking the Unthinkable*, p. 6.

111 John Torpey, *The Invention of the Passport. Surveillance, Citizenship and the State*, Cambridge 2000.

112 Cf. Thomas Straubhaar, *Why do we Need a General Agreement on the Movements of People (GAMP)?*, in: Bimal Ghosh (ed.), *Managing Migration – Time for a New International Regime?*, Oxford 2000; Robert Holzmann/Rainer Münz, *Challenges and Opportunities of International Migration for the EU, Its Member States, Neighbouring Countries and Regions. A Policy Note*, Stockholm 2004.

demands, which signifies a larger degree of »national manpower planning«¹¹³ through picking-and-choosing of migrants.

The mobility rights resulting from global migration management will certainly depend on the more precise elaboration of programs to control and facilitate human movement, as well as on the cooperative structures developed. Or, perhaps one should say that it *might* – as was discussed above, the capacity of states to actually bring human movement under their authority remains to be proven. Apart from problems concerning implementation, the governance of migration requires a highly flexible conceptual basis that evolves at least as fast as actual population movements.¹¹⁴ At a more meta-political level, Zygmunt Bauman claims that the overriding goal of order is a typically modern concern, which always entails the imposition of an artificial structure onto the world. Therefore, all efforts aiming at order simultaneously and invariably produce also ambivalence and disorder – which again makes us feel that our categories and practices are insufficiently precise and we call out once more for a better order.¹¹⁵ Relating to the issue at hand, this suggests that human movement might be ultimately impossible or at least very difficult to manage.

113 Munck, *Globalization, Governance and Migration*, p. 1239.

114 Newland, *The Governance of International Migration*, p. 17.

115 Zygmunt Bauman, *Modernity and Ambivalence*, London 1991.