

Migration, Mobility and Immobility: A Call for the Right to Stay

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Abstract *The mobility bias in migration studies results in immobility or better sedentism to being neglected in migration studies. Likewise, in normative discourses, migration scholars as well as practitioners often, instead, focus on the right to migrate and to seek international protection. What is neglected, though, is the right to stay put, the right not to be displaced, the right to a life in dignity at the place of one's habitual residence and thus the right not to be compelled to migrate. This intervention sketches the state-of-the-art and calls for more studies into non-mobility and better recognition of the right to not have to migrate.*

INTRODUCTION

In the early 2010s, a Fiji government survey¹ found that around 800 communities were exposed to rising sea levels. Dykes had been destroyed, homes had been flooded, and seawater had ruined agricultural land. Despite this, 'almost all of Serua Island's residents are choosing to stay'.² In a very different case, in 2015, the old city of Aleppo came under heavy bombardment by the Syrian regime and Russian armed forces, causing the displacement, internally as well as internationally, of hundreds of thousands of people and catching international attention. However, several hundred thousand people remained in inner Aleppo and, because they were served by volunteers, the White Helmets, this also became relatively visible. Yet again, in 2022, during the Russian invasion of Ukraine, over six million people fled the country, with 33 million remaining; most strikingly, several million stayed in occupied territories, often enduring hardship and persecution, while several million more even stayed in frontline cities, towns and villages where they faced daily bombardment and were frequently cut-off from all facilities. Finally, Gallup surveys³ show consistently high levels of migration aspirations, over 900 million people aspired to migrate in 2021 – more than in

previous years. Nevertheless, around that time, there were only 281 million migrants worldwide,⁴ implying that there is a major migration aspiration–realisation gap. Also, obviously, over 7 billion people do not even display any migration aspirations. However, while migration and its drivers are very well studied in all their facets, staying put is less-well researched. Compared to the 3,261 researchers listed in the IMISCOE Migration Research Hub, I have so far only identified around 30 who have explicitly written on the topic of immobility.⁵ While migration scholars often implicitly or explicitly promote the right to migrate, calls for a right⁶ to stay put are rarely expressed. This contribution, while first sketching the broader im/mobility continuum and underlying epistemological issues, will then focus on the somewhat underexplored issue of the right to stay.

SEDENTISM AND MOBILITY

In principle, human beings are bipedalists, meaning they walk on two legs. Bipedalism is a key driver of our evolutionary process; it 'affected anatomy, behaviour and even culture development'⁷ and is thus a defining quality of the human condition. Mobility and, by extension, migration are thus understood as key and omnipresent anthropological features.⁸ Hence, in principle, human beings are geographically mobile and have developed diverse technical means to facilitate this. There are some important exceptions though: (i) there are people who are physically impaired and/or bed-ridden due to health issues or old age and who thus cannot walk or move; (ii) there are people who are suspected of or have committed

a crime, are under house arrest or imprisoned and are thus restricted in their mobility for legal reasons. Therefore, immobility or sedentism⁹ does not actually mean that people do not move at all but refers to certain types of usually short-range or short-term mobility within a district or country. Im/mobility is thus defined in relation to (a) distance, moving a relatively short or long way from a habitual place of residence, (b) duration, moving a relatively short or long time away from this place and (c) the political dimension, the crossing of administrative or state borders. Further to this, neither sedentism nor mobility are static or absolute but temporal. For example, people who are labelled mobile because they left their habitual place of residence to go to another country are not normally constantly mobile but often settle down or return later and become sedentary again. *Vice versa*, people labelled immobile might well have been mobile in the past. Migrants and refugees waiting – for a visa, to return or in transit – are in a rather typical transitional situation¹⁰ in between mobility and immobility.

Mobility studies in sociology, in a somewhat pointed but simplifying fashion, famously claim that ‘it seems as if all the world is on the move’.¹¹ However, this bold statement overlooks the fact that only some people move further afield, even internationally and that there is a ‘hierarchy of mobility’¹² determined by social class, rights, race, gender and nationality. In addition to structural constraints, Hirschman¹³ demonstrates that people have agency, perceive matters differently and thus have three choices: to migrate (exit), to stay put and challenge and change the conditions around them (voice) or to either agree with or develop resilience and accept conditions at their place of habitual residence (loyalty). To complicate things further, Gøtehus¹⁴ found that social mobility can replace geographic mobility, while Kellerman¹⁵ demonstrates that mobility and immobility can coincide, as in the case of physical immobility and simultaneous digital mobility (e.g. working remotely).

This brief description suffices to demonstrate that mobility and immobility can be temporal, overlap and sequential; both can be intentional or unintentional, chosen or coerced, and thus voluntary or involuntary. As analytical concepts they are relative to distance, time and politics, which blurs the distinction between them. Despite this, they remain useful for identifying ideal-typical patterns of human geographic behaviour. This ambiguity is characteristic of socially constructed binaries¹⁶, where no clear threshold separates the two. Concepts such as ‘ambivalent immobility’, ‘precarious immobility’¹⁷ or ‘forced’ versus ‘acquiescent immobility’ and ‘cognitive immobility’¹⁸ illustrate the various in-between statuses. Therefore, im/mobility – ‘staying and moving are inseparable’¹⁹ – and should instead be thought of as a continuum.²⁰

Table 1: *Grid of main im/mobility patterns*

Voluntary sedentism/immobility	Temporary immobility	Involuntary/forced immobility
Voluntary mobility/migration	Temporary or one-off mobility/migration	Involuntary/forced mobility/migration

EPISTEMOLOGY

The predominant focus of studies on migration – their very constitution – is, at least in itself, a kind of monism and is almost ontological and metaphysical in that it mostly focuses on only one type of being, one status – migration – and not sedentism. By definition, in migration studies usually one status – migration – is considered the *problematique* whereas the other status – sedentism – is largely absent. The mobility turn in migration studies and generally in the social sciences²¹, as demonstrated above, perfectly illustrates this trend. However, Hegel (1830)²² insists that knowledge is incomplete if only one thing is recognised; instead, a status can only be understood in relation to another status. Consequently, a dialectical epistemological approach suggests that there is more than one status – thus mobility and sedentism. Second, through a dialectic Hegelian lens, the simple binary thesis and antithesis becomes a synthesis enabling

an understanding of im/mobility not as a binary but as a continuum. Accordingly, mobility is 'inherent' to immobility and *vice versa*.²³ In other words, it is not possible to understand one phenomenon, in this case mobility, in isolation; instead, it must be analysed and understood in relation to another phenomenon – its counterpart here, sedentism.

RESEARCH BLIND SPOT: SEDENTISM AND IMMOBILITY

The main conceptual bias of conventional migration studies is that they do not (aim to) study staying put. For example, of the 162,445 publications listed in the IMISCOE Migration Research Hub, only 219 refer to immobility in the title or abstract – a mere 0.14% – and around 60% of these entries were published after 2020, which illustrates a relatively recent rise of interest in immobility.²⁴ Equally, migration theories, such as push-pull, new economics of migration, place-utility theory, migration-system theory, migration networks, culture of migration and others, are utilised to explain why some people migrate but rarely why others do not. This is even more striking in cases where people do not migrate even though there are obvious strong drivers (poverty, war) or attractions (richer and/or safer neighbouring countries) – even in the absence of migration restrictions (as within the EU), where there is a migration network (relatives already abroad) or where some people, neighbours even, in very similar situations, migrate. Accordingly, as analysed elsewhere, 'most [migration] theories display a severe limitation in that they only aim to explain one variation of human behaviour in space – mobility – but not another (sedentism)',²⁵ resulting in a 'mobility bias'.²⁶ This only began to change recently – 'immobility is as important as mobility', as Cundill *et al.*²⁷ state and call for the 'recogni[tion of] immobility as a key dimension of mobilities studies'.²⁸ In particular, climate change-and-mobility research increasingly addresses and theorises the often counter-intuitive trend of people staying put despite hardship.²⁹ Some rural studies, too, engage with sedentism, offer imminent insights for

migration scholars and investigate, for instance, the perception of barriers for staying or, respectively, leaving.³⁰ In forced migration, too, an increasing number of studies explore immobility, tending to focus on immobilisation³¹ and forced immobility.³² The Covid-19 pandemic also triggered some fresh research on immobility³³ while migration scholars increasingly began to pick up the topic.³⁴ Notably, human and social capital or network theory, the relatively new aspiration-capability theory³⁵ or place-attachment theory,³⁶ do have the potential to explain why people do not migrate. Nevertheless, so far, few approaches and few scholars are explicitly aiming to explain why people do not even develop an aspiration to migrate.

NORMATIVE BLIND SPOT: THE RIGHT NOT TO BE FORCED TO MIGRATE BUT TO STAY

It comes as no surprise that the mobility bias is replicated in normative considerations. Philosophers, migration advocates and engaged researchers usually focus on obstacles to migration, entry restrictions and deportations and may, implicitly or explicitly, call for the right to enter, freedom of movement, the right to asylum and the right to remain in the immigration country.³⁷ Migration economists, too, in an impulse to justify migration, may refer to its benefits.³⁸ In contrast, there is rarely a reference to a right to stay, a right not to be compelled to migrate or even be displaced. Even more so, in UN circles, 'not everyone was impressed with the promotion of a right not to be displaced or a right to remain' because 'opponents seemed particularly upset with [the] "right to remain", which they saw as ... endangering the right to seek asylum'.³⁹ Such a reflex I also recently observed in civil society. Therefore, 'traditional refugee protection work had never been strong in addressing the causes of displacement'.⁴⁰ What is rarely acknowledged is that displacement is a painful process and that even relatively voluntary migration comes at high personal costs. In his seminal article, Sjaastad⁴¹ acknowledges the monetary and psychological costs of migration. Some migration and health literature, too,

highlights the stress and suffering which migrants endure due, for instance, to family separation and loneliness.⁴² Also, other negative consequences of migration – such as rural exodus or brain drain – are well researched.⁴³ Furthermore, it is well-documented that irregular migration is a dangerous undertaking, including deadly risks,⁴⁴ while conditions in destination countries – precarity, irregularity, exploitation, exclusion from social protection and racism – may, at least for some, not be substantially better than in migrants' origin countries. This suggests that migration is not necessarily always the better choice and that thinking about migration rights is insufficient if one does not also consider 'the option to stay'.⁴⁵

However, it is not that the right to stay is not prominently addressed. Notably, already the 1948 Universal Declaration of Human Rights, in Article 1, declares that 'all human beings are born free', implying that human beings are free to choose, for example, whether to stay or to migrate. Article 9 explicitly insists that '*no one shall be subjected to arbitrary arrest, detention or exile* [italics added]'. In 1999, the Inter-American Development Bank,⁴⁶ reacting to hurricane Mitch, postulated 'the right not to migrate' and, instead, promoted a 'fairer distribution of the benefits of development'. However, not until 2004 did the United Nations (UN) Guiding Principles on Internal Displacement⁴⁷ explicitly recognise the right not to be displaced. Since then, this right has been included in a number of international, regional and sub-regional instruments. For instance, the African Union's Convention for the Protection and Assistance of IDPs in Africa (Kampala Convention 2009)⁴⁸ 'requires states to take preventive measures to protect people from displacement'.⁴⁹ The UN's Guiding Principles even insist that 'states have ... the duty to protect the right from being threatened by non-state actors, such as armed militias, or particular circumstances, like natural or human-made disasters'.⁵⁰ States must take measures to prevent or minimise the impact of natural disasters.⁵¹ However, these earlier normative claims and

guidelines are thus far largely limited to internal displacement.

Recently, though, some activists and scholars have also addressed the pressure to migrate and, in response, the right to stay. In Southern Mexico's Oaxacan state, traditionally the origin of large-scale migration, the governor, in response to indigenous activists, in 2010 declared 'a right not to emigrate'.⁵² The Binational Front of Indigenous Organizations' political program pleads for 'alternatives to forced migration, including better schools, higher agricultural prices, jobs, and health care in rural areas. If people have an alternative, activists argue, they can choose freely if they want to leave home or not'.⁵³ Jordan and Düvell insist that sedentary and migratory people may be equally vulnerable and thus suggest that 'equality and justice demand a balance of rights of migratory and sedentary lifestyles'.⁵⁴ Oberman⁵⁵ explicitly applies the right to stay to migrants. He argues that 'desperate poverty can be a violation of the human right to stay'⁵⁶ and that rich states have a duty to assist the poor in their home states in order to diminish forced migration.⁵⁷ Drawing also on Christian theology, Whelan and Hinojosa⁵⁸ explicate 'the freedom to migrate or not' as 'the right not to migrate – to remain in one's home under dignified living conditions'. Baggio,⁵⁹ from a migration and justice perspective, also insists that 'the right to remain is pre-eminent, deeper, and broader than the right to migrate. It involves the possibility of participating in the common good, the right to live with dignity and have access to sustainable development. All of these rights should be effectively safeguarded in the countries of origin'. In addition, if the right to stay is violated and people are compelled or forced to flee, the preconditions should be met for their right to return to a life in dignity.⁶⁰ Migration studies could learn from urban planning, housing and gentrification studies, where Gustafsson *et al.*⁶¹ interpret staying as a form of local moral economy and a kind of resistance and develop a 'right to stay put'. Audyka⁶² goes a step further and argues for a right to decide whether to leave or to stay – rights which are deeply rooted in ideas of the moral

autonomy of persons as moral agents, as enshrined in Kantian philosophy.⁶³ In a complementary approach, Kerwin *et al.*,⁶⁴ referring to Pope Francis (2023), derive these rights from the principle of human dignity. Oberman⁶⁵ adds to this debate the principle of the freedom to choose whether to stay or to migrate. In contrast, Scherr,⁶⁶ like Baggio, argues that states are compelled to enforce human rights and thus concludes that the right to stay even does have priority over the right to migrate. In all this it is contested when, after migrating, the current place of stay becomes the new home so that people acquire the right to stay and not to be forced to return.

Finally, obviously, the right to stay should not be misinterpreted or misused as an obligation to stay;⁶⁷ instead, it is meant as an aspect of freedom, thus depicting the meaningful choices human beings should have. The right to stay shall thus be understood as complementing the right to leave and return to the country of one's nationality and ideally also the right to enter another country, at least for certain purposes.

CONCLUSION

Conventional migration studies often imply or even explicitly argue that migration is human and thus normal and therefore should be accepted and accordingly dealt with. In contrast, the majority of the global population does not even aspire to migrate. Nevertheless, climate change, poverty or just a lack of opportunities, as well as violent conflicts, deprive hundreds of millions, if not billions, of people of the preconditions of a life in dignity at their habitual places of residence. For migration studies, this implies that more attention should be paid to the other side of the coin: sedentism due to choice or coercion. Moreover, policy and rights research should pay better attention to the right *not* to be displaced and *not* to be coerced to migrate and thus to the right to stay and the preconditions thereof.

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