

OECD Migration Policy Post-1995: A New Dataset

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*Abstract:* This paper presents a new migration policy dataset with a wider cross-section than existing alternatives and with a significant temporal dimension covering the second epoch of global migration that began with the end of the Cold War. These data are coded from OECD series that are both consistent across member-states in reporting standards and comprehensive in terms of their country coverage, thus avoiding some of the potential problems associated with datasets built from multiple and varied sources. The paper then uses these data to examine three hypotheses from the extant migration policy literature. First, they provide evidence consistent with the gap hypothesis: migration policy is becoming more liberal contrary to the reported preferences of a voter majority. Second, they show no support for the proposition of a tradeoff between openness and rights in terms of migration policy. Third, they also demonstrate little evidence consistent with migration policy convergence among the democratic destination countries. Instead, one can observe different clusters of openness/rights combinations, suggesting policy divergence.

Especially since the end of the Cold War, an era restricting certain cross-border population flows, international migration has expanded and, moving into the 21<sup>st</sup> century, immigration has re-emerged as highly salient political issue. Scholars know much about what voters want in terms of the national immigration policy: across the democratic destination countries, citizens consistently express a strong preference *against* greater immigration. We also know that a variety of organized interests, including business, ethnic and humanitarian groups, lobby governments *for* greater immigration.

But, despite the general understanding that international labor flows represent the least openness dimension of economic globalization (compared to international trade and capital mobility), scholars know comparatively little about the national variation in immigration policy, although the literature has many hypotheses that have yet to be systematically tested. First, is there a gap between the restrictive preferences of voters and the actual openness of national migration policy with policy becoming more open contrary to voter preferences (e.g., Hollifield, Martin, and Orrenius 2014)? Second, is there a tradeoff between immigration openness and the rights accorded to immigrants once they enter a democratic country (Ruhs and Martin 2008)? Third, can one observe migration policy convergence among the democratic destination countries (Cornelius and Tsuda 2004) and, if so, towards what combination of immigration openness and immigrant rights are they converging?

Even with rich country case studies, it has been hard to systematically answer these questions because of the lack of comparable cross-national data on migration policy for rigorous hypothesis testing. As Facchini and Mayda (2009, 19) lamented, “a systematic, objective measurement of the restrictiveness of immigration policies does not [yet] exist on a cross-country scale.” More recently, Freeman (2011, 1548) observed that “large  $N$  studies

[of migration policy] are much less numerous, but it is certainly time for scholars to turn their attention to this mode of analysis. The main obstacle to such research designs is the absence of sufficient data cross nationally. This partially explains the otherwise perplexing fact that international relations scholars have paid so little attention to immigration over the years. Data on migration flows and migration policy outcomes are simply not available in the way that trade data that serve as a key basis for international political economy are.”

Certainly, several scholars have subsequently coded comparable country/year ( $x_t$ ) migration policy data (e.g., Mayda 2009; Ortega and Peri 2013; Ruhs 2013; Fitzgerald, Leblang, and Teets 2014; Peters 2015; and Shin 2016).<sup>1</sup> But thus far, these efforts have been cross-sectionally limited, even when they have a long temporal dimension.<sup>2</sup> In this paper, we first introduce a new dataset with a larger  $x$  dimension (38 countries) and a  $t$  dimension (1995-2014) that corresponds to the “second epoch” (Cornelius and Rosenblum 2005, 99) of global population flows that began after the Cold War.

We then use these data to examine the three hypotheses outlined above concerning the trends, patterns, and variation (or lack thereof) in cross-national migration policy. First, we find evidence consistent with the gap hypothesis: in most dimensions, migration policy is becoming more open and generous, albeit slowly, contrary to the reported preferences of a majority of voters. Second, our data show no support for the proposition of a tradeoff between immigration openness (“numbers”) and the treatment of immigrants (“rights”). To the contrary, we find a weak positive relationship between these two broad dimensions of

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<sup>1</sup> Other migration policy datasets include IMPALA (International Migration Policy And Law Analysis), currently covering 9 countries over a 10-year period (1999-2008), and MIPEX (Migration Integration Policy Index), currently covering 38 countries but only over a seven-year period (2007-14).

<sup>2</sup> The exception here is Ruhs (2013), who provides migration policy data with a large  $x$  dimension (46 countries) but only for one year: 2009.

migration policy. Third, looking at these two broad dimensions, we find little evidence of policy convergence among the democratic destination countries. While there is a general trend towards both more immigration openness *and* greater immigrant rights, some countries have opened more in terms of the first while others have advanced further on the second, and still others have moved liberally in terms of openness, but illiberally on rights.

### 1. Cross-National Migration Policy Data

Our migration policy dataset provides country/year coverage of 38 relatively developed and democratic countries: namely, those within the Organization for Economic Cooperation and Development (OECD). These more developed and democratic countries represent the primary destinations for global migrants, although certain labor-scarce autocratic regimes have also emerged as migration destination countries (e.g., Saudi Arabia and Singapore), but our source material (described below) does not include these non-democratic destinations.

Our dataset begins its temporal coverage after the Cold War when the OECD started systematically collecting information on the migration policy changes of its member-states in 1995. This starting point is significant because by “the 1990s, migration control had shifted from a merely domestic issue to become part of 'high politics' - that is, an aspect of ‘problems affecting relations between states, including questions of war and peace’” (Castles 2004, 857). As Massey (1999, 311) similarly observed: “In retrospect, it is clear that the end of the Cold War was a watershed event in the history of global migration, ending a policy regime that had held world emigration rates at artificially low levels for more than 40 years.”

Within this post-Cold War time frame, however, we do not have full temporal coverage for all countries in our sample since the OECD only reports on the migration

policy of member-states with several countries more recently joining this inter-governmental organization. Our full sample thus includes 649 country/years: Australia 1995-2014, Austria 1995-2014, Belgium 1995-2014, Bulgaria 1995-2014, Canada 1995-2014, Chile 2010-14, the Czech Republic 1995-2014, Denmark 1995-2014, Estonia 2009-14, Finland 1995-2014, France 1995-2014, Germany 1995-2014, Greece 1995-2014, Hungary 1995-2014, Ireland 1995-2014, Israel 2008-14, Italy 1995-2014, Japan 1995-2014, Korea (Republic of) 1995-2014, Latvia 2012-14, Lithuania 2102-14, Luxembourg 1995-2014, Mexico 1995-2014, Netherlands 1995-2014, New Zealand 1999-2014, Norway 1995-2014, Poland 1995-2014, Portugal 1995-2014, Romania 1995-2014, Russia 2009-14, Slovakia 1995-2014, Slovenia 2008-14, Spain 1995-2014, Sweden 1995-2014, Switzerland 1995-2014, Turkey 1999-2014, the United Kingdom 1995-2014, and the United States 1995-2014.

For this sample of country/years, we code the reported changes, both legislative and administrative, to national migration policy using two sequential OECD series: *Trends in International Migration* (published annually through 2004) and *International Migration Outlook* (published annually beginning in 2006). There are two big advantages in relying on these source materials. First, OECD reporting requirements suggest that the migration policy changes described within them should be comprehensive, or include *all* legislative and administrative changes in this issue-area. Second, OECD reporting standards are consistent across member-states, so the descriptions of policy changes should be less subject to distortion based on author emphasis/focus, which might be the case using multiple and varied sources for each country over time.

We classify all changes in this issue-area as to whether they make migration policy *more* or *less* liberal, with this term being defined as fewer restrictions on external access and/or greater internal freedoms and rights. To accomplish this, migration policy changes

are first sorted into eight mutually exclusive and exhaustive categories (i.e., each policy change is assigned to one and only one category). These categories will later be aggregated into broader dimensions (immigrant rights and immigration openness) and an overall migration policy liberalism measure, but we start with a description of the disaggregated categories.

Beginning with *immigrant*, or internal migration, policy, the first dimension is *Legal Protections and Rights*, focusing on policy changes that either expand or reduce the legal protections and political rights of immigrants, including their access to state benefits. For example, enhancing anti-discrimination laws or granting suffrage rights are classified as being more liberal. Conversely, decreasing the waiting periods for immigrants to receive public assistance is classified as less liberal.

A second, but related, immigrant policy dimension is *Social/Civic Integration*, which we consider separately from the first dimension given that policy changes here tend to be less costly and lower profile. For example, the adoption of a program that seeks to integrate immigrants into their cultural community or the creation of a program to provide language and culture courses to facilitate integration are classified as more liberal. The cancellation of such programs is classified as being less liberal to immigrants.

*Family Residency and Work* is the third dimension, focusing on policy changes that make it easier or harder for immigrants' family members to live with them and also to obtain state benefits. For example, policy changes that decrease the waiting period for an immigrant's spouse to receive public assistance or expand the set of family members who may obtain residence permits are considered to be more liberal. Alternatively, policy changes to increase the waiting times or to reduce the ability of family members to live with already admitted immigrants are considered to be less liberal.

*Naturalization and Citizenship* is the fourth dimension related to policy changes that make it more or less difficult for already admitted immigrants to obtain naturalization or citizenship. Decreasing the prerequisites that immigrants must meet, such as residency time or language requirements, for naturalization or citizenship is considered more liberal, while increasing these prerequisites is treated as less liberal.

In terms of *immigration*, or external migration policy, our fifth dimension concerns *Numerical Quotas*, or policy changes expected to increase or decrease the number of immigrants who can enter the country in terms of the national quota. Within our time frame, these policy changes relate to the adoption or cancellation of a quota system for some particular nationality or some sector of the national labor market. The elimination of a sector-specific quota related to foreign labor is considered to be more liberal, while the adoption of quota limiting entry for immigrants of some particular nationality is treated as less liberal.

*Labor Market Tests* is our sixth dimension, focused on the adoption or cancellation of labor market tests, including a points-based system, for some sector of the labor market. The removal of a skills test or granting immediate work permits in some industry is treated as more liberal, while requiring migrants to pass a skills test in order to receive a permit to obtain or look for work is less liberal.

Our seventh dimension is *Transaction Costs*, focusing on a variety of policy changes that either increase or decrease the price, time, and/or complexity of entering the country. For example, the adoption of an electronic application system is considered as more liberal, while increasing application fees is less liberal in terms of immigration policy.

Finally, to capture a set of other policy changes related to immigration, or external migration policy, we include an eighth dimension labeled *Other External*. For example, a

policy that makes it easier for foreign students to work is considered as more liberal.

Conversely, a policy that restricts a firm's ability to hire seasonal workers is treated as less liberal.

In Table 1, we indicate the total number of *more* and *less* liberal changes in each of these eight dimensions of migration policy within our country/year sample, along with the percentage per dimension (i.e., all row percentages sum to 100). To preview the analysis in the next section of the paper on the gap hypothesis, one can observe that for all dimensions, except *Naturalization and Citizenship*, there are a greater number of more liberal migration policy changes. Indeed, in the dimension of *Social/ Civic Integration*, 80 percent of the policy changes can be classified in this direction.

Table 1: The Number of Policy Changes in each Migration Policy Dimension

Dimension	# More Liberal (%)	# Less Liberal (%)
1. <i>Legal Protections and Rights</i>	31 (76)	10 (24)
2. <i>Social/ Civic Integration</i>	36 (80)	9 (20)
3. <i>Family Residency and Work</i>	14 (67)	7 (33)
4. <i>Naturalization and Citizenship</i>	24 (46)	28 (54)
5. <i>Numerical Quotas</i>	4 (57)	3 (43)
6. <i>Labor Market Tests</i>	13 (76)	4 (24)
7. <i>Transaction Costs</i>	42 (76)	13 (24)
8. <i>Other External</i>	82 (70)	35 (30)

Before describing how we will aggregate this set of migration policy changes to create a series of country time-series, it is important to discuss how we are *not* able to classify them. Ideally, we would also sort these policy changes based on immigrant skill (e.g., whether they apply more to low versus high skill migration). But this is not possible to do for the full set of policy changes in Table 1. Some of these policy changes clearly apply to a limited skill set (e.g., high skill immigrants), but most of these policy changes are quite

ambiguous in this regard potentially affecting a range of skill categories. Indeed, any skill-based classification is made even more difficult by the fact that many of these migration policy changes are sector-specific, meaning that broad-based measures of immigrant skill (e.g., education) may not necessarily fit the skill criteria for that specific industry.

But to preview our later discussion on this point, we speculate that policy changes related to immigrant *rights* (dimensions 1-4) may be more designed to attract and retain higher-skilled foreign workers given a competitive global labor market for this smaller pool of international migrants.<sup>3</sup> Conversely, given that the global labor market for low skill migrants is effectively a “buyer’s market” (Rosenblum and Cornelius 2102, 253), policy changes in terms of immigration *openness* (dimensions 5-8) may be more focused on capturing a larger number of lower-skilled workers, who simply need work and are less concerned with political rights in choosing their destination country (Breunig, Cao, and Luedtke 2012). Indeed, given the smaller pool of high skill migrants, destination governments may be able to accommodate their increased entry (*if* they can attract them with greater rights and privileges) simply by shifting the skill balance within existing quotas.

To aggregate these policy changes, we first treat all changes in each dimension *equally*, assigning a +1 for each change that made the country’s migration policy *more* liberal and a -1 for any change that made it *less* so. This equal weighting procedure accords with the simple aggregation process used by Mayda (2010), Ortega and Peri (2013), Ruhs (2013), and Fitzgerald, Leblang and Teets (2014). As argued by Ruhs (2013, 71), the “main arguments in favor of equal weights are transparency and simplicity. Any procedure that departs from

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<sup>3</sup> Docquier et al. (2010) sorted the global migration stock into low skill and high skill. In 1990, 80 percent were classified as low skill. In 2000, 74 percent fit this same classification. Dumont, Spielvogel, and Widmaier (2010, 8) separated international migrants into three skill categories (low, intermediate, and high), finding that the first group “still dominates in absolute terms both to the OECD and to non-OECD countries.”

equal weights needs to be based on convincing reasons explaining why and how some [policy changes and] indicators matter more than others.” For scholars who have such reasons, our use of these comprehensive and consistent OECD annual series should make a weighting procedure easier for our dataset than for existing migration policy datasets that are based on a multiplicity of source materials (all of which must be consulted to assign different weights to all of the included policy changes).

Starting each country’s time-series at 0 (in 1995 for most of the 38 countries in our sample), we then create a time-series for every country in each of the eight migration policy dimensions. These time-series effectively indicate the net number of more liberal migration policy changes by dimension, and they can be added together to create broader measures of both immigrant rights and immigration openness, as well as an overall measure of country/year migration policy liberalism (including both internal rights and external openness). We are certainly aware that not all OECD countries enter our post-Cold War sample with an identical migration policy stance; starting each country time-series at 0 is simply a modeling necessity. So statistical analysis using these time-series data should take care to include unit fixed effects in order to give each country its own intercept.

## 2. The Gap Hypothesis?

We now show how this cross-national migration policy dataset may be employed by first using it to consider the gap hypothesis that emerged from country case study analysis. This hypothesis, as summarized by Hollifield, Martin and Orrenius (2014b, 3) posits a “gap between the goals and results of national immigration policy (laws, regulations, executive actions, and court rulings, to name a few) [that] is growing wider in the major industrial democracies.” Since there are different potential gaps in this issue-area, including a possible

gap between public opinion and official state policy and another gap between *de jure* and *de facto* state policy (a potential “enforcement” gap), it is important to state clearly that we are testing the former: for a gap between public opinion in the more advanced democracies and the official immigration policy of these states. To put a direction on this hypothesized policy gap: “[g]overnment policies tend to be systematically *more open* than the public appears to prefer” (Freeman and Tandler 2012, 324 *emphasis added*).

It is worth noting that from an international political economy perspective, the proposition that the democratic states’ migration policies are systematically more open and liberal than their societies would prefer is not obviously true. While it is no secret that the mass public in most advanced democracies collectively opposes greater immigration (we will provide some evidence on this point below), official immigration policy also appears to be relatively closed especially when compared to trade policy and international capital mobility. Indeed, if one defines economic globalization as the freer flow of goods/services (international trade) and factors of production (e.g. capital and labor) across national borders, then international labor mobility, or cross-border migration, remains the *least* developed feature related to this phenomenon (Freeman, R. 2006, 150; Peters 2014, 814). International trade has greatly expanded since World War II with a rapid growth in international capital mobility since the late 1960s. But even in the 21<sup>st</sup> century, foreign workers must surmount a “massive cliff” at the border in order to gain entry into the labor market of an advanced industrial democracy (Pritchett 2010, 274).

Since this gap hypothesis has two parts – 1) an illiberal public opinion coupled with 2) a more liberal state policy across the more democratic potential destination countries – it is important to provide some evidence bearing on the first part. To do this, we use a cross-national survey covering this set of countries over the same basic time frame as our

migration policy dataset: the three waves (1995, 2003, and 2013) of the National Identity Survey conducted by the International Social Survey Program.<sup>4</sup> In all three waves of this survey, respondents in each country were asked the same question: “Do you think that the number of immigrants to [Country] nowadays should be: (a) increased a lot; (b) increased a little; (c) remain the same as it is; (d) reduced a little; (e) reduced a lot; (f) can’t choose.”

Table 2: Percent of Respondents Favoring Increased Immigration.

	<u>1995</u>	<u>2003</u>	<u>2013</u>
Australia	11.4	23.4	-
Austria	4.0	6.8	-
Belgium	-	-	16.0
Bulgaria	5.9	5.3	-
Canada	20.1	29.1	-
Chile	-	6.9	-
Czech Republic	2.4	4.3	4.3
Denmark	-	9.8	11.8
Estonia	-	-	13.2
Finland	-	24.6	17.5
France	-	7.7	5.6
Germany	2.9	4.5	12.7
Hungary	1.5	2.2	2.6
Ireland	19.2	9.2	8.5
Israel	-	27.1	5.9
Italy	3.6	-	-
Japan	15.7	13.2	20.5
Korea	-	25.5	17.1
Latvia	0.6	2.5	4.9
Lithuania	-	-	22.9
Mexico	-	-	11.2
Netherlands	5.7	3.8	-
New Zealand	12.4	15.7	-
Norway	7.8	7.1	4.7
Poland	8.6	7.1	-
Russia	8.2	4.3	8.3
Slovakia	3.0	12.0	3.3
Slovenia	1.9	3.1	2.4
Spain	8.5	9.8	3.3

<sup>4</sup> <http://www.geis.org/issp/modules/issp-modules-by-topic/national-identity/> .

Sweden	7.3	11.9	12.3
Switzerland	-	5.7	7.5
Turkey	-	-	5.4
United Kingdom	4.2	5.8	4.0
United States	8.6	11.3	14.1

Table 2 presents the percent of respondents, for each country within our OECD sample in each wave of this survey (when that country was included<sup>5</sup>), who reported that the number of immigrants should be increased either a lot or a little (excluding those who either did not answer or report as being unable to choose). While there is much specific detail in this table, the key piece of information is that the percent of respondents favoring increased immigration never gets above 30 percent (the highest number comes for Canada in 2003 at 29.1%). Thus, a large majority of citizens (>70%) in these more democratic potential destination countries appear to oppose greater immigration openness and, possibly by extension, more generous treatment for the few immigrants who are admitted (although there is not a corresponding question about immigrant rights in these cross-national surveys).

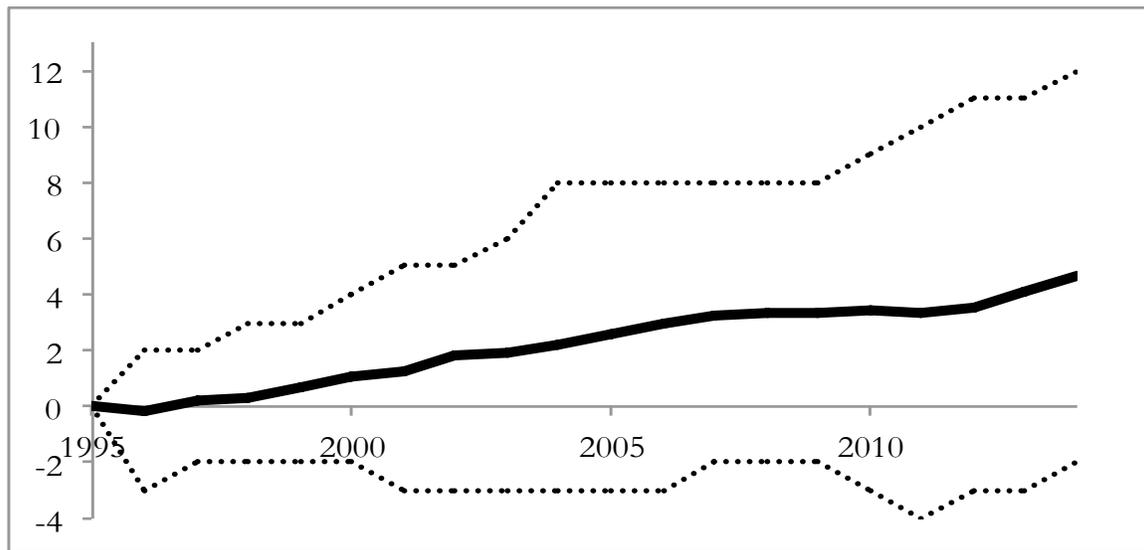
With survey data to support the first part of the gap hypothesis, our cross-national migration policy dataset provides evidence concerning the second part: are the more democratic states' migration policies becoming more liberal over time? Given the widespread voter opposition to greater immigration openness, *any* systematic shift towards a more liberal migration policy would offer support for the gap hypothesis. And we have already observed in Table 1 that for all dimensions except *Naturalization and Citizenship*, there are a greater proportion of “more liberal” migration policy changes, consistent with more immigrant rights and greater immigration openness.

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<sup>5</sup> Four countries in our 38-country sample (Greece, Luxembourg, Portugal, and Romania) were not included in any of the three waves of the National Identity Survey.

But it is difficult to ascertain from the data in Table 1 how strong is this trend towards a more liberal migration policy across the more democratic potential destination countries. So we aggregate these policy changes using our equal weighting procedure to create a country time-series labeled *Migration Liberalism*, which effectively indicates the net number of more liberal policy changes over time across all dimensions. Figure 1 then plots the average value of *Migration Liberalism* (along with the maximum and minimum yearly values) for all of the countries in our sample with a complete 1995-2014 times series. Recall that, by necessity, all our country time-series begin at 0, so adding the countries that enter our OECD sample late would only understate the extent of any migration policy trend.

Figure 1: Average *Migration Liberalism* 1995-2014



The x-axis is the year. The y-axis is the average liberalism of migration policy, or the average net number of more liberal migration policy changes for all OECD countries with a complete 1995-2014 time-series. The bold line indicates the mean value. The dashed lines indicate the maximum and minimum values within this restricted OECD sample.

The trend in Figure 1 towards a more liberal average migration policy is clear; there are no significant temporary reversals in this trend at least over the 1995-2014 period.

While, over this period, the average developed democracy has a net number of almost five more liberal migration policy changes, some OECD countries have gone even further. For example, Finland has a net number of 12 more liberal policy changes by 2014 (the maximum value for that year). But there is also some limited movement in the opposite direction with Hungary scoring a -2 in terms of *Migration Liberalism* in 2014 (the minimum value for that year). For more detailed information about the other 36 countries in our sample, we provide a set of country-specific time-series in our appendix.

It is perhaps not surprising to observe quantitative support for the gap hypothesis coming from our new migration policy dataset given that there was already some qualitative support provided by detailed case study analysis. But this confirmatory evidence should be reassuring to scholars about the face validity of our data since its trends appear as consistent with already observed (although not systematically) patterns in this issue-area. This confirmatory quantitative evidence should also be useful in testing explanations for the migration policy gap, which remains a “major research task” (Rosenblum and Cornelius 2012, 268) for political scientists in this issue-area.

Most theories to explain this policy gap focus on special interest pressure *for* greater immigration (e.g., Money 1997, Freeman and Tandler 2012, Peters 2014 and 2015) and on the institutions within more democratic systems that allow special interests to often prevail over voters (e.g., Breunig and Luedtke 2008, Bearce and Hart 2017). But without a dataset on national immigration policy with a wide cross-section (as presented here), it is hard to test these theories, especially institutional explanations given that political institutions tend to be temporally sticky, thus forcing scholars to rely more on cross-sectional variation for hypothesis testing.

### 3. A Numbers Versus Rights Tradeoff?

A second, and much less obvious, hypothesis from the migration policy literature concerns a tradeoff between immigration openness (migrant numbers) and the treatment of immigrants once they enter a new country (migrant rights). Various scholars have proposed such a tradeoff (e.g., Martin 2004, Bell and Piper 2005, Carens 2008), but Ruhs and Martin (2008, 251) offer the most developed theoretical logic for an inverse relationship between migrant rights and numbers: “The primary reason for this trade-off is that employer demand for labor is negatively sloped with respect to labor costs, and that more rights for migrants typically means higher costs.” Hence, the special interest pressure from business, especially for low skill immigration, should also come with demands to restrict immigrant rights and privileges to reduce their costs.

Ruhs and Martin (2008, 255) also provide a secondary reason for such a tradeoff: “Migrants with lower than average incomes, i.e., those in low-skilled and low-wage jobs, tend to pay less in taxes and, because of their lower incomes, may be eligible for more government-funded services, especially if their families are with them.” This logic offers an explanation for why even more democratic governments might be responsive to pressure for lesser migrant rights (coming not only from special interests but also from voters): to reduce the demand for already scarce government-supplied good and services.

Some scholars have subsequently tested for a numbers versus rights tradeoff. Cummins and Rodriguez (2009) find little empirical support, but their analysis comes from a very small dataset with correlation analysis using only 13 to 27 observations. Conversely, Ruhs (2013) finds some support using his dataset of 46 countries, but it includes only one year (2009) for analysis. Unfortunately, if such a policy tradeoff actually exists, it must be demonstrated temporally as well as in the cross-section. Stated differently, a policy change

towards immigrant rights in one year must be negatively associated with policy change towards immigration openness in the following year (and vice-versa).

Since our dataset not only has a wide cross-section (38 countries), but also a two-decade temporal dimension (1995-2014), it offers a better test for the proposed numbers versus rights tradeoff. For this test, we group the eight narrow migration policy dimensions (presented in the first section) into two broader dimensions, labeled *Immigrant Rights* and *Immigration Openness*. As illustrated in Table 3 below, the broader dimension of *Immigrant Rights*, or internal migration policy, includes the first four narrow dimensions: *Legal Protections and Rights*, *Social/ Civic Integration*, *Family Residency and Work*, and *Naturalization and Citizenship*. The broader dimension of *Immigration Openness*, or external migration policy, includes the last four narrow dimensions: *Numerical Quotas*, *Labor Market Tests*, *Transaction Costs*, and *Other External*. The most aggregated variable of *Migration Liberalism*, presented in the previous section, includes all eight dimensions and is thus an equally weighted sum of *Immigrant Rights* and *Immigration Openness*.

Table 3: Migration Policy Variables

1. <i>Legal Protections and Rights</i>	<i>Immigrant Rights</i>	<i>Migration Liberalism</i>
2. <i>Social/ Civic Integration</i>		
3. <i>Family Residency and Work</i>		
4. <i>Naturalization and Citizenship</i>		
5. <i>Numerical Quotas</i>	<i>Immigration Openness</i>	
6. <i>Labor Market Tests</i>		
7. <i>Transaction Costs</i>		
8. <i>Other External</i>		

We make this broader grouping in the second column of Table 3 based on substantive considerations (in this regard, it may be useful to re-read the descriptions in the

first section for each of these narrow policy dimensions).<sup>6</sup> But we also offer an operational validity check in Table 4 by regressing actual *Immigration*, measured in thousands and using data from the OECD (cite), on both *Immigrant Rights* and *Immigration Openness*. It should be noted that the limiting variable in these regressions (N<500) is the dependent variable, not the new policy independent variables. Our dataset offers more observations for migration policy over this period than the OECD reports for actual immigration, further illustrating some of the data problems for research in this issue-area.

If we have grouped the narrow dimensions appropriately, then one should be able to observe that our broader dimension of *Immigration Openness* is positively correlated with actual *Immigration*. But *Immigrant Rights* should not exhibit the same positive correlation if these narrow dimensions primarily affect the internal treatment of existing immigrants (as intended), rather than their ability to enter the country.

Table 4: Models of Actual *Immigration*.

	4.1	4.2	4.3
DV:	<i>Immigration</i>	<i>Immigration</i>	$\Delta$ <i>Immigration</i>
<i>Immigration</i> <sub>t-1</sub>		0.74*** (0.07)	-0.26*** (0.07)
$\Delta$ <i>Immigrant Rights</i>			-2.27 (4.10)
<i>Immigrant Rights</i> <sub>t-1</sub>	-4.15 (5.03)	-0.26 (1.26)	-0.78 (1.45)
LRM <i>Immigrant Rights</i>			-2.97 (5.88)

<sup>6</sup> Another possible operational validity check is factor analysis to observe if dimensions 1-4 load together, while dimensions 5-8 load primarily on a different factor. For the most part, they do load accordingly. But using factor analysis as a validity check for this broad dimension sorting may be misleading if, as we will show in the next section of the paper, OECD countries cluster in terms of different combinations of rights and openness. Thus, factor analysis may not produce different factors that cleanly represent immigrant rights and immigration openness (as intended), but instead reveal different clustered combinations of immigrant rights *and* immigration openness.

$\Delta Immigration\ Openness$			4.03 (4.34)
$Immigration\ Openness_{t-1}$	17.76*** (5.40)	4.70* (2.72)	5.30* (2.98)
LRM $Immigration\ Openness$			20.21** (10.30)
Constant	146.03*** (6.07)	41.38*** (10.13)	41.20*** (10.41)
F	5.46***	91.34***	7.33***
N	499	490	490

All models include country fixed effects.

OLS coefficients with robust standard errors clustered on the country.

Statistical significance: \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$  (two tailed).

Table 4 presents three models of country/year *Immigration*, all of which include a full set of country fixed effects. In model 4.1, we include only the one-year lagged values of *Immigrant Rights* and *Immigration Openness*, and the results show a strong positive correlation between our broad measure of migration policy openness and actual immigration in the following year. But the same is not true for our variable measuring migrant rights policy, which should be the case if *Immigrant Rights* is measuring internal conditions rather than external access.

In model 4.2, we add a lagged dependent variable to the right-hand side specification, which should greatly suppress, especially with country fixed effects, the explanatory power of the policy variables. Indeed, it does attenuate their coefficients, but our policy measure of *Immigration Openness* remains a statistically significant predictor of actual *Immigration*, associating a one-unit increase in migration policy openness with almost 5,000 additional immigrants in the following year.

Finally, in model 4.3, we estimate an error correction model, where the dependent variable becomes the change in ( $\Delta$ ) *Immigration* and the two policy independent variables enter through both a change measure and through their lagged levels. The long-run

multipliers (LRM) of the two policy variables are given by the coefficients on their lagged level divided by the absolute value of the lagged dependent variable. As it should be for this dependent variable, the LRM of *Immigrant Rights* is statistically insignificant. But the LRM for *Immigration Openness* is significantly positive, associating a one-unit increase in migration policy openness with more than 20,000 additional immigrants over the following years.

It is important to remember that the results in Table 4 are not a true test of the number versus rights tradeoff in terms of migration *policy*. First, reported immigration is not a direct measure of migration policy openness (even if some scholars have used it as such, lacking sufficient migration policy data). Instead, immigration flows are subsequent to, or the effect of, migration policy openness, which is precisely why we used this dependent variable as an operational validity check for our two broad policy dimensions.

But second, even if actual immigration represents an indirect measure of migration policy openness, the negative signs on the *Immigration Rights* policy measure in Table 4 are all statistically *insignificant*. Thus, we do not observe any real tradeoff between rights and actual numbers in this issue-area. But perhaps there would be a stronger negative correlation between *Immigrant Rights* and *Immigration Openness* when one policy variable is regressed on a lagged value of the other (and vice-versa).

Following the same sequence of statistical specifications, these policy-on-policy results are presented in Table 5, treating *Immigrant Rights* as the dependent variable in models 5.1-5.3 and *Immigration Openness* as the dependent variable in models 5.4-5.6. These estimates represent a true test of the hypothesized rights versus numbers tradeoff for migration policy. They also come from higher-powered regression analysis (N=611) than was possible in Table 4 (given the relative paucity of the *Immigration* data), although we do lose one

observation in each country time-series with a lagged policy independent variable (649-38=611).

Table 5: The Association between *Immigrant Rights* and *Immigration Openness*

	5.1	5.2	5.3	5.4	5.5	5.6
DV:	<i>Immigrant Rights</i>	<i>Immigrant Rights</i>	$\Delta$ <i>Immigrant Rights</i>	<i>Immigration Openness</i>	<i>Immigration Openness</i>	$\Delta$ <i>Immigration Openness</i>
Lagged DV		0.87*** (0.02)	-0.13*** (0.072)		0.88*** (0.02)	-0.12*** (0.02)
$\Delta$ <i>Immigration Openness</i>			0.06 (0.04)			
<i>Immigration Openness</i> <sub>t-1</sub>	0.24** (0.10)	0.03 (0.02)	0.03 (0.02)			
LRM <i>Immigration Openness</i>			0.25* (0.15)			
$\Delta$ <i>Immigrant Rights</i>						0.08 (0.06)
<i>Immigrant Rights</i> <sub>t-1</sub>				0.38*** (0.13)	0.04 (0.03)	0.05 (0.03)
LRM <i>Immigrant Rights</i>						0.39 (0.24)
Constant	0.54*** (0.12)	0.15*** (0.02)	0.13*** (0.03)	0.98*** (0.10)	0.25*** (0.02)	0.23*** (0.02)
F	5.35**	788.60***	11.21***	8.38***	1538.64***	14.19***
N	611	611	611	611	611	611

All models include country fixed effects.

OLS coefficients with robust standard errors clustered on the country.

Statistical significance: \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$  (two tailed).

The significant results that one can observe in Table 5 are not supportive of the hypothesized migration policy tradeoff. To the contrary, there is a statistically significant positive association between *Immigrant Rights* and lagged *Immigration Openness* in model 5.1. This result predictably attenuates in model 5.2 when a lagged dependent variable is added to the specification next to the already present country fixed effects. But it returns in the error correction model specification with a long-run multiplier (LRM) for *Immigration Openness* that is significantly associated with policy change towards more (not less) *Immigrant Rights* in model 5.3. This positive correlation is somewhat weaker when *Immigration Openness* becomes

the dependent variable, but there is a strong positive association between this migration policy openness measure and lagged *Immigrant Rights* at least in model 5.4.

Why might there be a positive correlation between immigration openness and immigrant rights contrary to the hypothesized negative relationship indicating a policy tradeoff? We simply do not have the space in this data paper to develop and test a new migration policy theory. But we offer the following possible explanation, which builds on, rather than contradicts, Ruhs and Martin's (2008) basic logic underlying the proposed numbers versus rights tradeoff. Their argument starts with the understanding that the international market for low skill labor is a buyer's market and that the businesses shopping for low skill labor want to keep their costs low. Hence, the firms who want more low skill labor must lobby their governments for immigration openness but not for immigrant rights because the latter potentially raises their labor costs.

But the international market for high skill labor is very different and may even function as a "seller's" market. As described by Ruhs and Martin (2008, 254 *emphasis added*): "A significant number of high-income countries are competing for a relatively small pool of highly qualified workers willing to migrate. As a result, qualified migrants are able to choose among competing destinations, and their choice of destination is likely to depend on both expected earnings and *expected rights* in destination areas."

What does this mean for the lobbying activity of firms seeking high skill labor? Given the relatively small number of high skill migrants, they may not need to lobby their governments for greater immigration openness, especially if the high versus low skill balance within the existing quota can be shifted towards the former to accommodate a small increase in high skill immigration. Instead, they must lobby for greater immigrant rights in order to

appear more attractive to the high skill migrants who have a choice among their destination countries.

Thus, democratic governments are subject to lobbying for both immigration openness (from firms seeking an increase in low skill labor) and immigrant rights (from firms who want to attract and retain high skill labor). To the extent that these governments are responsive to business as a special interest, then we should be able to observe a positive relationship between migration openness and rights (as shown in Table 5). This understanding underlies our earlier speculation that policy changes related to immigrant rights (dimensions 1-4) may be more focused on high skill migration, while the policy changes related to immigration openness (dimensions 5-8) primarily concern low skill migration.

#### 4. Migration Policy Convergence?

The final empirical task in this paper employs these new data to consider the “convergence hypothesis” coming from the case study-based migration policy literature. As described by Cornelius and Tsuda (2004, 4), the convergence hypothesis proposes that “there is growing similarity among labor-importing countries in terms of: (1) the policies that their governments have adopted to control immigration [and] (2) policies designed to integrate immigrants into host societies by providing them with social services as well as political, economic, and social rights”. It should be noted that our *Immigration Openness* variable accord with this first set of policies, while *Immigrant Rights* encapsulates the second.

Although there was no agreement about why, or the causes for, migration policy convergence among the more advanced industrial democracies, Cornelius and Tsuda (2004, 15) described a “consensus among the contributors to this volume... that the [immigration

control and immigrant integration] policies of the countries represented here are coming to resemble each other in important ways” (ibid, 15). Similarly, in the subsequent edition of this edited case study volume, Hollifield, Martin, and Orrenius (2014, 4) further argued that their more recent “findings generally support the hypothesis of increased ‘convergence’ among industrialized, labor-importing countries”.

From an International Political Economy perspective, however, there should be some skepticism about policy convergence in this issue-area. While there may be some international trade policy convergence (e.g., lower tariffs among almost all countries), there is also a structured global trade regime to facilitate this outcome: first the General Agreement on Tariffs and Trade (GATT) and now the World Trade Organization (WTO). And when one considers international capital mobility, it now seems clear that this so-called structural condition of the international political economy (Andrews 1994) has not produced monetary policy convergence even among the advanced industrial democracies (Bearce 2007) except on a limited regional basis (e.g., among some states in Western Europe (McNamara [1998]).

Reasoning from these other features related to economic globalization, it is not clear why there should be any convergence related to policies associated with international labor flows, or cross-border migration. First, there is no structured global migration regime (Hollifield 2012, 359) with jurisdiction comparable to the GATT/WTO that could facilitate this domestic policy outcome. Second, if virtually unrestricted international capital mobility is insufficient to produce monetary policy convergence, then more restricted international labor mobility should not, at least by itself, be expected to lead to migration policy convergence among the more democratic destination countries.

There should also be skepticism about migration policy convergence because it remains theoretically unclear towards what combination of immigration openness and

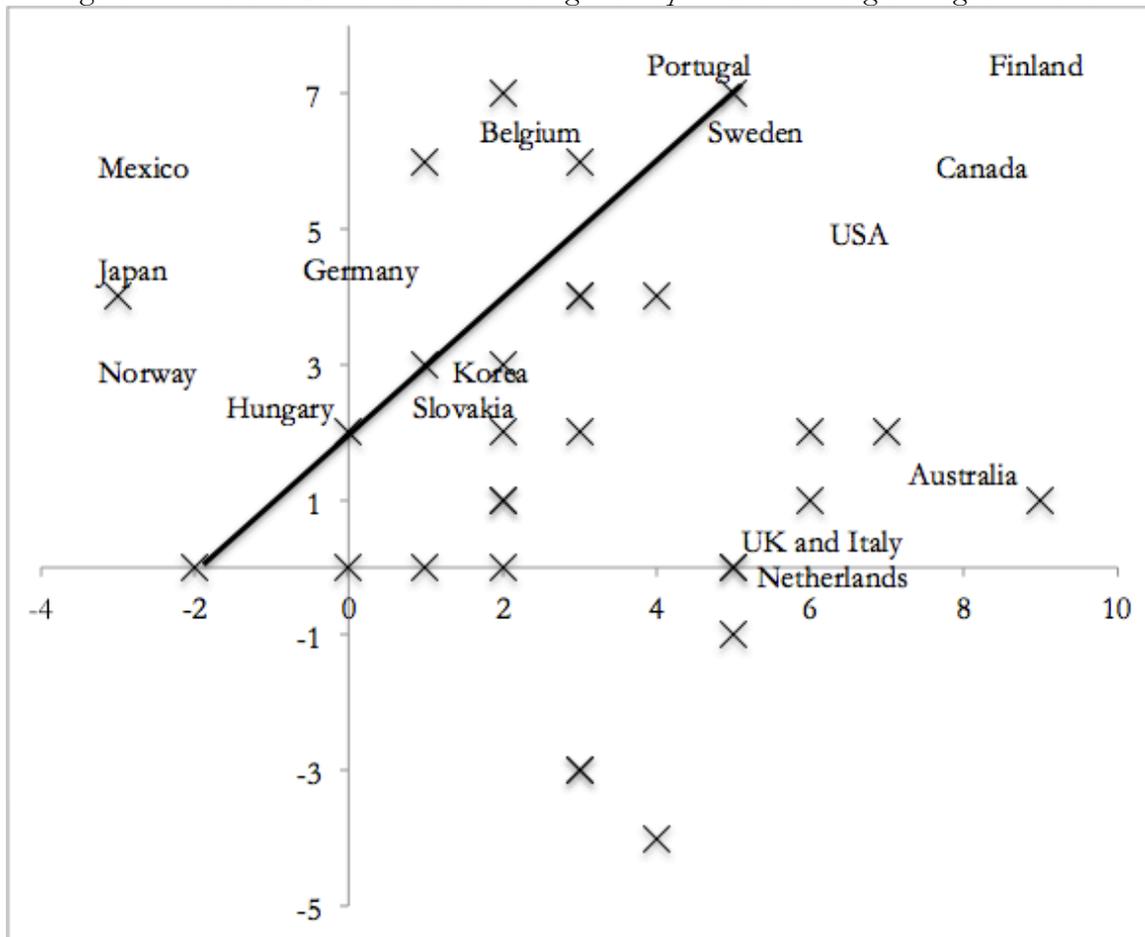
immigrant rights the more advanced industrial democracies should be converging. For example, the gap hypothesis would seem to suggest migration policy convergence towards both *more openness and greater rights*. Alternatively, the extant literature on the numbers versus rights tradeoff tends to suggest policy convergence (if it occurs) on *greater numbers with fewer rights* given the higher costs associated with the latter. But this theoretical tradeoff also allows for movement towards *fewer numbers with greater rights*. Finally, in the last section of this paper, we observed a positive relationship between openness and rights for the more advanced industrial democracies over the last two decades (see Table 5), which leads back to a convergence combination of *more openness with greater rights*. But this positive relationship is also consistent with combination of *less openness with fewer rights*. Given all of these different openness/rights combinations where cross-national migration policy might be expected to converge - if it has done so at all – it becomes important to examine the data.

We do this by plotting the different combinations of *Immigration Openness* and *Immigrant Rights* reached by 2014 for every country in our sample that has complete 1995-2014 time-series (N=29). Since all country time-series begin at 0, adding the other countries with incomplete times-series would only create a false cluster of countries around the origin (0, 0) since they have had less time to advance on either dimension.

In Figure 2, we identify some of these country plots for both the largest destination countries (the United States, Japan, and Germany) and for a set of countries along the periphery of the diagram (e.g., Mexico, Belgium, Portugal, Korea, and the Netherlands). A subset of these plots includes more than one country; for example, both the United Kingdom and Italy reach the same openness/rights combination (3, -3) by 2014. Finally, the bold diagonal line in Figure 2 traces the path between Hungary and Finland, the countries with the minimum and maximum scores, respectively, in 2014 for *Migration Liberalism*

(=*Immigration Openness* + *Immigrant Rights* using our equal weighting procedure). On this latter point, please see Table 3 and the earlier discussion related to Figure 1. Since not all countries are identified in Figure 2, the country-specific time-series in our appendix can be used to find their plots.

Figure 2: Different Combinations of *Immigration Openness* and *Immigrant Rights* in 2014.



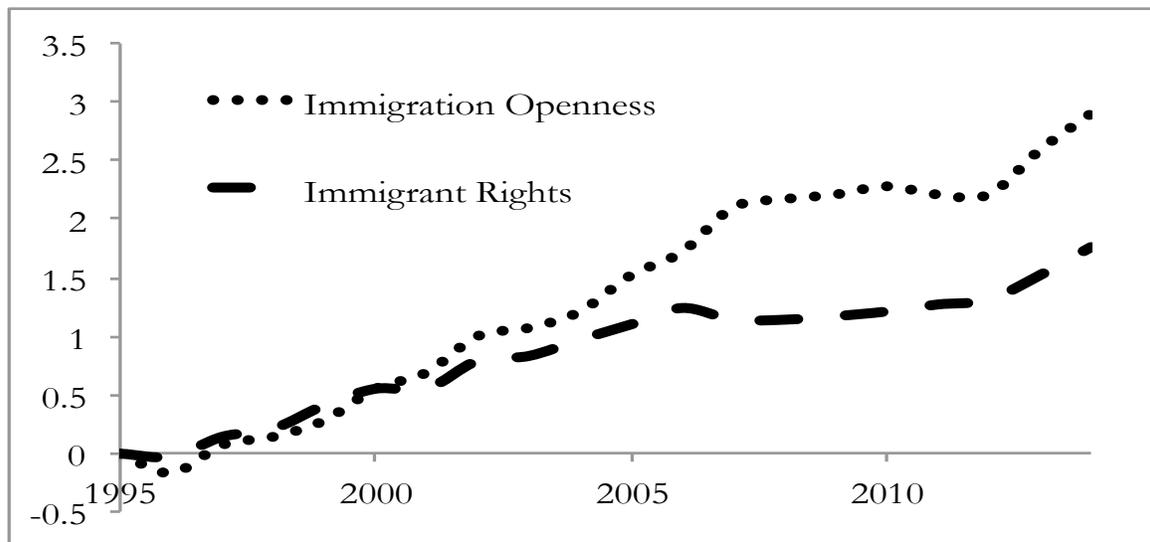
The x-axis indicates the country's *Immigration Openness* value for 2014.

The y-axis indicates the country's *Immigrant Rights* value for 2014.

While others may read the scatterplot in Figure 2 differently, we find it hard to identify any clear pattern of migration policy convergence across these two broad dimensions. It is certainly true that, by 2014, a majority of countries are positioned to the

right and above the origin  $(0, 0)$  of *Immigration Openness* and *Immigrant Rights*. But if this stylized fact is sufficient to demonstrate migration policy convergence among the OECD governments, then the gap hypothesis effectively becomes the same as the convergence hypothesis with both predicting an identical policy outcome: movement towards a more liberal migration policy in terms of openness and rights.

Figure 3: Average *Immigration Openness* and *Immigrant Rights* 1995-2104.



The x-axis is the year. The y-axis is the average value for all OECD countries with a complete 1995-2014 time-series.

One might also argue that since a majority of countries are positioned below the diagonal line running from Hungary (with the least liberal migration policy in 2014) to Finland (with the most liberal), this stylized fact represents policy convergence towards *greater numbers with fewer rights*, consistent with one of the two possible manifestations of a number versus rights tradeoff. But this conclusion ignores the fact that much of the territory below this diagonal line includes countries with at least some liberal shift on immigrant rights. In this regard, while the movement towards greater openness is stronger

than the corresponding movement towards greater rights over the 1995-2014 period, both liberal trends are present in our data, as further illustrated in Figure 3.

Moving back to Figure 2, we instead observe patterns consistent with migration policy *divergence*. For example, we see one set of countries favoring greater openness over greater rights, although moving liberally in both directions (e.g., the United States, Japan, Germany, Norway and Korea). But there is another group (e.g., Belgium, Portugal, Sweden and Finland) favoring more rights over more openness while also becoming more liberal in both dimensions. And there is yet a third set that has become more liberal in terms of openness, but less liberal in terms of rights (e.g., Australia, the United Kingdom, Italy, and the Netherlands). Finally, Mexico has become more liberal in rights, but less liberal in openness, with Hungary and Slovakia showing no net liberal movement in either broad dimension over the 1995-2014 period.

In short, we find evidence more consistent with growing migration policy divergence, which scholars need to explain. Candidate explanations for these divergent patterns include welfare state type (to explain the longer-term trends) and government partisanship (perhaps to explain shorter-term policy changes). But without a comprehensive and consistent cross-national dataset that includes different dimensions of migration policy, none of these explanations for policy divergence could be systematically tested.

## 5. Conclusion

This paper has presented a new dataset of country/year migration policy with a wider cross-section (38 countries) than available from existing alternatives and with a significant temporal dimension (1995-2014) covering the second epoch of global migration that began with the end of the Cold War. These data are coded from annual OECD series

that are both consistent across countries in their reporting standards and comprehensive in terms of their country coverage, thus avoiding some of the potential problems associated with datasets built from multiple and varied sources. This dataset currently consists of 11 migration policy variables: eight narrow dimensions, two broader dimensions for immigration openness and immigrant rights, and an overall migration liberalism measure. These data will be publicly available, and we intend to update them on an annual basis, thereby extending their post-Cold War temporal coverage and potentially their cross-section (as new countries enter the OECD).

We also used these data to test three extant hypotheses from the migration policy literature. First, we found evidence consistent with the gap hypothesis: in almost every dimension, migration policy is becoming, on average, more liberal across the democratic destination countries, contrary to the illiberal preferences of a voter majority. These data now allow for the systematic testing of theories, often focused on special interest pressure for more openness and greater rights, to explain this migration policy gap.

Second, we did not find evidence consistent with a number versus rights tradeoff in terms of migration policy. To the contrary, we found a weak positive relationship between immigration openness and immigrant rights. One possible explanation for this result concerns the special interest pressure felt by more democratic governments for migration openness from businesses seeking more low-skill labor and from other businesses wanting greater rights to attract high-skill migrants. To the extent that scholars can find ways to operationalize the variation in these different special interest demands coming from the business community, these data would permit the testing of this explanation (and others) for the observed positive relationship between openness and rights in migration policy.

Third, we find little evidence consistent with the hypothesis that migration policy among the more advanced democratic destination countries is converging. While there is a general trend towards more openness and greater rights, consistent with the gap hypothesis, we find different combinations, or clusters, of openness and rights. Some countries have advanced further in terms of immigration openness, while moving liberally in both dimensions. Another set of countries have moved further in terms of immigrant rights, while also advancing liberally on both fronts. Yet still other countries have moved liberally in terms of openness, but illiberally on rights. These patterns of migration policy divergence now need to be explained, and our dataset offers a first step in that direction by providing the necessary dependent variables. In this sense, these migration policy data raise new questions at the same time as they provide systematic answers to old questions.

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