Transient Sovereignty: Governing Mobility and Migration in Latin America’s Export Boom

Recent work on the history of internationalism and international law has moved beyond Europe and the United States, to explore the ways in which “the margins” both challenged and contributed to global governance. With the key exception of human rights law, these studies have tended to focus on sovereignty, inter-state conflict and international institution-building, giving relatively short shrift to questions of migration, trade and finance. This paper attempts to rethink the history of governance “at the margins” through the case of human mobility in the late nineteenth and early twentieth centuries. It focuses both on cases and on the intellectual and legal frameworks through which jurists and economists in this period sought to understand and control the unprecedented movement of people that accompanied the first phase of industrial expansion in Europe. I argue that the South American countries developed a remarkably intricate system for adjudicating the rights and obligations of individuals as they moved through space, spanning both domestic and international law. Rather than a legal precedent for human rights, however, this system provides a first glimpse at how countries on the margins used law to channel and contain the explosive repercussions of an expanding global capitalism.