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# Mobility During Pandemics: Moving Borders and Citizenship into Uncharted Territories

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**Abstract:** During the coronavirus (COVID-19) pandemic, governments implemented travel restrictions and self-isolation, decreasing mobility for most individuals, but also permitted repatriation and ‘essential’ work, increasing mobility for others. How has the governance of human mobility from March to August 2020 affected the concepts of borders and citizenship? Drawing on evidence from countries in the European Union and South America—regions with more fluid intraregional mobility pre-pandemic—we compare states’ reactions to evaluate moving borders and citizenship. We find fluctuating internal borders and external borders pushing further into other territories. By differentiating between people and essential work, governments deteriorated the rule of law since the frequently changed measures undermined individuals’ ability to predict mobility and income. Migrants were additionally affected because of legal statuses of being a resident national, emigrant, dual national, temporary or permanent immigrant, or having an irregular status. Short-term policy reactions may lead to long-term consequences; we foresee exceptions and control mechanisms under expanded Leviathan-style approaches could continue to affect individual mobility in and between countries.

**Keywords:** human mobility, pandemics, borders, citizenship, COVID-19, ad-hoc policy

## 1. INTRODUCTION

To manage the coronavirus pandemic, governments around the world reacted with a plethora of policies to control individuals’ internal and international movement. Despite restrictions and exceptions affecting everyone, we focus on migrants and individual-state relations, including nonresident nationals (emigrants) with their origin country and foreign residents (of varying statuses) in residence countries. Border closures, travel restrictions, self-isolation, and quarantine during COVID-19 decreased mobility, while repatriation, evacuation, return, and essential work increased mobility, including across international borders. Our main research question asks: how has the governance of human mobility during the first six months of the pandemic, from March to August 2020, affected the concepts of borders and citizenship? Given governance of (im)mobility drifted into uncharted territories, varying between individuals, we also ask: in what ways could reactions during states of emergency stir longer term consequences?

To analyze individuals' mobility within and across borders, we draw on select European Union (EU) and South American countries' policies during the first six months of the COVID-19 pandemic. Before the outbreak, both regions offered more fluid intraregional mobility for members, as compared to other areas. While developed with different aims and outcomes, the EU and South America boast some of the most advanced mobility policies and regional integration processes worldwide (Brumat and Acosta 2019).<sup>1</sup> Our evidence stems from government websites, newspaper columns, blogposts, the worldwide International Travel Restrictions in Response to the COVID-19 Outbreak Dataset (Piccoli, Dzankic, and Ruedin 2021), and reports from the European Migration Network (EMN) on coronavirus-related immigration policy changes in the EU-27 countries.

During COVID-19, the two regions showed similarities and differences in (im)mobility changes, ranging from relative openness to 'lockdown'—the latter term embodying an eerie conversion of prison confinement to sudden everyday usage. Openness (i.e., allowing mobility) came in a variety of forms: planned and organized openness as an approach to virus contagion (e.g., in Sweden); unorganized, or spontaneous, openness led by political leaders or so-called "Covid deniers" (e.g., in parts of Brazil) and openness by default, when countries announced lockdowns but failed to completely enforce them (e.g., Chile). These last two varieties demonstrated gaps between policy on paper and in practice—in turn, failing to comply with recommendations from the World Health Organization and Centers for Disease Control and Prevention to lower contagion.

Full lockdown meant closing external borders for almost all entry and exit (e.g., Ecuador, Peru, and Poland) and limited internal movement enforced through self-isolation and curfews (e.g., Italy). Such lockdown procedures meant to contain the spread of the virus thus limited both external and internal movement by closing international borders between sovereign states and prohibiting internal movement within territories. While changes were transitory in states of emergency, they impacted strata of the population differently (in terms of socioeconomic status, urban versus rural location, and migrant legal status), which can spur future spillover effects.

Contemporary democracies allow certain individuals to enjoy certain mobility rights because of their nationality; the passport they hold (nationality) conveys their bundle of rights (citizenship) for their origin country. Nationality sometimes also influences their rights as immigrants in a residence country, e.g., regional migrants enjoy more rights throughout the EU and South America, as compared to extra-territorial migrants (called Third-country nationals in the EU), while national citizens still hold more rights than regional immigrants. Nationality largely determines the right to exit and re-enter a territory—a right inherent to nationality in advanced democratic countries. Where the right to reside in one's 'own country' is innate, internal mobility within the country is also typically allowed. States' obligation to 'protect' nationals was reflected in initial policy reactions to the coronavirus outbreak.

Nationals were the most common exception to travel restrictions from March to May 2020, implemented by about 90% of states, according to a COVID-19 dataset covering 211 countries and territories (Piccoli, et al. 2020). Movement was further allowed for essential workers. While healthcare facilities needed to treat coronavirus patients and handle urgent care, 'essential' also included some workers in food and agriculture sectors, emergency services (fire and police), basic sanitation, utilities maintenance, executive governance, and transportation (PAHO 2020). Unpermitted movement, most notably by informal workers in South America, did not necessarily cross borders but were internally mobile. Even in full lockdown, some broke quarantine to work, reflecting the (miserable) tradeoff between potential death from COVID-19 versus starvation.

While the categories of restrictions and exceptions reaffirmed previous socioeconomic hierarchies during and post-pandemic, they also curiously showed new inclusivity of migrant residents. Most states took responsibility for those in the territory—in the first months of the pandemic, about 85% of countries worldwide considered residents as exceptions to travel restrictions (Piccoli, Dzankic, and Ruedin 2021). Since holding nationality typically offers greater rights than those attached to residency, when governments considered residents as exceptions, they put residency on par with nationality. The exceptions increased

mobility, despite knowing that movement of many people close together in enclosed spaces would increase contagion.

In Section 2, we introduce mobility rights, inner and international borders, differences between citizenship and nationality, and outline the relation between mobility and migrant legal statuses. Using EU and South American country examples, we dedicate two sections to discuss the results of our first research question: Section 3 covers shifting borders within and between countries then Section 4 discusses citizenship before and during COVID-19. Considering some government reactions coasted into uncharted territories, we tackle the second research question in Section 5, outlining long-term consequences on mobility, borders, and citizenship.

## 2. CONCEPTUAL FRAMEWORK OF MOBILITY, BORDERS, AND CITIZENSHIP

Attempting to regulate human mobility during the pandemic, governments' short-term policy reactions increased both mobility and immobility, depending on individuals' nationality, place of residence, occupation, health, wealth, and familial ties. Implementing restrictions, states closed borders and enforced self-isolation, decreasing mobility. Granting exceptions, states led repatriation procedures and granted special mobility rights to some individuals, namely nationals and residents, corresponding to emigrants, immigrants, and dual nationals.

COVID-19 served as a reminder that boundaries and rights are not fixed, as governments deemed some workers 'essential' to the economy, including many internal, international, and cross-border migrants. Accounting for all sectors and defining such essentiality represents an insurmountable knowledge problem, given its layered complexity and missing information. On COVID-19 policies, Pennington (2020) highlights that, "in the specific case of pandemic response, the level of complexity and uncertainty may be so great that it is not possible for such calculations to be made" since concrete data is inexistent or because "micro-level connections that underlie such data are opaque." Trying to untangle the web of the macroeconomy, its spontaneous orders of current and future needs, and actors' desired transactions, represents a far-fetched feat for central planning (Paniagua 2016). Yet, like point-based immigration regimes that use such calculations to determine who receives visas, governments listed specific workers as exceptions to mobility restrictions. In addition to obvious needs like prevention, detection, and treatment of COVID-19, how many workers were needed? Were they coming internally or from abroad? To what extent were various positions within the sector needed to operate? Stretching further into the supply chain (e.g., administration, cleaning staff in clinics, pharmaceutical vendors, factory workers of medical supplies, etc.) shows blurriness in where mobility restrictions and exceptions lie.

The movement of persons, goods, and services facilitate these production cycles in modern everyday life; regarding human mobility, we conceptualize that movement crosses two main types of borders: inner borders and international borders. The first entails internal movement, or crossing areas within territories (e.g., neighborhoods, cities, subnational regions). Balibar (1997, p. 78) paraphrases Fichte to highlight that inner borders (*innere Grenzen*) are "invisible borders, situated everywhere and nowhere." During the coronavirus outbreak, the rules for crossing inner borders (i.e., internal mobility) were less specific to nationality. The national-foreigner distinction is older than the nation-state and continues to infiltrate immigration debates (e.g., on visas, integration, social benefits, walls, rights, deportation). Within countries, COVID-19 stirred a partial temporary effect. Anderson (2019) gives an example: "We must look after our own first. We must first attend to the housing, benefit and health needs of our population ... The 'we' here is the citizen talking across the border, but in addresses within the border, the 'we' may be the taxpayer, or residents in a municipality, or homeowners". During the outbreak, the 'we' emerged from perceived health threats rather than from solidarity or belonging based on nationality or connections to the nation-state.

The second type, international borders, demarcate sovereign territories with invisible but enforceable boundaries. With people and goods continually crossing over them (exiting one country then entering another), along the lines runs international tension or cooperation. While borders are invisible and political

(Balibar 1997), they can be recognized by the presence of military or public officials, flags, border crossing points, or signage, giving them physical attributes. Polities seek to re-position themselves “within a broader constellation of polities” by attempting “territorial rescaling” (Arrighi and Stjepanović 2019, p. 220). Since individuals and groups repeatedly try to change them, international borders are contested and far from fixed. When borders move, they “disrupt the legal status and rights of those who live in that territory or are in some ways connected to it” (Arrighi and Stjepanović 2019, p. 221).

States have also been ‘pushing’ borders into other territories in the sense of outsourcing border control procedures and bureaucracy to offices and locations abroad. As a result, people’s preparations to cross borders more often begins in another territory (Shachar 2020), for example completing ‘pre-migration bureaucracy’ in origin countries to obtain a visa for the destination country (Finn 2019). In terms of mobility, the potential migratory journey could thus end before ever crossing a border—which is the intended outcome of border control mechanisms: filtering the wanted, desirable, and ideal from the rest. Given states’ long-standing use of selective mechanisms, they predictably also used them during COVID-19 to enforce immobility and allow exceptions. What was surprising was *who* states deemed as exceptions for mobility. The major exceptions of interest relate to migrants: nationals living abroad (emigrants and their descendants) and residents (immigrants), with either group holding dual or multiple nationalities.

To clarify, citizenship is generally used as a synonym for nationality in the EU whereas the two terms differ in South American countries’ constitutional laws. Nationality appears on a passport or identification document, showing one’s national belonging or legal membership (see, e.g., Pedroza and Palop-García 2017). The notion that all status-holders possess equal rights embodies an inherently democratic view (van Steenbergen 1994). Related, but legally distinct in many countries, citizenship focuses on the internal aspects of the relationship, i.e., what rights, duties, and obligations the state and the individual have under domestic law (Bauböck 2006a, GLOBALCIT 2020). The individual-state citizenship exchange involves a variety of rights: civil rights, i.e., basic personal liberty, rights to property and justice; political rights, i.e., to participate via democratic institutions; and social rights, i.e., access to basic social welfare and education, allowing individuals to practice their other rights to the fullest (Marshall 1964). While citizenship dates to ancient Greek city states (Heater 1999), countries’ initiatives to control cross-border movements stem from around the French Revolution (Torpey 2000), underlining the dominant notion of nationality as individuals’ legal connection to a nation-state.

Alongside increased international human mobility, rights have expanded in countries, regions, and globally through international agreements, laws, and courts: many democratic states extend civil, most social, and some political rights to nonresident nationals and foreign residents, who can maintain different linkages to multiple states simultaneously (Levitt and de la Dehesa 2003, Arrighi and Bauböck 2017). Detailed by Pedroza (2019), granting citizenship rights (e.g., the right to vote) to foreign residents has pushed the concept of ‘citizenship beyond nationality.’ States have unbundled rights in a way that, through residency, individuals can gain rights traditionally reserved for nationals (Vink 2017).

Migrants’ rights nonetheless still correspond to their legal status indicated by short- or long-term visas, residence permits, or carrying an irregular legal status (i.e., ‘undocumented’, with expired or without documents). These categories define the right to (re)-enter, reside, work, and access benefits—which will expire with the visa. Renewing a visa extends access to rights whereas naturalization (adopting a new nationality) can guarantee further or almost indefinite access.<sup>2</sup> Migrant legal status played a major role in determining access to rights and mobility during COVID-19.<sup>3</sup> Considering the governance of human mobility during the first six months of the coronavirus pandemic, how did policy reactions affect the concepts of borders and citizenship?

### 3. MOVING BORDERS

During COVID-19, external borders pushed further into other territories and internal borders fluctuated. National-level state actors controlled the first through checking health statuses (e.g., requiring a negative

result of SARS-CoV-2 or later, proving immunity) and biometric controls extending before, at, and after crossing international borders. Digital identities—sometimes collected without individuals’ consent—show prior movement and personal details, compiled into international databases that can affect future mobility. Internally, subnational public actors and individuals played stronger roles in setting or reinforcing inner borders. Physical blockades and controls emerged between regions (e.g., in Italy), states (the United States [US]), cities and municipalities (Chile), and even neighborhoods (Brazil). Many South American countries militarized border crossings, in the process trapping individuals trying to transit and instigating illegal crossings (Brumat 2021).

States faced normative legal decisions of closing borders for all, some, or no one (i.e., leave them open). Governments and policymakers unsurprisingly lacked time to implement the ‘best’ policy. Too many unknown variables about contagion and people’s reactions—including abiding or breaking quarantine—meant policymakers had to rely on “centralised guesswork by ‘big players’” and “subjective interpretations of epidemiological and economic models to guide their decisions” (Pennington 2020). Given such country-specific variables, no ‘best’ policy could exist, nor copycat moves advocated for, during a state of emergency facing a new virus.

As immobility continued, production slowed or stopped, and unemployment rose—instigating what may become the “worst economic downturn since the Great Depression” (Gopinath 2020). Migrants who lost their jobs faced the possibility of also losing their legal basis for residence, more so in the EU than in South America, since the former more commonly issues residence permits linked to employment status or sometimes to migrants’ income bracket. Countries used two policy solutions to alleviate this issue: they changed the standard visa rules and granted financial subsidies.

The first approach of adjusting migrant legal statuses was implemented by over half of the EU member states; they allowed immigrants who became unemployed to keep their residence permits. Cyprus, for instance, extended the window for seeking a new job by six months (EMN/OECD 2020a). Contrarily, the EMN ad hoc query reports that nine member states did *not* allow such immigrants to extend their residence permit. However, not all migrants slipped into irregular statuses. Instead of extending residence permits, Estonia granted the temporary right to remain in-country until travel bans were lifted and allowed the newly unemployed to work in the agricultural sector, which had suffered a loss in labor force due to pandemic-related restrictions barring seasonal migrants from entering the country (Jakobson and Kalev 2020). Many countries allowed similar extensions for foreign students facing mobility restrictions to return to origin countries, letting them finish their studies delayed by the pandemic (EMN/OECD 2020b). South American countries also created new policies: Argentina, Brazil, Chile, Ecuador, Paraguay, and Peru extended the expiry dates of all temporary residence permits—to avoid physical proximity at normally overcrowded visa offices—while Uruguay kept scheduled visa-related appointments (IOM 2020a). Despite official extensions, in practice Brazilian authorities continued to ask immigrants for valid non-expired documents ((In)movilidad en las Américas 2020a).

The second approach of implementing financial support schemes was widely used in the EU and South America. Most EU member states primarily targeted EU nationals, thus leaving immigrants from third countries in a more vulnerable position. Contrarily, several states extended social rights (including unemployment benefits in some countries) that only nationals had previously enjoyed, to most Third-country nationals (EMN/OECD 2020a). In South America, Brumat and Finn (2021, in press) report that Brazil implicitly included immigrants in their emergency help fund but others, such as Chile, included immigrants on paper but not in practice.<sup>4</sup> Argentina’s subsidy targeted vulnerable groups but required a two-year residence and an application, resulting in blocking 80% of immigrants from accessing it ((In)movilidad en las Américas 2020b).

Within countries, solidarity based on nationality crumbled as internal borders surfaced as new social constructs. Instead of ‘we’ as a nation, ‘we’ emerged as self-acclaimed groups within designated areas. The ‘we’ in Chile were smaller towns and municipalities outside the capital city of Santiago, where people started associating all residents of the capital, the *santiagoños*, as an infected population. Before the national

government had time to react and prohibit interregional movement, individuals physically barred those from ‘outside’ from entering ‘their’ area by setting car tires and other materials on fire to blockade main roads (La Tercera 2020). Their signs stated, “Go back to Santiago—I live here, you do NOT!” (ibid). This ‘you’ represents the ‘other’, the ‘outsider’, the ‘undesirable’, and the ‘them’ in the us-versus-them lingo (e.g., Anderson 2013, Domenech 2015, Kukathas 2021). While in other contexts, this ‘you’ would refer to foreigners, during the pandemic, people’s location was used as a shorthand to gauge the chances of carrying COVID-19. Thus, residence trumped nationality.

Residence did not, however, rise above ethnic background: Chan and Montt Strabucchi (2020) describe Chinese and ‘Oriental’ individuals being targeted as threats in Chile, as ‘others’ and coronavirus carriers, in turn undoing advances in anti-racism and xenophobia. Lumping all Asian people together ignored rights related to nationality—since, of course, many are Chilean nationals—and ignored equal rights based on residence. Similar rises in xenophobia stretched across Asia, in Australia, and in the US, alongside upticks in racism and anti-immigrant sentiment (Gamlen 2020). Reports further arose in Europe; the former Italian Minister of the Interior Matteo Salvini accused asylum seekers from Africa of being ‘importers’ of the virus and called for border closures (Devakumar et al. 2020). A quasi-experiment in Germany reports more optimistic findings: such spikes in targeted hostility during COVID-19 occurred against a backdrop of overall support for inclusive norms, meaning the pandemic did not significantly affect public opinion (Drouhot et al. 2020). Whether social reactions will affect overall trends or not, inner borders emerged that added at least short-term divisions between people based on ethnicity and assumed health.

Border closures, including for air travel, during the COVID-19 pandemic served as a stark reminder that sovereign states control borders and will change them as they deem necessary, in turn affecting individual-state relations and the rule of law. During state of emergencies, governments infringed on individual rights to move in and between countries, declaring restrictions (immobility) for some yet exceptions (mobility) for others. Governments deteriorated the meaning of the rule of law in the name of public safety by differentiating between people and frequently changing measures since it lowered individuals’ ability to predict their mobility and income. Whereas origin-country obligations and rights have long been determined by legal membership as defined by nationality, exceptions for mobility came from both origin and residence countries and related to nationality and residence, as well as occupation, health, and wealth.

#### 4. MOVING CITIZENSHIP

Since states define which individuals have rights, and under what conditions, citizenship may appear as fixed, a rights-duty relation; but changed legal definitions and notions of who are the people mean that citizenship, as rights and practices, is a fluid concept. Redefining who is an immigrant (e.g., by counting or excluding international students as immigrants) changes how many immigrants live within a territory (Kukathas 2021). Re-defining the boundaries of the demos (i.e., extending or withholding suffrage to emigrants or immigrants) changes who is a member of the political community within a territory (Arrighi and Bauböck 2017, Finn 2020). Moreover, “migrants are not only objects of laws, policies and discourses but also agents” (Bauböck 2006b, p. 10). Individuals exercise rights by participating if and when they have formed some kind of identity and connection with a given state (Jakobson and Kalev 2013)—meaning that individual-level practices affect citizenship. Given such developments, citizenship has long been changing, or ‘moving,’ within and across borders.

On the one hand, COVID-19 reinforced national-state relations; Spiro (2020) highlights that “the pandemic demonstrates the continuing strong pull of national identification... many people went back home, not only those who were travelling abroad as tourists but also those who have been working and resident abroad. That seemed natural.” This view of being ‘natural’ reinforces the traditional national citizen-state relation—in this case, the origin country takes the role as the ‘homeland.’ Despite globalization, individuals chose to exercise their right to return and states kept promises to protect nationals. On the other hand, the crisis challenged certain national-state relations; some dual nationals in China were denied evacuation to

Australia and the United Kingdom (UK) if they had entered China with a Chinese passport (Dzankic and Piccoli 2020). This indicates a double standard within Australian and British policy toward their (equal) treatment of dual nationals. The events also underline the duality in migrants' legal status: individuals hold certain rights but must play by the rules in two countries.

Nationality played a strong role in countries' mobility exceptions, both globally and in the two regions of interest. As mentioned, almost all countries worldwide with restrictions made mobility exceptions for nationals and residents. In South America, all 12 countries closed international borders after the pandemic was announced in March 2020 but no regional-led response emerged. Some countries opted for additional internal measures like mandatory quarantines (e.g., Argentina, Bolivia, Chile, Colombia, Ecuador, Paraguay, and Peru) or voluntary ones (Uruguay and Venezuela) (Brumat and Finn 2021, in press). Coordinated response was slow in the EU; most countries imposed travel bans but allowed nationals and foreigners holding long-term residence permits to enter (EMN/OECD 2020a), following common trends. Countries thus drew a distinction between 'us' and 'them' based on residency. While prioritizing residence over nationality makes sense from the epidemiological perspective (having people stay where they are), it showed an important, albeit transitory, change in rationale, as compared to how nationality is typically treated in other crisis situations—when countries are expected to focus on offering diplomatic assistance and evacuate nationals abroad.

Portugal granted residence to all immigrants and asylum seekers with pending applications, in effect granting them equal citizenship rights, including health, social support, employment, and housing (Público 2020). The policy granted blanket rights, regardless of nationality and current legal status, to focus on public health within the country. Contrarily, some states denied nationals long-standing rights; Ecuador and Peru announced total border closures, providing a one-day notice for nationals on holiday or living abroad to return, then allowing in only "vulnerable" nationals (El Mostrador 2020).

For cross-border migrant workers, continued labor activities required international cooperation to exit one country and enter another. Being neighbors, many Estonians commute to Finland to work; during the pandemic, Estonia waived self-isolation for nationals to enable commuting, but Finland did not. Governments' conflicting short-term reactions forced workers to remain in Finland, which many of them did, or return home, likely being left unemployed. The mobility bubble that arose among the Baltic States (Estonia, Latvia, Lithuania) demonstrates how smaller pockets of free movement can emerge despite overall restricted movement. International cooperation to align policy reactions could have ameliorated the situation but with scarce time and information, normally cooperative governments such as Estonia and Finland clashed in their mobility exceptions. It reduced migrants' normal rights linked to national citizenship and regional migration movement, becoming dependent on the rules of two countries.

Regarding travel limitations during the outbreak, the dichotomy of national versus foreigner did not always apply. In many ways, the higher echelons of talent migrants experienced the crisis more profoundly. The pandemic slowed down study migration, with over half of potential candidates postponing their enrollment, and many looking to change their destination country (Studyportals 2020), as the major student destination countries faced some of the highest contraction rates (IOM 2020b). Meanwhile, the European Commission called on member states to treat some seasonal laborers working in blue collar sectors as essential workers—granting them mobility to enter territories inaccessible for other migrants (EC 2020a).

The virus did not check passports or visas. While anyone could fall ill, eliminating the nationals-versus-foreigners distinction, demographic and socioeconomic strata faced different probabilities of contracting and recovering from coronavirus. Some internal movement in South America occurred by bus or on foot, close to others or in enclosed spaces not permitting physical distancing, which heightened these migrants' chances of contracting the virus (Acosta and Brumat 2020). Wealth and occupation greatly mattered, determining if people could continue to work (in-person or online) or survive without working. Housing and work arrangements determined if people could comply with the recommended physical distancing. Compared to the more well-off, those in more precarious positions faced greater ramifications from the pandemic restrictions (ILO 2020).

At the individual and household levels, (im)mobility did not differentiate between nationalities, but four factors became more important during the pandemic: 1) family ties linked to mobility exceptions, e.g., for family reunification and emergency travel; 2) occupation, e.g., having an essential job, a formal contract, and optional work from home; 3) health, since certain prior conditions increased vulnerability for contagion and fatality; thereafter, regular health checks (e.g., monitoring body temperature) also determined if one could continue to work; 4) wealth expanded socioeconomic schisms between those with or without financial nets, access to healthcare services, and technology at home to facilitate education and labor activities.

Transitory policy changes in reaction to the pandemic also showed drawbacks at the regional level, negatively affecting both the notion of European Union citizenship (see Maas 2020) and further damaging the South American regional mobility regime (Acosta and Brumat 2020). While EU national citizens typically enjoy more rights than Third-country nationals—e.g., the freedom of movement within the EU and civil and social rights equal to those of nationals—the pandemic notably restricted their privileges vis à vis extra-territorial migrants, as national travel bans and contagion rates governed their mobility (Davies 2020). The same occurred in South America, particularly for Venezuelans who faced fewer rights and lower access to mobility, despite being regional migrants (Brumat 2021). While the European Commission worked towards a common framework for travel restrictions (EC 2020b), they treated EU nationals and Third-country nationals alike. The pandemic thus undermined the notion of EU citizenship as a rights-based status, as compared to national citizenship or permanent residence. The only exception EU nationals enjoyed was the right to transit through other member states to return to origin countries (Mantu 2020).

## 5. MOVING FORWARD

Governments tried to decide which workers were essential, how to avoid the economy crashing, protect people in the territory, and forecast where, how, and how fast the virus would spread. Coupled with rapid contagion and deaths around the globe, such an impossible feat led to 2020 being a year to forget—but its effects on mobility, borders, and citizenship will linger. While mobility reactions during the pandemic may have been justifiable during states of emergency, they may be less convincing moving forward. Government-led reactions further stratified rights based on migrant legal statuses and added health and occupation categories. People were thus treated differently at border crossings and within countries, undermining the rule of law and creating unpredictability for individuals to forecast their ability to move and earn income.

Short-term measures taken during states of emergency to protect public health revealed creeping Leviathan states with possible continued control over societies in the longer term. Like how terrorist attacks post-2001 rippled through the public allowing governments to infringe on privacy, COVID-19 has created new justifications for controlling everyone's movements, using "surveillance tools typically reserved for counter-terrorism and espionage" (Shachar 2020). In half a year, such measures included implementing intrusive surveillance, digitally tracking movement, and barring internal and international mobility. Digital footprints of movement are traceable worldwide (e.g., tracking people's locations through their cellular phones), forming digital identities even without individuals' permission. Data sharing has also spread (e.g., to cross-reference facial recognition, fingerprints, visa backgrounds, etc.) (Micinski 2020). While smart borders were already widely used from Abu Dhabi to the UK—and since at least 2000 in the US (CNN Travel 2019)—efforts were pushed forward faster. External borders prove moveable: "digital identity systems, interoperable databases, and mandatory information sharing make possible the monitoring and control of all people, *everywhere*, instead of the state limiting its surveillance to people *within its territory*" (Micinski 2020, p. 14, emphasis added).

Control outside external borders of sovereign territories entailed health checks and medical certificates (e.g., negative SARS-CoV-2 tests), restricting mobility before individuals neared borders (Shachar 2020). For immigrants, health tests may remain a pre-filter before crossing borders, or added to pre-migration

bureaucratic document processes in origin countries (Finn 2019) when applying for visas. For emigrants, nationals living abroad who returned to the origin country may or may not relocate again. Such decisions impact both the previous residence country, which has lost an immigrant and likely a worker, and the origin country, which has gained a return migrant, likely unemployed on arrival. While only about 3% of the world's population lives in a country outside where they were born, it equates to 168 million international migrant workers (ILO 2018). Gamlen (2020) foresees an increase in temporary labor migration schemes and immigration point systems in order to fill labor demands and also cherry-pick the higher skilled. Mobility regulations and individual choices during the pandemic can affect future choices to return, move elsewhere, or not migrate at all, impacting labor markets and supply chains across borders.

Alongside changing international borders, *internal* borders also fluctuated regularly, demarcated by individuals and local governments. People stepped in when government would not, like in Brazilian neighborhoods enforcing their own COVID-19 precautions (Martins Junior 2020). New hierarchies emerged for international mobility and migration. To “protect” local ground, (sub)nationalism surged in some places and individuals and local governments closed off to ‘outsiders’ of neighborhoods and cities—prioritizing residence above nationality. Such bottom-up reactions underline heightened control by mayors, governors, and municipal governments, which may roll over into new constituent support in future local elections.

Old and new stereotypes emerged about who insiders and outsiders are, which surprisingly did not exactly align with nationality. Ethnic targeting increased, for instance against ethnically Chinese, even as nationals of where they live. The targeting was partially inverted across Asia, for instance in Malaysia, Myanmar, and Singapore, COVID-19 reactions displayed heightened xenophobia and racism against immigrants (Gamlen 2020). Phobias of ‘others’, stereotyped hygienic practices, and unknown health conditions are reminiscent of prior migrant exclusionary policies. Stigmas of real or imagined health—such as with leprosy, polio, typhoid, syphilis, and mental health diseases—have all been incorporated in immigration policies of past centuries targeting, for example, Irish, Italians, Chinese, and the Jewish population (Kraut 1995).

Contemporary advances in biometric borders make the body, rather than documents, the “ticket of admission” or the excuse for denial (Shachar 2020); (inter)national information systems and watchlists recording data such as overstayed visas or criminal charges may soon be complemented with past health statuses and vaccinations received—establishing a type of ‘immunity passport’ (Adey et al. 2021). States with (perceived) capacity will continue in their attempts to control the number and types of immigrants entering and residing in the territory. Filters reflect long-standing immigration policies attempting to choose ‘desirable’ immigrants and deter or deport the ‘undesirable’ (see, e.g., Domenech 2013, 2015).

## CONCLUSION

Governments around the world reacted to COVID-19 in 2020 with a plethora of policies to control international and internal human mobility. Exceptions to cross international borders often included nationals, residents, sometimes their families, diplomats, humanitarian workers, and essential workers. While ‘public safety’ has allowed states to trump individual freedoms and privacy, ‘public health’ reemerged with similar effects limiting mobility rights, adjusting citizenship and borders ‘as necessary.’

To enforce mobility policies for both nationals and foreign residents, Leviathan-style approaches emerged or solidified—and may continue. Sovereignty, which was once losing its relevance as a ground for legitimizing immigration control (Hirst et al. 2015), came booming back in an international race towards halting the spread of the virus. When deciding immigration laws, strong democratic countries are not losing “morality and legitimacy” with respect to their borders (Dauvergne 2004, p. 611); during COVID-19, they revised immigration rules on a day-to-day basis and reinforced sovereignty. The pandemic-related Big Brother scenarios will be difficult to retract, even in liberal democracies. Surveillance techniques can “‘spill over’ to regulate the mobility of citizens as well, especially in times of crisis. The once-fixed territorial border is thus not just shifting inward and outward, but also multiplying and fracturing. Each person ‘carries’ the border with her” (Shachar 2020). Monitoring measures were pushed forward faster, along with extended

controls before, at, and after crossing (inter)national borders (Adey et al. 2021). Such tightened control lowers freedom not just for migrants but for *all* individuals (see Kukathas 2021).

By examining select European and South American countries, our findings on the conceptual malleability of borders and citizenship rest on two pillars: legal status, at the core of individual-state relations, and states' views on the economic 'necessity' of individuals. Both "borders and citizenship are politically constituted and historically and economically embedded" (Anderson 2019). In this sense, COVID-19 served as a reminder that boundaries and rights are not fixed. Transformed borders and citizenship had short-term effects on individuals' rights—as an inconvenience for globally mobile individuals yet life-threatening for many other migrants, particularly those in the informal labor market and in 'limbo' between legal statuses or stuck between borders. While nationality, along with occupation and wealth, continues to play a key role in mobility, many countries put residents on par with nationals by, e.g., granting residents mobility exceptions. In some cases, residency presided over nationality, such as EU countries extending rights to resident Third-country nationals that intra-EU free movers did not enjoy. The temporary measure was meant to minimize spreading the virus, however, immigration policy tends to be notably path-dependent (Boswell 2007). So, if the pandemic-related restrictions persist, we could witness a freezing-over in international mobility with current migrant residents facing a chance to stay in-country while potential future mobilities remain on hold.

The pandemic may permanently change mobility and residence by unevenly maintaining barriers. Richer mobile individuals will be more selective for where and when they travel, study, and work, whereas others will move out of necessity, eager to send much-needed income back to families struggling because of the pandemic (Gamlen 2020). COVID-19 exposed the ugly pre-existent juxtaposition that essential workers give everything to make economies run more smoothly, which in turn benefit entire societies. Facing this has not destroyed the continuum between mobile rich versus poor but rather resulted in more categories ranking who is 'essential', why, and when. Even if many irregular migrants were emancipated in the public eye as essential workers during the pandemic, with certain migrants receiving more rights, there is little reason to believe that a paradigm shift has occurred. Even when fluid global movement returns, migrants with certain legal statuses will be in a relatively more precarious position, especially in a world where healthcare access, including vaccinations, becomes a prerequisite for other rights.<sup>5</sup>

## NOTES

- 1 As Brumat and Acosta (2019, p. 54) point out, South America falls short of being a mobility regime since its main document, the Mercosur Residence Agreement offers the right to reside—as highlighted in its title—but fails to secure the right to enter; thus, unlike in the EU, it does not grant the right to free movement. For an English version of the Agreement, see Acosta and Finn (2019).
- 2 While adopting a nationality, or 'naturalizing', in a country deems that person a national, they still may have fewer rights than those who gained nationality at birth, e.g., naturalized persons may have to wait an additional period before gaining full political rights or may lose rights faster if they reside outside of the country (see Shachar 2009, Pedroza and Palop-García 2017).
- 3 The distinction between 'foreigners' versus 'nationals' presented here is more complex and often involves many (often a dozen or more) legal status categories built into the legal system over decades, even centuries (for South America, see Acosta 2018). Additional vulnerable groups who faced Covid-19 restrictions comprised, e.g., stateless persons (those lacking a nationality, or a formal individual-state relation) and asylum seekers.
- 4 To access the subsidy, immigrants needed to present a Chilean identification and resident permit, which are backlogged one to two years, meaning recent arrivals lack such documents. Chile's Department of Foreigners and Migration (Departamento de Extranjería y Migración) became backlogged long before Covid-19, due to higher immigration since 2015 (see Finn and Umpierrez de Reguero 2020).

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