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Abstract

Our world is mobile. People move, either within the state or from one state to another, to access opportunities, to improve their living conditions, or to start afresh. Yet, we usually assume that migration is an exceptional activity that leads to permanent settlement. In this paper, I invite us to reconsider this assumption. First, I analyse several ways in which people experience mobility in contemporary societies. Then, I turn to migration, as a specific form of mobility. I distinguish between a legal/administrative, a social, and a self-identification-based approach to migration, demonstrating that they lead to divergent definitions of who is a migrant. I proceed by introducing the concept of mobile migration and by developing a typology of mobile migrants. I conclude that, in order to devise migration policies that treat migrants fairly, a careful consideration of the claims and interests of the different types of mobile migrants is necessary.

1. Introduction

We live in a mobile world. People move to access job opportunities, to improve their living conditions, or to start afresh. Even those who don't move might at least consider doing so at some point in their lives. And when we switch our focus from the level of the state to a sub-state level, mobility becomes the norm even for populations that are normally considered sedentary (Bauböck, 2018, p. 15; Sager, 2018, p. 20). Instead of being the default condition, settlement seems to be either the result of a decision not to move or the result of an imposed immobility, when people who would like to move lack the resources or the passport that would allow them to do so. This paper invites us to reconsider our approach to migration, situating migration within the broader framework of human mobility. My contribution is primarily conceptual, exploring (a) how to understand mobility, and (b) how to define who is a migrant within a broader context of mobility, as well as (c) introducing the concept of mobile migration and a typology of mobile migrants. My contribution also

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has normative import, as it questions the implicit assumption of sedentariness that informs most arguments in migration ethics.

Despite the prominent role of mobility in our lives, migration ethics has broadly been operating under an assumption of sedentariness. Even though migration ethics scholars ask questions about the right to immigrate and to emigrate, the social, economic, and political rights of migrants, and the terms of social coexistence in receiving societies, they still tend to consider permanent settlement as the normal human condition and migration as an exceptional situation (e.g., Brock and Blake, 2015; Carens, 2013; Cole, 2000; Hidalgo, 2014; Lenard, 2015; Miller, 2016a, 2016b; Oberman, 2016; Sandelind, 2015; Song, 2018; Straehle, 2018; Yuksekdag, 2019).¹ A shared assumption is that the migrants' movement has a clear beginning and a clear end. At the end of the migration journey, migrants are expected to settle permanently in one state where they become permanent members. This is mistaken in two ways. Firstly, it fails to pay attention to the facts of human movement and constitutes an inaccurate description of reality, as empirical migration studies show (Brun and Fábos, 2015; Carling, Erdal, and Talleraas, 2021; Cook-Martín, 2019; Crawley and Jones, 2021). Secondly, it leads to an overly restrictive account of mobility. Migration ethics scholars have recently begun to criticise this, arguing that the sedentarian bias obscures similarities between international and intranational movement, and often correlates with support for unjust migration policies (Sager, 2016, 2018, 2021; Watkins, 2020).

How would our understanding of migration change, if we took mobility seriously and stopped making assumptions of sedentariness? In this paper, I explore how the presence of different forms of mobility in contemporary life should inform our understanding of migration. In section 2, I analyse several ways in which we experience mobility in contemporary societies. I suggest that the presence of mobility in our lives has important implications for how to understand human movement and corroborates the critique against the sedentarian bias. In section 3, I turn to migration as a specific form of mobility, disentangling three common but distinct definitions of who is a migrant, namely legal/administrative definitions, social definitions, and self-definitions. In section 4, I introduce the concept of mobile migration, identifying mobile migrants as a category of people who defy the assumption of sedentariness in two ways: both by being migrants and by not having the

¹ For some important exceptions, see Rainer Bauböck (2017), Valeria Ottonelli and Tiziana Torresi (2019, 2012) and Enrico Biale (2017).

intention and/or the legal right to settle permanently in their state of migration.² In section 5, I propose a typology of mobile migrants that is informed by the different conditions under which mobile migrants migrate, and I suggest that any analysis of the rights of mobile migrants needs to take into account these differentiations. I conclude by considering the implications of my analysis.

2. Mobility and Immobility

Technological advancements have made moving around the world cheaper, quicker, and easier, at least for those who have the right documentation. Unions of states, such as the European Union, Mercosur in South America, Ecowas in West Africa, and EAC in East Africa, prioritise freedom of movement for their citizens. Some people can access job opportunities abroad, while states often compete to attract highly-skilled workers and investors. Even during the Covid-19 pandemic, the large-scale mobility restrictions across the world were accompanied with a series of exceptions for several kinds of 'necessity movement', from freight transporters to seasonal employees, in an indirect confirmation of the fact that mobility is nowadays necessary for states to function (Džankić and Bauböck, 2022, pp. 2–3).

This mobility is not restricted to cases of migration.³ A recent survey in the European Union indicates that, while only 12.7% of the participants have lived in another EU state for more than three months, the majority of the participants have several mobility experiences: 53.8% communicate regularly with family and friends abroad, 52.7% watch TV in another language, and 52.4% visited another EU country in the 24 months before the survey (Salamońska and Recchi, 2016, p. 9). In an interconnected world such as ours, people experience mobility frequently and in a variety of ways.

² I do not intend this reference to mobility to have ableist connotations: the category of mobile migrants is constructed in opposition to settlement in a specific place and includes people with mobility problems, while my remarks on immobilisation in section 2 are particularly relevant to migrants with mobility problems. Mobility should also be distinguished from motion, i.e., physical movement in space. Mobility refers to the possibility of motion. This means that mobile migrants should be distinguished from migrants in motion. I thank an anonymous referee for this point.

³ For a recent exploration of the migration-mobility nexus, see Bauböck (2022). Unlike Bauböck, my understanding of mobility includes both voluntary and involuntary cases.

This broad presence of mobility in our lives has three important implications. First, even if a person does not physically move, chances are that she will be exposed to some forms of mobility: she might have friends or family abroad, work with international companies, or enjoy watching American films and dream of visiting California. Someone who has friends abroad might consider visiting them, and someone who has already been abroad might find it easier to decide to migrate.⁴ Furthermore, some people might be mobile against their will. Financial insecurity might lead them to consider moving in search of job opportunities, while broader geopolitical instability might render mobile people who had never considered previously moving. In a sense, everyone is potentially mobile, as precarity, wars, and environmental disasters mean that people cannot assume that their settlement is secure.

Secondly, the prominence of mobility in people's lives allows us to realise that many seemingly immobile people are in fact *immobilised*. Despite living in an era of mobility, not everyone moves around freely. The prevention of the movement of large numbers of people is at the heart of migration policies across the world (Bauman, 2004, 2016; Dauvergne, 2016, pp. 39–57; McNevin and Missbach, 2018). In many instances, states erect walls or build detention camps, even beyond their territory, in order to prevent the entry of migrants (Shachar, 2020). Open border policies between unions of states often come at the expense of the mobility rights of third country migrants, as the case of the European Union indicates (Dauvergne, 2016, pp. 151–60; Fine, 2019). Political theorists and social scientists alike draw attention to the racist undertones that often characterise these policies (Chung, 2020; De Genova, 2018; Fine, 2016; Jaggar, 2020; Kukathas, 2020; Owen, 2020). So, despite their apparent immobility, large parts of the population

⁴ One way to think of these cases is as stages that precede or prepare one's mobility. But it is also possible to think of them as *forms* of mobility, if we adopt a broad understanding of mobility that distinguishes between *physical* mobility, i.e., the capacity of movement in space, *communicative* mobility i.e., 'the capacity to network and communicate with others frequently and over long distances', and *cognitive* mobility, i.e., 'the capacity to imagine oneself in other places or to mentally anticipate migration' (Bauböck, 2017, p. 289). This shows that there are many ways in which people can be mobile, even when they do not directly engage in physical movement. On how cognitive mobility affects one's decision to migrate, see Koikkalainen and Kyle (2016). Indicatively, participation in student mobility programmes increases the possibility of migrating abroad later on in one's life (Salamońska and Czeranowska, 2019, p. 1171).

might be open to the prospect of moving, or might be aspiring to move. If people stay put not because of their free choice but merely because of a lack of opportunities – or, in several cases, because their attempts to move are hindered – then it is more accurate to consider them as immobilised, instead of immobile. The bordering policies that surround them are there *because* people might aspire to move, and aim to restrict their opportunities of actual movement.⁵

Third, mobility is often celebrated as giving access to opportunities and providing a way to escape poverty and oppression (Somin, 2020). The experiences of immobilised people across the world attest to the significance of mobility opportunities. One of the darker sides of mobility, however, is that it sometimes reflects a difficulty to settle. In the same way that states are policing their territorial borders in an attempt to prevent people from entering their territories, they are also employing migration laws to keep migrants mobile and to prevent them from settling permanently. This is important, because lack of access to long-term settlement could undermine a person's access to rights, as well as their sense of place, with detrimental effects on their well-being. Avner De-Shalit (2018, pp. 14-15) notes the importance of one's feeling of attachment to a place both for the constitution of one's self-identity and for one's ability to form meaningful relationships. When access to settlement is undermined, one's interest in having a sense of place might also be in peril.

Access to settlement is undermined in a variety of ways. Migrants who enter states irregularly find it increasingly difficult to gain rights to settlement, at least in the Global North.⁶ On the other hand, people who have mobility rights might find it more and more difficult to settle permanently, as states are toughening their migration laws and are restricting access to settlement to a small number of carefully selected migrants.⁷ These exclusions have gendered and racial

⁵ McNevin (2020, p. 547) refers to this as 'stuckedness'.

⁶ See, for example, Dauvergne (2016, pp. 135–40). Ayelet Shachar (2020, p. 47) also mentions the striking case of Australia, which forbids even recognised refugees to settle, if they have attempted to enter the state irregularly.

⁷ Dauvergne (2016) presents a detailed analysis of how Canada, New Zealand, Australia, and the United States, all paradigmatic settler states, have gradually changed their migration laws to prioritise temporary migration and restrict access to permanent settlement. See also Cook-Martín (2019), Dauvergne (2016, pp. 125–34), Ellermann (2020), and Triandafyllidou (2017, p. 2).

aspects, although not necessarily in a direct way. Prioritising settlement for high-skilled migrants of certain professions might have gendered implications, for example, if access to these professions is gendered (Lim, 2019). These indirect exclusions are added to more direct exclusions based on financial situation and state of origin. This restricted access to settlement affects even relatively privileged cases of mobility, such as intra-European migrants, who might have access to formal rights of settlement, but the globalised economy often pushes them toward mobility in order to survive financially or to find jobs that correspond to their qualifications (Favell, 2008, pp. 113–23). At the same time, members of transnational elites are accorded not only increased mobility opportunities, but also quick paths to permanent settlement through 'golden visa' programs based on investments and donations (Shachar, 2021).

All this corroborates and sharpens the critique of the sedentarian bias. If we are experiencing a 'new paradigm of mobility without settlement' (Triandafyllidou, 2017, p. 2) and the 'erosion' of settlement (Dauvergne, 2016, chapter 7), taking sedentariness as the default condition leads to an inaccurate understanding of societies, as it disregards the fact that most people are, in one way or another, mobile. Through the lens of the sedentarian bias, we tend to assume that immobility is normal, when it is often the result of the immobilisation of people who would otherwise move. By constructing many cases of obstructed mobility as mere immobility, the sedentarian bias obscures the barriers to mobility that many people face. Furthermore, it does not allow us to capture fully the importance of mobility, as a way either to pursue opportunities and live a flourishing life, or simply escape poverty and oppression. The sedentarian bias thus prevents us from understanding the extent to which people have interests in mobility, and the impact of differentiated mobility barriers. A further distortive effect is that, ironically, the sedentarian bias conceals the many ways in which settlement becomes more and more unattainable for many mobile people, while access to settlement often depends on one's wealth and social status.

As far as migration ethics is concerned, these insights call attention to the role of mobility within migration and to the potential injustices that arise in this context. In what follows, I first clarify my approach to migration. I then define the concept of *mobile migration* and propose a typology of mobile migrants. I suggest that a consideration of mobile migration is necessary if scholars want to address the injustices that arise in the context of (im)mobility.

3. Who Is a Migrant?

The question 'Who is a migrant?' might seem straightforward, but the answer often depends on the particular lens through which one regards migration.⁸ I propose distinguishing between three approaches to this question: the legal/administrative approach, the social-identity approach, and the self-identification approach. While these approaches often provide conflicting views as to whether an individual is a migrant, they are usually elided in discussions of migration.

3.1 Legal/administrative definitions

Legal and administrative definitions of migration vary, reflecting the fact that different states and offices construct the category of the migrant in different ways, often to realise different goals. The International Organisation of Migration (IOM) adopts a broad definition, according to which a migrant is 'a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons' (International Organisation for Migration, 2019, p. 132). International migrants are further divided into short-term migrants, if they migrate for a period that may last from three months to up to one year, and long-term migrants, if they migrate for at least one year. IOM also considers cases of circular and internal migration. The European Union adopts a somewhat more restrictive definition of migration, reserving the category of migrants 'in the EU context' to those who either establish their usual residence in an EU member state for at least one year (i.e., immigrants), or who leave the EU for the same period of time (i.e., emigrants); citizens of EU member states, however, are not considered to be migrants when they move between EU states.⁹

At the state level, the category of migrants is mostly reserved for international migrants, as internal freedom of movement and settlement is often regarded as the other side of the state's right to control its borders. Who exactly is a migrant, however, varies from

⁸ On the difficulty of defining who is migrant, see Kukathas (2020) and Scheel and Tazzioli (2022). As these scholars highlight, defining who is a migrant might also have racial and colonial aspects that need to be scrutinised.

https://ec.europa.eu/home-affairs/pages/glossary/migrant_en.

state to state. Some states consider everyone who moves to the state with the intention of settlement to be migrants; other states have specific time provisions, only recognising someone as a migrant after a minimum amount of time of actual residence, which again might vary from state to state (de Beer *et al.*, 2010). In addition, some national laws extend the category of the migrant to people who are born in the state or arrived there at a very young age, as in the case of 'second-generation migrants' (Vathi, 2015, p. 7). While it can be convincingly argued that these children should have citizenship from birth or soon after immigration as minors (e.g., Carens, 2016), the existence of this category in legal and administrative regulations is a stark reminder that legal categorisations are neither neutral nor always innocuous.

Migration ethics scholars have underscored the lack of consensus on the legal definition of migration (e.g., Beer et al., 2010; McAuliffe and Triandafyllidou, 2021, p. 22). However, a common thread in all these definitions is the juxtaposition of migrants and citizens. Since the law is mainly interested in differentiating citizens from non-citizens, the category of the migrant in most cases signals not having the rights of a full citizen. Individuals can switch from the category of the migrant to that of the citizen by naturalising, but they cannot be both at once. Of course, migrants might be citizens somewhere else (and not being a citizen anywhere usually gives one the right to naturalise). But from the perspective of the legislating political communities, being a migrant is conceived in opposition to having full citizenship rights.¹⁰ This oppositional logic explains why EU citizens are distinguished from migrants in EU law, why there is comparatively low interest in citizens who live abroad in state regulations about migration, and why internal migration is rarely described as such. It is also this logic that renders it morally problematic to regard 'second-generation' children as migrants, as it suggests that people born and/or raised in the state are not granted full citizenship rights. From the legal perspective,

¹⁰ Of course, there are exceptions, especially when it comes to administrative categorisations that are not connected with the attribution of legal rights. An example from the UK is the use of the terms 'migrant stocks', to refer to residents born abroad, and 'migrant flows', to refer to the international arrivals and departures within a given period of time (in both cases, regardless of citizenship status). That in the public debate these terms are often misunderstood to refer to non-citizens indicates not only the presence of sedentarian assumptions, but also that the association of migrants with non-citizens in legal/administrative contexts is strong.

being a migrant means not being a full legal member of the community in which one lives.

3.2 Social definitions

Defining migration on the basis of social identities sometimes gives a different answer to the question of who is a migrant. Despite having the legal status of the citizen, a person might still be socially perceived as a migrant,¹¹ due to her appearance, foreign accent, or any other features that make her stand out as 'foreign'. The reverse is also possible: someone might have the legal status of a migrant, but not be socially identified as such, if they happen to have the 'right' skin colour or the relevant linguistic skills. What it means to be socially perceived as a migrant might differ depending on the perceiver and the social context; it makes a difference whether one is identified as a migrant by another migrant from the same or a different state of origin, by a solidaristic activist, by a helpful or even wary citizen, or by someone openly hostile. But, due to the fact that being a migrant is also a legal status that denotes lack of citizenship, being identified as such will also, at least partly, send the message that someone is identified as not being a full member of the community. And whereas persons who are legally citizens might have protections in terms of rights, being socially identified as an 'outsider' even after years of permanent residence can have a jarring effect on individuals.

The important insight that we gain by considering migration in the context of social identities is that far more than formal membership rights is needed to prevent discrimination against migrants. The social conception of migration also helps us understand how the problems faced by ethnic minority citizens and migrants might be interconnected. It should be noted that social and legal conceptions are interrelated and mutually reinforce each other. For example, in a world of open borders, the social perception of people as undocumented migrants would no longer make sense; conversely, widespread social belief that people have no right to migrate might lead to the adoption of stricter migration laws that further illegalise people. This interrelation reveals the potential role of legislation not only in countering the effects of wrongful social perceptions, but also in transforming social perceptions. Conceiving migration

¹¹ And even as an undocumented migrant, as Amy Reed-Sandoval (2020) argues.

through a social lens both questions the reach of legal definitions and affirms their importance. $^{\rm 12}$

3.3 Self-definitions

If the answer to the question 'Who is a migrant?' is based on one's self-identification, we might get different answers again. A person might be naturalised and socially perceived as a citizen, but still selfidentify as a migrant. Conversely, a person might be legally and socially perceived as a migrant, but challenge that perception through her selfidentification as a full member of the community. The demand of second-generation migrants to be legally and socially recognised as citizens could be such a case. Privileged mobile people who are legally considered to be migrants often do not self-identify as such (Favell, 2008, pp. 98–99; Kunz, 2016). Of course, as was the case with social identification, one's self-identification is likely to be influenced by the way one is treated by the law and perceived by others. It would be difficult for anyone to self-identify as a member of a community openly hostile to them, and even more so if that community also denied them membership rights. Still, given that political communities often contain several social groups, it might be possible for individuals to self-identify as members of some social groups and, by extension, as members of the broader community in which these groups are situated.

Especially when migrants are vulnerable to discrimination and lack institutional voice, it is extremely important to consider how they self-identify, instead of only looking at the identities they are assigned. It is of course very difficult to reach a comprehensive definition of who is a migrant on the basis of self-identifications, as this might vary over time, as well as from person to person. However, an interesting element that regularly comes up when people discuss their experiences of migration is that the sharp dichotomy citizen/migrant does not stand. People can self-identify as *both* citizens *and* migrants (Alba, 2005; Ehrkamp, 2005; Verkuyten *et al.*, 2019). Regardless of their citizenship status, they might feel that they belong to the political community, but not fully; or that they are full members of their city or neighbourhood, but not of the broader state. This undermines a key assumption of the legal and – at least to

¹² This is not to say that the law by itself could transform reality; any legislation that lacks popular support would be unlikely to be effective. However, legislation can have an impact on social dynamics and, in that sense, a transformative effect. See also Milioni (2021).

an extent – the social definition of who is a migrant: that individuals either are or are not migrants. Looking at how people self-identify gives a far more complicated answer to the question 'Who is a migrant?' and reveals that individual experiences are far richer than legal categorisations.¹³ Paying attention to how people self-identify brings into focus the differences that exist between all those who are legally, and even socially, considered full members.

3.4 Defining the migrant in migration ethics

Distinguishing between legal/administrative definitions, social definitions, and the migrants' self-definitions is important, given that the three approaches are informed by different logics and provide us with divergent and sometimes conflicting conceptions of migration. Of course, it is also possible to come up with hybrid definitions which merge different elements of the three approaches. How, then, should the migrant be defined for the purposes of migration ethics? To answer this question, we should keep in mind that concepts such as that of the 'migrant' are neither objective nor neutral; they are constructed in order to fulfil certain purposes. In the words of Heaven Crawley and Dimitris Skleparis, we should not treat such concepts 'as if they simply exist, out there, as empty vessels into which people can be placed in some neutral ordering process like a small child putting bricks into a series of coloured buckets' (Crawley and Skleparis, 2018, p. 49). We should treat them as social constructions used to make sense of the world and to regulate people's behaviours. Both the legal/administrative and the social identification of someone as a migrant frame how she is expected to behave and what constitutes acceptable treatment toward her. Individuals might challenge this identification by adopting a conflicting selfidentification that is characterised by different expectations.

That concepts are socially constructed need not undermine our ability to criticise certain definitions of who is a migrant.¹⁴ On the

¹³ This is not to say that drawing a line between migrants and citizens from the part of the state with regard to the legal status of migrants is wrong. It is crucial for the interests of migrants that, after naturalisation, they are assimilated to native-born citizens. See, for example, Matthew Gibney's (2020) critique of the risk of denaturalisation of dual citizens.

¹⁴ For more on this, see Haslanger (2013). Scholars should be alert to the racial, colonial, and neo-colonial motivations (or even undesired consequences) of defining some people as migrants.

contrary, migration ethics can and should approach any definitions of who is a migrant critically, keeping an eye on the purpose they are supposed to fulfil and evaluating (a) whether this purpose is legitimate, and (b) whether the adopted definition is suitable for the suggested purpose. In addition, since, as we saw, these definitions do not operate in isolation, but mutually affect each other, migration ethics should be attentive to tensions between them and the implications thereof. For example, that the legal definition of the migrant is built around a notion of citizenship might mean that states should drop the legal category of 'second-generation migrants', since children of migrants born in the state feel that they belong in that state in several ways and have strong stakes in such belonging. Conversely, it might be worth emphasising that privileged mobile people also fall under the legal category of the 'migrant'. This might contradict their self-identification or social identification. but it might also raise important questions about implicitly racist or xenophobic beliefs that characterise one's conception of what constitutes migration. It is important to take into account - and question why it is the case - that some people might not want to be labelled as migrants. It is equally important to consider whether legal and social definitions exclude from the category of the migrant people who value their self-identification as such.

Apart from questioning the ways in which the concept of the migrant has been used from different perspectives and for different purposes, scholars in migration ethics also need to employ this concept in their own work. Divergences in the use of this concept are both inevitable and justified, as different analyses might have different aims. For example, in a recent contribution, Amy Reed-Sandoval (2021) argued for regarding as migrants the pregnant women who have to travel within the United States to have an abortion, despite them having US citizenship. This reconceptualisation of the migrant allows us to question bordering practices within the state, to consider the impact of mobility restrictions, and to understand the multifaceted ways in which human movement and border-crossing can be motivated by the need to access vital services. However, this understanding of the migrant will not be suitable in other contexts, for example when someone focuses on the migrants' right to vote in their state of residence. Rather than conforming to a single, or to the most dominant definition of migration, migration ethics scholars should carefully consider which conception of migration is most relevant to the issues they tackle, and be explicit about their choice.

In what follows, I explore the intersection of mobility and international migration. Complying with what I just argued for, I

should clarify that I adopt the legal approach to migration and focus on cases of people who do not have full citizenship rights; however, being interested in how mobility intersects with migration, I exclude from my analysis the case of 'second-generation' migrants. I choose to focus on legally defined migrants who cross international borders because one's access to rights and social provisions is largely dependent on one's legal citizenship, and yet the migrants whom I call mobile migrants not only lack access to citizenship, but also, due to their mobility, do not have any prospect of such access.

4. Mobile Migration

Being a migrant is one way (among many) of being mobile. But who are the *mobile* migrants? It could be argued that all migrants are by definition mobile, especially if one adopts a broad understanding of mobility. However, mobility does not apply to all migrants in the same way. Imagine the case of a Green Card holder in the United States – a foreign national who moves to the United States with a clear intention of permanent settlement and the legal right to do so. This person is mobile – she moved from her state of origin to the United States. She is also legally a migrant. However, I suggest that this migrant is not a *mobile* migrant.

When I refer to *mobile* migration, I refer to those cases of migration in which there is an additional layer of mobility, in the sense that the particular movement in which the migrants engage cannot be presumed to end in settlement. Mobile migration thus refers to all these cases of migration in which the presumption of permanent, or even long-term settlement does not exist. This can be because the migrants lack the legal *right* to long-term settlement – as, for example, in the case of a temporary worker – and/or because they do not *intend* to settle – as in the case of an international student who only intends to spend a period of time abroad. Therefore, mobile migration is at the intersection of migration and mobility. We could say that mobile migrants are *doubly* mobile: as persons migrating and, on top of that, as migrants who do not intend and/or have the right to settle.¹⁵

Of course, some of these migrants might end up settling for good in their host state. Other people might become de facto mobile migrants even though they initially intended to settle permanently if, for one reason or another, they decide to leave their country of residence.

¹⁵ The concept of hypermigration recently developed by Bauböck (2011, 2017) and Biale (2017) is one instance of mobile migration.

Still, the category of mobile migrants – however blurred it might be in real life – constitutes a profound challenge to the sedentarian bias. When we think of mobile migrants, we can see that the sedentarian bias operates at two levels. First, there is the assumption that people do not usually move, and that migration is something exceptional and potentially problematic. Second, there is the assumption that when people migrate, this migration will be followed by their subsequent settlement. This, however, is not necessarily the case, because settlement may not be in the migrants' plans, and/or because they may not be allowed to settle.¹⁶

The notion of mobile migration has three important implications for migration ethics: it highlights (a) the need to expand the current accounts of migration, so that mobility is properly taken into consideration, (b) the need for systematic engagement with both mobility and settlement in conjunction to one another, and (c) the need to distinguish the differential claims of people belonging in different categories of mobile migration. In the remainder of this section, I will focus on the first two implications, while the third implication will be explored in section 5.

4.1 Expansion of the current accounts of migration

Firstly, the notion of mobile migration shows that the current accounts of migration are too limited, and tend to ignore mobile migration. Most arguments focus on migrants who will presumably settle, or intend to settle, in their state of residence. As a result, the debate revolves around what can be expected in terms of their integration, and which conditions need to be fulfilled for them to be considered full members of society and to be granted full rights (e.g., Carens, 2013; Miller, 2016b; Rubio-Marín, 2000; Song, 2018). This provides little guidance for identifying the legitimate claims of mobile migrants, and the obligations generated by these claims. We are in

¹⁶ A very interesting question here is whether, by defining settlement as permanent residence, one already exhibits a sedentarian bias. Challenging the sedentarian bias in migration ethics might entail that we have to reconsider not only our understanding of mobility and migration, but also our understanding of settlement. Thomas Nail's (2015) political theory of motion points toward this direction. I am sympathetic to this position and I consider my analysis to be compatible with it. However, the implications of this for the ethics of migration (especially when it comes to claims to settlement and mobility) need to be developed.

need of analyses that address the access of mobile migrants to social, political, and economic rights, and specify how these rights can be exercised, given their mobility. If mobile migrants are excluded from rights that apply not only to citizens, but also to other categories of migrants, we should consider whether these exclusions are justified or need to be eliminated.

In this context, analyses of temporary migration are the exception that proves the rule. The term 'temporary migrants' usually refers to migrants who have only temporary leave to remain, most often for work-related reasons or for study. The fact that temporary migrants only have a time-limited right to stay in their state of residence is taken to justify exclusions from the broadly accepted treatment of migrants as individuals on the path to permanent settlement and membership (e.g., Carens, 2013, chapter 6).¹⁷ In that sense, temporary migration is the one form of mobile migration that is accounted for in migration ethics. However, this does not cover cases of people who do not intend to settle despite having the right to do so, as, for example, European citizens who move to another EU state only for a short period of time. Neither does it cover cases in which the migrants do not know whether they will be granted leave to remain, as in the case of asylum seekers who are waiting for the decision on their asylum application.¹⁸ Therefore, the dichotomy between temporary and permanent migrants is still informed by an assumption of sedentariness and loses sight of many other cases of mobile migration.

Last, it should be noted that the assertion of 'temporariness' can be misleading, as it reflects the perspective of the state: the migrants only have the right to remain in the state for a limited period of time. When we examine these cases from the migrants' perspective, we discover that many supposedly temporary migrants might be involved in schemes of 'permanent temporariness' (Ellermann, 2020, p. 2470). They might be, for example, seasonal workers working in tourism or agriculture who return to the same state (and often even to the

¹⁷ For a significant exception, which brings the perspective of mobile migrants to the forefront, see Ottonelli and Torresi (2022, 2019, 2012). However, even Ottonelli and Torresi's approach does not fully account for mobile migration, as they assume that temporary migrants have a clear intention to *return* to their home countries; this construes mobile migrants as predominantly sedentary residents of their state of origin. For a critique of the tendency to regard migrants as immobile, and for the implications of this focus on integration and citizenship, see Gianni (2017).

¹⁸ With some exceptions. See, for example, Triandafyllidou (2022) for an expansive definition that also covers cases of forced temporariness.

same employers) regularly over a period of several years. Or they might be 'multiple migrants' (Salamońska and Czeranowska, 2021), moving onward from one country to the next in order to access opportunities. Shifting our focus on mobility reveals dimensions of these cases that might be neglected when one focuses solely on temporariness.

4.2 Systematic engagement with both mobility and settlement

The notion of mobile migration reveals another gap in the dominant approaches to migration ethics: a lack of systematic engagement with the concepts of *both* mobility *and* settlement. Many arguments in migration ethics focus on whether and under which conditions people have a right to migrate, and whether the state has the right to control migration (e.g., Carens, 2013; Cole, 2000; Fine, 2019; Kukathas, 2020; and Oberman, 2016). This is important but incomplete. If both access to mobility and access to settlement are important goods, the question of the distribution of mobility rights needs to be examined together with the distribution of access to settlement.

There are at least three important issues here. Firstly, migration ethicists should consider in their arguments the migrants' interests, desires, and prioritisations in terms of mobility and settlement. Some people might be predominantly interested in mobility opportunities; others might prioritise the opportunity to settle. Assuming that the migrants' goals matter and should be considered as an expression of their agency (e.g., Ottonelli and Torresi, 2022, chapter 4), it is crucial to examine in which cases migration in general, and mobile migration in particular, is motivated by a prioritisation of mobility over settlement from the part of migrants, and in which cases it is the result of migration policies that hinder access to settlement for some categories of migrants.

A second issue is whether trade-offs between mobility and settlement are justified: would it be permissible for states to offer mobility opportunities exclusively, without offering any access to settlement, or, reversely, to only accept migrants who aim to settle permanently? Is integration a legitimate goal for state policies, in light of the fact that some migrants might prioritise mobility, or should migration policies that facilitate integration be accompanied with policies that facilitate mobility? Regardless of one's answer, the loss of access to either mobility or settlement opportunities should be understood as a loss of access to an important good, and this should be weighed in arguments about migration.

A third issue has to do with questions of unequal access to both mobility and settlement. While the fact that migrants from some parts of the world have limited access to mobility opportunities has been criticised in the literature (e.g., Fine, 2016, 2019; Kukathas, 2020; Sager 2018), considerably less attention has been paid to the same migrants' limited access to settlement opportunities. In their attempt to contain migration, states not only impose restrictive migration policies, toughen border controls, and take measure to prevent the migrants from beginning or completing their journey to their final destination (e.g., Shachar, 2020), thereby affecting the access of migrants to mobility. They also prioritise forms of temporary migration that limit the access of those who manage to migrate to settlement opportunities (Dauvergne, 2016). It is crucial to examine the impact of the proliferation of short-term migration policies in tandem with the impact of mobility restrictions, in order to fully understand their potential injustice toward migrants, and the many ways some migrants might be disadvantaged. It is equally important to understand and address the specific problems that mobile migrants might face because of their mobility. These problems might have to do with their access to rights and their ability to lead a fulfilling life,¹⁹ or with their social perception as mobile migrants.²⁰

Furthermore, paying attention to one's access to both settlement and mobility allows us to be more sensitive to the distinct claims and interests mobile migrants might have, compared to other migrants. On the one hand, the legal prohibition of long-term settlement has a profound effect on the migrants' lives, even in cases of migrants who would prefer to settle and are trying to find ways to prolong their stay. On the other hand, migrants who do not intend to settle might have different interests and needs from migrants who intend to settle. Some rights related to long-term settlement might be of no use to them, while they might have needs not covered by these rights. If people have interests in both settlement and mobility, we should not presume that access to settlement, however important it might be, suffices to satisfy the interests of migrants oriented toward movement.

¹⁹ An example would be one's access to social security rights, a problem that even relatively privileged mobile migrants face. See Favell (2008, pp. 181–84).

For example, Catherine Dauvergne (2016, p. 183) remarks that migrants are often reproached for not aiming at social integration, while simultaneously being admitted to the state on the basis of the temporariness of their sojourn.

4.3 Differential claims

The focus on mobility reveals not only the fact that not all migrants are 'citizens in the making' but also that different mobile migrants might have vastly different claims. Analyses of the rights of 'migrants' or even 'temporary migrants' refer to very broad categories that include people in very different circumstances. Arguably, an international student will have very different needs from a circular worker or from a mobile academic. While this point can be made without reference to mobile migration, mobile migration allows us to identify at least one relevant criterion for the disentanglement of different types of migration in general, and mobile migration in particular: the differential access of people to both mobility and settlement. In the next section, I focus on this last point, developing a typology of mobile migrants. This is the first step in order to develop accounts that can address the claims of mobile migrants.

5. A Typology of Mobile Migrants

I defined mobile migration in opposition to assumptions of settlement. The category challenges the notion that migrants only move to settle and invites us to examine the potential claims of migrants not oriented toward long-term settlement. However, mobile migration includes different types of migration, from newly arrived asylum seekers to wealthy international travellers. A typology of mobile migrants enables us to consider which normative arrangements properly accommodate the claims of these migrants and to ensure that mobile migrants relate to others as free and equal persons. The typology I propose treats like cases alike and is sensitive to the differences between dissimilar cases of mobile migration.

It should be noted that developing a typology of mobile migrants encounters the same issues as defining who is a migrant: categories are socially constructed in order to fulfil certain purposes, and there is nothing fixed or objective about them. There might be overlaps, as people might belong in more than one categories (for example, an international student might also be a migrant who has been granted asylum), and people might move from one category to another over time (for example, an international student might become an undocumented migrant if her visa expires). In addition, one should be particularly careful when categorising migrants. As Crawley and Skleparis (2018, p. 49) stress, 'the use of different categories to describe those on the move has become deeply politicised

in the context of Europe's "migration crisis". In this context, we should be aware of the many ways in which categories can be used to create and justify hierarchies that marginalise and exclude members of already vulnerable groups of people. On the other hand, as the same scholars admit, 'categories, for all their inherent problems, are both pervasive and inevitable' (p. 59). The solution is not to abolish their use, but to approach them critically, and question whether their underlying assumptions hold true.²¹

My typology tries to do justice to this challenge. It is informed by critical analyses of current categorisations (e.g., Crawley and Skleparis, 2018; Favell, 2022; Kunz, 2016; Sigona, 2018), as well as by empirical research on their impact on migrants (e.g., Antonsich, 2021; Carling, Erdal, and Talleraas, 2021; Crawley and Jones, 2021; Sigona, 2012). The main criterion for distinguishing different types of mobile migrants is the different conditions under which migrants live, as shaped by their legal status, their social interactions, and their differential access to mobility and settlement. The assumption is that people living under similar conditions will face, at least to some extent, similar problems, and therefore will need to be granted similar rights in order to realise their moral claim to relate to others as free and equal persons. Again, it is important to stress that the boundaries between categories are not always clear-cut, and people might move from one category to another over time.

5.1 Irregular arrivals

A first category of mobile migrants is comprised of migrants who arrive in a state in an irregular way. Irregular arrivals have to wait in their state of arrival for varying and often indeterminate periods of time. This experience has been described as being stuck 'in limbo' (Brun and Fábos, 2015): the migrants do not know whether they will be granted leave to remain in their current state of residence, whether they will be relocated to some other state, or whether they will be deported back to their state of origin or previous residence. Therefore, while they are no longer travelling, these migrants are by no means settled.

Analyses of the rights of irregular arrivals need to take into account this extreme uncertainty with regard to settlement as an added burden for the migrants and consider how it affects their access to other rights, and whether it should be alleviated. In addition,

²¹ See also Ásta (2018) and Moncrieffe and Eyben (2007).

thinking of access to mobility opportunities in tandem with access to settlement is extremely important here: the fact that they arrived irregularly shows their limited access to mobility opportunities, but the many risks that they had to take during their journey indicate that they also lacked access to meaningful settlement in their state of origin and throughout their journey. This lack of access to two important social goods needs to be taken into account in discussions of irregular arrivals.

5.2 Migrants granted asylum

This second category of mobile migrants is comprised of people who have been granted asylum on a provisional basis, depending on the situation in their state of origin.²² Whereas states have an international obligation to accommodate refugees and other asylum seekers, they often grant asylum only for as long as these migrants cannot safely return to their states of origin. Temporary protection schemes are exemplary of this, but even regular asylum, while more stable, is often dependent on the impossibility of safe return. The temporariness of the protection means that migrants granted asylum remain mobile, to the extent that they do not have the right to long-term settlement.

It is crucial to examine whether this system of protection satisfies the interests of asylum holders to settlement and mobility, whether it should be more sensitive to the preferences of asylum holders, and whether the temporariness of the protection affects other important interests of asylum holders. Furthermore, it has been suggested that asylum holders should have quick access to political rights at the state level, since they lack effective political membership in their state of origin (e.g., Benli, 2023). That migrants who have been granted asylum are in important ways mobile needs to be taken into account in this discussion, either in support of an argument

²² There are several arguments against differentiating between refugees and asylum seekers on the one hand, and other migrants on the other (Crawley and Skleparis, 2018; Zetter, 2007). The procedures and criteria for granting asylum are often problematic. The differentiation between migrants granted asylum and other migrants that I propose here is not meant to legitimise the distinction, nor the way in which it is applied. It merely reflects the fact that being granted asylum has a significant impact on the rights that migrants have access to, as well as on their social perception, therefore shaping their conditions of life.

for the separation of access to political rights from access to citizenship, or to complicate the picture of what measures should be taken for the equal political participation of asylum holders.

5.3 Undocumented migrants

In the case of undocumented migrants, the tension between the intention of migrants to settle and their lack of the legal right to do so is most accentuated. Undocumented migrants often lack the right to settle even after years of residence in the state. In addition, they live in a state of constant uncertainty as they fear that they might be deported at any time (Sigona, 2012). Ironically, their undocumented status, which keeps them mobile by preventing them from settling, also immobilises them, as undocumented migrants know that they cannot easily return to their country of residence if they leave it.

Most arguments about undocumented migrants revolve around the permissibility or impermissibility of deportation, and the access of migrants to fundamental rights. As in the case of irregular arrivals, these analyses would be enriched if, when considering the claims of undocumented migrants, we took into account the unequal distribution of both mobility and settlement across the globe. A crucial factor here is that, while undocumented migrants remain mobile in their state of residence, they often no longer have access to meaningful settlement in their state of origin either, especially after several years of absence. This should inform arguments about whether and when deportations are permissible. Depending on how important one considers access to settlement and mobility, thinking of undocumented migrants as mobile could also underscore the limitations of firewall approaches for the protection of the fundamental rights of undocumented migrants.

5.4 'Low-skilled' temporary migrant workers²³

Given the proliferation of temporary work visas and the reluctance of host societies to provide migrants with rights to long-term settlement, many migrant workers reside in the state on a temporary

²³ I am using quotation marks to convey that, despite the prevalence of the term, the characterisation of certain forms of migration as 'low-skilled' reflects evaluations of the status of different jobs that might be both inaccurate and morally problematic. In addition, migrants who work in 'low skill' jobs might qualify for 'higher skill' jobs to which they are denied access for several reasons, including structural racism.

basis. The conditions of stay of these migrants are often tightly regulated. For example, they might be allowed to only do certain jobs, under certain employers, with restricted access to social rights. In addition, due to their low social status, these migrants are often racialised and face discrimination. Circular migrants constitute a particular sub-category of this type of mobile migration, due to their recurrent migration.

Apart from the question of the permissibility of visa restrictions and the 'rights vs numbers' debate (Ruhs and Martin, 2008), it is necessary to examine whether these migrants' lack of access to settlement affects their ability to relate to others as free and as equals. Another important question is whether some of these migrants also lack access to secure settlement in their state of origin, and the potential implication of this for their claims in their state of residence. Regarding circular migrants, it is interesting to take into account the ways in which their case has elements that bring them closer to non-mobile migrants, given their recurrent relation with their state of residence. As such, circular migrants might be exemplary for showcasing that people have interests in both mobility and settlement. Paying attention to their claims might be the first step for better understanding the claims of mobile migrants to both mobility and settlement and for coming up with ways to satisfy them.

5.5 Socially privileged mobile migrants

In between precarious and elite migration lie the often disregarded cases of relatively privileged migrants, such as international students or people who work in highly esteemed professions as, for example, bankers, academics, and media managers. Given that the term 'migrant' is often associated with the disadvantaged migrants of the previous category, relatively privileged people often do not define themselves as migrants at all, preferring terms such as 'expats' (Kunz, 2016) or 'free movers' (Favell, 2008, pp. 99-101). Like their elite counterparts, these migrants often move across borders with ease, have good working conditions, and live a relatively comfortable life. Like their precarious counterparts, however, they often move because they lack adequate opportunities in their state of origin and desire to improve their living conditions (Salamońska and Czeranowska, 2019). Digital nomads and people who move across borders to access their working place are particular subcategories of this type of mobile migrants.

This type of migration complicates the discussion of what counts as sufficiently voluntary migration (e.g., Ottonelli and Torresi, 2022, chapter 4) and raises questions regarding the importance of access to permanent settlement as a crucial component of a good life. We might ask if and to what extent trade-offs between mobility opportunities and access to other social goods are permissible. Given that state policies are often designed under sedentarian assumptions, we should also question whether even socially privileged mobile migrants face unfair burdens in their access to socioeconomic and political rights.

5.6 Elite mobile migrants

Elite migrants have considerable mobile capital and are highly desirable to states, which often compete to attract them through 'golden visa' programmes. Therefore, they cross borders easily and quickly, and are often offered quick paths to permanent settlement rights and citizenship regardless of their actual links with the state, in sharp contrast to the other categories of mobile migration. They are set apart by their vast privilege, which makes both mobility and settlement easily available to them.

Elite migrants are rarely discussed in migration ethics, and the relevant analyses tend to focus on whether their quick access to residency and citizenship are fair (e.g., Shachar, 2021). It is crucial to not lose sight of this category, as elite mobile migrants will have significantly weaker claims to state support, given their overall privileged position. Given that states often depend on the investments of these elites, and that, consequently, these migrants often have the power to affect state policies in their benefit, it is also crucial to consider whether they might have special duties, and whether and how their mobility should be regulated. Simultaneously, the privileged position of elite mobile migrants means that this category might allow us to think about the claims that mobile people could have in general, if they were not subjected to different forms of injustice. They can thus be seen as a way to think about mobility more positively, moving beyond the sedentarian bias.

In the table below, I situate my concept and typology within the broader spectrum of mobility. The table contrasts mobile migrants with mobile people who are not migrants on the basis of my definition, and with migrants who do have the intention and the right to

Mobile people		
Mobile non- migrants	Mobile migrants	Non-mobile migrants
 Tourists People on business trips Dual/ multiple citizens 	 Newly-arrived people Migrants granted asylum Undocumented migrants 'Low-skilled' temporary migrant workers Socially privileged mobile migrants Elite mobile migrants 	 Permanent residents with no intention to further migrate Migrants with access to permanent settlement with no intention to further migrate

settle, and thus lack the extra layer of mobility that characterises mobile migration:²⁴

All the types of migrants presented in the table's second column are mobile, but in different ways. Aspiring to apply to the real world, my typology is informed by pre-existing legal categories, as these categories affect the rights and duties of different migrants, thus having a profound impact on their lives. It is also informed by social categories, since the way in which people are perceived affects how they are treated and therefore their needs. Last, by taking into account not only the legal right but also the migrants' intention to settle for the characterisation of different types of migrants as *mobile*, the categorisation is informed by the self-perception of migrants, and by their claims against being categorised in certain ways.²⁵

As is the case with any typology, the boundaries between different types of migration might be blurred, and there might be cases of

²⁴ An interesting question that arises when one looks at the table is that of temporality. On the one side of the spectrum, we can ask when someone *becomes* a mobile migrant; on the other side, we can ask when someone who has migrated *ceases* to be a *mobile* migrant, and becomes settled. I thank an anonymous referee for this point.

²⁵ For example, whether a migrant worker who has the right to settle is a mobile migrant will depend on her intention to settle or not. Thus, the typology takes into account the fact that there is no unified view among migrants over how they should be described.

migration that do not neatly fall into one of the types that I propose. My main aim, however, is not to account for any possible instance of migration. Rather, it is to highlight the element of mobility that permeates several common types of migration, and to invite us to take this mobility seriously, while also being sensitive to its varying implications depending on the type of one's migration.

Wrapping up, my analysis of mobile migration reveals that, to treat migrants fairly, states must ensure that they do not disregard the needs and interests of mobile migrants. But, as my typology indicates, different types of mobile migrants are in different circumstances. This suggests that their needs and interests vary, depending on the type of mobile migration that the migrants exercise. Therefore, in order to be treated as free and equal persons, different types of mobile migrants will need to be granted different rights.

6. Conclusion

This paper began with a puzzle: what would it mean to take seriously the presence of mobility in contemporary life, and look at migration without making assumptions of sedentariness? How would our understanding of migration change? To solve this puzzle, I first explored the several aspects of mobility in our lives, and I suggested that very few people can be considered immobile, while many people who appear to be immobile are, upon closer examination, immobilised. I also showed that the flip side of extensive mobility is often impediments to permanent settlement. I then turned to migration, as one form of human mobility. I disentangled three ways of defining who is a migrant, showing that they are informed by different logics. I suggested that scholars should question which definition they are using when they refer to 'migrants' and make sure that this definition suits the purposes of their research. I also presented the concept of *mobile migration*, that is, a type of migration in which people are doubly mobile: firstly, by being migrants, and secondly, by not having the intention and/or the legal right to permanent settlement.

Assumptions of sedentariness have rendered the category of mobile migration invisible, and have prevented migration ethics from taking into account the interests and perspectives of mobile migrants. Bringing the category of mobile migration to the fore, I suggested that migration ethics should attend to the ways in which the interests of individuals in both mobility and settlement might be undermined. As a preliminary step towards that, I proposed a typology of mobile

migrants that both reveals the element of mobility in several 'common' types of migration and pays attention to the crucial differences between several types of mobile migration. In order to devise migration policies that treat migrants fairly, careful consideration of the claims and interests of the different types of mobile migrants is necessary.

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