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## **Immigration and Politics**

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## IMMIGRATION AND POLITICS

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■ **Abstract** With nearly one in ten residents of advanced industrialized states now an immigrant, international migration has become a fundamental driver of social, economic, and political change. We review alternative models of migratory behavior (which emphasize structural factors largely beyond states' control) as well as models of immigration policy making that seek to explain the gaps between stated policy and actual outcomes. Some scholars attempt to explain the limited efficacy of control policies by focusing on domestic interest groups, political institutions, and the interaction among them; others approach the issue from an international or "intermestic" perspective. Despite the modest effects of control measures on unauthorized flows of economic migrants and asylum seekers, governments continue to determine the proportion of migrants who enjoy legal status, the specific membership rights associated with different legal (and undocumented) migrant classes, and how policies are implemented. These choices have important implications for how the costs and benefits of migration are distributed among different groups of migrants, native-born workers, employers, consumers, and taxpayers.

### IMMIGRATION AND POLITICS

At the dawn of the twenty-first century, close to 200 million individuals lived as migrants outside their birth countries, up from 154 million in 1990; and nearly one in ten residents of advanced industrialized states was an immigrant (United Nations 2002). These numbers reflect increasing population movements into and out of almost every state within the global political economy. Just as the 1990s saw global trade and investment approach their highest levels since the first great period of globalization (i.e., 1870–1913), so too have recent years brought a second epoch of radical growth in global population flows. And just as heightened economic integration prompted backlashes against globalization at each century's turn, so too has the recent surge in international migration provoked widespread public opposition in industrialized countries—although effective immigration controls have rarely been put in place.

This essay reviews political science explanations for unmet demands for immigration control, and for variations in immigration policy more generally. We begin by reviewing the assumptions on which most models of immigration and politics are built—assumptions about why people migrate and about the impacts of immigration (real and perceived) within migrant-sending and migrant-receiving states. We then turn to models of immigration policy making. Although the recent gap between formally restrictive policies and de facto permissiveness in the immigration domain partly reflects structural and technological obstacles to effective policy making, most models that seek to explain immigration policy outcomes focus on domestic interest groups, political institutions, and/or international-level determinants of immigration regulations. Finally, we argue that even though states' ability to control inflows is imperfect, migration policy affects both the nature of migration and the distribution of its costs and benefits. Political scientists should continue to analyze this important issue.

## DETERMINANTS OF INTERNATIONAL MIGRATION

The political science literature on international migration and immigration policy draws heavily on work by economists, sociologists, and demographers concerning the determinants and consequences of migration (see, e.g., Hammar et al. 1997, Faist 2000). First, the act of migrating across international borders is usually costly in economic, cultural, and human terms. Along the U.S.-Mexico border and in the maritime passages from North Africa to Spain, thousands of unauthorized migrants die each year in illegal entry attempts (Cornelius 2001, 2004). What motivates individuals (or larger aggregations of people) to undertake these risky trips? Answers may be divided into rational actor approaches and those that emphasize deeper structural factors, and a separate distinction should be made between voluntary and forced (i.e., refugee) migration.

Traditional approaches to explaining migration decisions are rooted in neoclassical economic rational actor models. Just as individuals choose goods and services by maximizing their economic utility through market arbitrage, so too do they choose careers based on real wages. When the returns to labor are sufficiently high in foreign markets, such that the expected increase in wages exceeds the cost of migration, rational individuals choose migration. Thus, neoclassical economics generally predicts that labor flows from low-wage/labor-rich states to higher-wage/labor-poor states (Borjas 1989, Chiswick 2000). There is ample evidence that migrants are broadly motivated by such economic differentials. Hanson & Spilimbergo (1999), for example, cite evidence that the U.S.-Mexican wage gap outperforms a wide range of other independent variables as a predictor of undocumented migration from Mexico to the United States.

Yet as Massey et al. (1998) observe, the simple neoclassical model fails to account for a number of apparent anomalies. Why, for example, does field research reveal high levels of circular migration, with successful immigrants often

returning to their low-wage countries of origin after brief periods of employment in high-wage states (see, e.g., Tsuda 2003)? And if financial returns to investment in migration are greatest among the poorest individuals, why do migrants disproportionately come from families at the median of the local income distribution? Why do middle-developed regions and states export more workers per capita than the least developed? To address these questions, the “new economics of labor migration” takes families or households—rather than individuals—as the unit of analysis (Stark 1991, Bailey & Boyle 2004). From this perspective, groups of moderately well-off individuals invest in emigration among other tools for diversifying income streams and improving living standards. Emigration is viewed as an especially attractive strategy for residents of states that typically lack other forms of social insurance. The same individual-level models account equally well for permanent and temporary (guestworker) migration. Developing unique models of these different types of flows is particularly difficult because many “temporary” migrants eventually change their plans and settle permanently in host states.

A second school of thought emphasizes the underlying global economic structures that motivate individual (or group) decision making. From this perspective, global economic integration and the commercialization of agricultural production encourage migration by undermining traditional family structures and lowering demand for rural labor in traditional areas (Hatton & Williamson 1997, Massey et al. 1998). Global economic integration also lowers the cost of migration by creating new linkages between migrant-sending and migrant-receiving states (Sassen 1996), including international people-smuggling networks and legal labor brokerage services (Kyle & Koslowski 2001, Tsuda 2003). Thus, counterintuitively, economic development increases migratory pressure, at least in the short term (Stalker 1994, Martin 2001, Cornelius 2002a).

These migration “pushes” are complemented by structural “pulls” within migration host states. In particular, “dual labor markets” in industrialized states mean that the least attractive jobs are often reserved for immigrants (Piore 1979, Tsuda et al. 2003). These labor demands have intensified in the past two decades, and the aging of many industrialized states—especially new immigration states such as Italy, Spain, and Japan—suggests that they will continue to do so (Calavita 2004). Once certain types of low-wage manual jobs become associated with migrant labor, even relatively high unemployment rates do not produce a return of native workers to these sectors, owing to a combination of social conditioning and path-dependent labor recruitment methods. Thus, whole sectors of advanced industrial economies become structurally dependent on immigrant labor (Cornelius 1998). From a Marxist perspective, owners of capital also benefit from maintaining a category of job characterized by a flexible labor supply, allowing lay-offs to minimize losses to capital during economic downturns.

A third structural factor that promotes the continuation of migration once it begins is the presence of transborder social networks. When migrant communities become well established in the receiving country, residents of a labor-exporting community gain social capital in the form of migration-related knowledge and

resources, which encourages further migration (Waldinger 1997). According to the theory of “cumulative causation,” once a critical threshold is surpassed, migration becomes self-perpetuating because each migration decision helps to create the social structure needed to sustain subsequent migration (Massey et al. 1998, Fussell & Massey 2004). More generally, migration systems theory seeks to explain migration flows as regional phenomena that reflect long-standing migratory patterns, economic integration across multiple dimensions, the development of ethnic-specific commercial niches (Chinese laundries, Korean groceries, etc.), and the policies of migrant-sending and -receiving states (Castles & Miller 2003).

These alternative models of migration flows are not mutually exclusive but rather suggest an overdetermined model that strongly predicts continued migration within such well-established migration systems as the Mexico/United States, Turkey/Germany, and Brazil/Japan systems. In these and similar cases, the combination of gross demographic and economic imbalances and decades of migratory flows insures that all three structural determinants of migration are in place (i.e., pushes, pulls, and transborder social networks), and that rational migrants (at the individual or group level) have both cause and means to migrate. It is no small irony, in light of recent migration control efforts, that many of today’s strongest migratory systems were initiated through deliberate, government-sponsored recruitment of “guestworkers” during the 1940–1970 period (Reisler 1976, Massey & Liang 1989, Martin 2004).

Regardless of the extent to which the structural factors discussed above may or may not limit the choice sets for would-be migrants, analysts and policy makers typically distinguish between voluntary and forced migration. Voluntary migration involves discretionary migrants motivated by economic or family considerations, and forced migration refers to refugees forced from their homes by natural or human-made disasters. The distinction is theoretically important because humanitarian refugees are (in principle) entitled to additional legal protections through a number of national and international institutions. Yet, in practice, forced migrants confront decision-making challenges similar to those of voluntary migrants, and structural pushes, pulls, and transborder social networks exert a strong influence on migration decisions when humanitarian “push factors” are controlled for (Stalker 1999, Tamas 2004). For this reason, the line between forced and voluntary migration is often hazy, and distinguishing between legitimate humanitarian migrants and those making humanitarian claims primarily for the sake of gaining access to otherwise closed destination states has become a highly controversial dimension of immigration policy making in Europe and the United States (Joppke 1998a, Loescher 2002, Gibney 2004).

## CONSEQUENCES OF IMMIGRATION

If immigration policy makers seek to respond to these underlying causes of migration, they presumably do so because of the real or perceived consequences of migratory inflows. Evidence suggests that “real or perceived” is an important distinction,

as public attitudes about immigration reflect substantial misconceptions—though at least some of these apparent misconceptions actually reflect citizens' tendency to respond to migration on emotional (or affective) levels rather than on the basis of objective self-interest or personal experience.

What are the actual effects of immigration within host states? The most basic approach to this question is at the demographic level: How does immigration change the size and structure of receiving-state populations (Keely 2000)? Migrants are younger and more likely to produce large families than host-state populations, but current immigration levels are not high enough to address the population-aging crises that threaten many advanced industrial societies, especially in Europe and Japan (United Nations 2000). International migrants also exhibit an hourglass-shaped educational distribution: Most recent South-North migrants have education levels significantly below host-state medians, but a minority of them—highly skilled/professional migrants—are more educated than host-state citizens (Cornelius et al. 2001). Although ethnic differences between migrants and host-state populations alarm nativists today as they have during previous migratory waves (Brimelow 1995, Huntington 2004), the historical record shows that immigrants typically become fully integrated within host states after two or three generations—more quickly if supported by proactive immigrant integration policies at the national and local levels (Alba & Nee 2003, Joppke & Morawska 2003, Ireland 2004).

A second approach to evaluating the impact of immigration on host states focuses on economic impacts, measured in various ways. First, what is the macroeconomic impact of international migration within destination states? In general, immigration expands the labor force and lowers prices, supporting economic growth. Nonetheless, economists consider these effects quite modest relative to total host-state economies. In the U.S. case, a panel of economists estimated that immigration was contributing only about \$10 billion per year, or about 0.2% of the U.S. gross domestic product (Smith & Edmonston 1997).

More heated debates focus on distributive questions, including whether immigrants consume more in public services than they pay in taxes. Progressive taxation implies that immigrants will be net fiscal consumers, since immigrant earnings average well below natives' incomes. Immigrants are likely to represent a net fiscal burden to the localities in which they settle, especially given that they are more likely than natives to have young families with school-age children who require expensive social services such as education and health care. Yet immigrants are also less likely than natives to draw social security payments, and the record on usage of other income support programs is mixed. In the United States, estimates of immigrants' total net fiscal impact have ranged from +\$1300 per immigrant household per year (Simon 1989) to -\$2200 (Smith & Edmonston 1998). Regardless of their overall fiscal impact, there is no question that immigrants to the United States are a fiscal drain on states and localities with large immigrant communities but are net contributors to the federal treasury.

A final economic issue concerns the manner in which the costs of migration (e.g., downward pressure on wages, increased job competition) are distributed among

different segments of the native-born population. The Heckscher-Ohlin model of international trade suggests that with abundant unskilled labor in the global South (i.e., migrant-sending states) and skilled labor in the global North, immigration—like trade—should benefit skilled workers in host states and unskilled workers in countries of origin, and that low-skilled workers in host states should see their wages fall (Borjas 1999, Scheve & Slaughter 2001). However, these assumptions ignore the possibility of positive externalities from immigration, including job creation and economic diversification (Nelson 2002). Empirical studies find a significant and substantively important link between U.S. immigration and falling wages during 1890–1910 (Goldin 1994, O’Rourke & Williamson 1999), and between contemporary immigration and falling European wages (Angrist & Kugler 2001). Yet negative wage effects in the U.S. case, like other economic impacts, are quite small (Hanson et al. 2001); and their scope is mainly limited to recent migrants, African-Americans, and workers who lack a high school education (Hamermesh & Bean 1998, Bean & Stevens 2003).

In addition to demographic and economic concerns, there is the issue of security. In principle, high levels of immigration may pose security threats to the extent that migrants overwhelm the integration capacity of host states and breed intergroup conflict (Teitelbaum & Weiner 1995). In practice, however, the security implications of large-scale international migration to industrialized states have been limited mainly to cultural issues (Rudolph 2003, Ireland 2004). These “security threats” have been balanced by periodic war-related demands for more foreign labor, exemplified by U.S. programs to import contract laborers from Mexico in World Wars I and II (Rosenblum 2003a). Only in the wake of the September 11, 2001 terror attacks have policy makers begun seriously to consider individual migrants as security threats.

Even if the actual effects of immigration on receiving countries are typically modest, many citizens of migrant-receiving states *perceive* negative consequences—economic and noneconomic—that lead them to prefer more restrictive immigration policies. A substantial body of political science literature examines general public responses to immigration, which are characterized throughout the industrialized world by opposition to existing immigration levels and negative feelings about the most recent cohort of migrants (Simon & Lynch 1999, Fetzer 2000, Saggar 2003, Cornelius et al. 2004). Partly in response to the coincidence after 1970 of surging global migration, global macroeconomic shocks, and growing concern about the sustainability of the welfare state, subsequent decades have been marked by the emergence of new anti-immigrant parties and movements throughout Europe and in some parts of the United States (Betz & Immerfall 1998, MacDonald & Cain 1998, Ono & Sloop 2002, Doty 2003, Givens 2005). Extremist anti-immigration parties have seldom had much electoral success (the exceptions are the National Front in France, which won 18% of the vote in the June 2002 presidential election, and the Freedom Party in Austria, which garnered 27% in a 1999 general election), but they have had disproportionate influence by nudging mainstream parties to adopt more restrictionist immigration policies. As

Layton-Henry (2004) has observed in the case of Britain, "Politicians firmly believe, despite the repeated failure of anti-immigration politics at the ballot box, that this issue has the potential to mobilize the electorate" (p. 332).

What explains popular anti-immigrant sentiment? Analysts have mainly focused on a pair of competing hypotheses: a class-based economic-threat hypothesis that draws broadly on Marxist thought, and an identity-based cultural-threat hypothesis derived from sociological group-threat theories. Fetzer (2000) further distinguishes between the concepts of "marginality" (hypothesizing that groups outside the mainstream are more receptive to newcomers than members of the dominant group) and "contact" (hypothesizing that meaningful contact with immigrants promotes tolerance but casual contact has the opposite effect) (also see Money 1999).

These competing hypotheses have been exhaustively analyzed at the individual, national, and cross-national levels making use of National Election Study, Eurobarometer, and similar poll data. The weight of the evidence favors individual-level noneconomic explanations of hostility to migration. Receptivity increases with years of education and more cosmopolitan cultural values (Fetzer 2000, Kessler 2001, Citrin & Sides 2004), personal contact with immigrants (Espenshade & Calhoun 1993), and positive anomic beliefs about migrants' personal characteristics (Burns & Gimpel 2000). Yet, as Fortin & Loewen (2004) observe, an inherent endogeneity problem makes some of this research problematic as anti-immigrant attitudes may themselves contribute to lack of contact, negative attitudes about migrant characteristics, etc. Other studies emphasize that both economics and cultural objections to immigration shape public attitudes (Espenshade & Hempstead 1996, Cornelius 2002b). Among economic factors, individuals' evaluations of national economic conditions and their employment status are robust predictors of attitudes about migration (Citrin et al. 1997, Kessler & Freeman 2004). Thus, the literature on anti-immigrant attitudes mirrors the political-behavior debate about symbolic racism: Does white racism reflect underlying "higher-order" values or abstract racial affect (Sears et al. 1979)? Do these abstract beliefs follow endogenously from racist attitudes (Schuman 2000), or do racism (and affect) reflect beliefs about race-related policies such as affirmative action (Sniderman & Carmines 1997)? Hostility to immigration is also correlated with the visibility of new migration inflows (Teitelbaum & Weiner 1995, Money 1999). The latter finding raises the issue of the political salience of migration, a promising area for additional research. The salience of immigration as a public policy issue has usually been low in the United States (Espenshade & Belanger 1998) but high in Britain and some other Western European countries (Lahav 2004), especially when publics focus on asylum seekers and their perceived abuse of welfare-state programs.

Finally, since migration represents an exchange between sending and receiving states, how are countries of origin affected by population outflows? On the economic side, emigration benefits source states by relieving employment pressures and raising wages (O'Rourke & Williamson 1999, Massey et al. 1998). Thus, emigration is a "safety valve" that provides flexibility in economic planning

(García y Griego 1992, Stepick 1992). Emigration is also a source of hard currency through remittances—indeed, the largest source of foreign exchange for many Caribbean Basin states. Official remittances to the five top Latin American labor-exporting countries (i.e., Mexico, the Dominican Republic, El Salvador, Guatemala, and Colombia) grew by 26% annually after 1980, exceeding \$8 billion in 2000 (Lowell & de la Garza 2000). By 2003, Mexico alone received at least \$14.5 billion in migrant remittances (Multilateral Investment Fund/Pew Hispanic Center 2003; Consejo Nacional de Población, unpublished data).

But emigration also entails costs, especially the loss of human capital. Most attention to the “brain drain” problem has focused on efforts by China, India, and Canada to deter emigration of highly skilled workers (Cornelius et al. 2001). Both theoretical models and empirical evidence suggest that emigrants are more skilled than their conationals who fail to depart, even in Latin American countries where migration is predominantly low-skilled (A.E. Kessler, unpublished manuscript). Moreover, the emigration of individuals with *any* education means that sending states essentially subsidize economic growth in receiving states. Finally, migrant-sending countries may experience negative social consequences. The cumulative causation of migration means that whole regions of high-emigration countries are now structurally dependent on emigration, which distorts income distribution and arguably limits development possibilities in those regions (Asch & Reichmann 1994).

## IMMIGRATION POLICY MAKING

A fundamental tension now characterizes immigration policy making in most of today’s labor-importing states. Falling transportation costs, increasing economic integration, path-dependent migration linkages, structural demand for labor within host states, and global demographics all point to continued increases in immigration flows into the developed world. But many of these same features of contemporary immigration also generate public resistance to immigration in host states. Thus, much of the analytic attention to immigration policy has focused on the gaps between popular demands for tighter immigration control and limited (and/or ineffective) state responses (Joppke 1998b, Cornelius et al. 2004). Our discussion of the immigration policy-making process and policy outcomes focuses on domestic interest group politics, political institutions, and the relationship between immigration and international relations.

### Domestic Interest Groups

The most common approach to explaining immigration policy making focuses on domestic interest groups. On the economic side, owners of land and capital benefit from the falling wages associated with migration inflows. Although labor unions have traditionally opposed new waves of immigrants (Goldin 1994), some major U.S. and European unions more recently have chosen to organize immigrants

as new members rather than to persist with efforts to block their entry into the labor market (Haus 2002, Watts 2002). Extensive case study research documents aggressive lobbying by business and labor groups (Zolberg 1990, Calavita 1992), and analysis of roll call votes in the U.S. Congress shows that members vote on immigration legislation according to district-level economic interests (Gimple & Edwards 1999).

Noneconomic interest groups also care about immigration. Historically, these groups have included recently arrived immigrant/ethnic groups as well as nativist/patriotic organizations (Fuchs 1990). Contemporary anti-immigration groups frequently emphasize ecological capacity and national-identity concerns (Reimers 1999, Huntington 2004). A broad array of civil liberties organizations have also entered the debate in support of proimmigration policies (Schuck 1998). Roll call and electoral analysis of U.S. and European policy making finds support for the influence of these noneconomic interest groups as well (Kessler 1999, Money 1999).

This diverse set of group demands produces cross-cutting cleavages (e.g., as business associations and civil libertarians line up against unions and cultural conservatives), which prevent the formation of stable partisan blocs on immigration policy (Hoskin 1991, Gimple & Edwards 1999, Tichenor 2002). Yet even though parties often resist classification on this issue, interest group dynamics are broadly predictable. Specifically, it is argued that the benefits of migration are concentrated and accrue to privileged groups with powerful peak associations, whereas the costs of migration are diffuse and its opponents divided. Thus, immigration policy is often described as a form of client politics, with policy makers being “captured” by proimmigration groups (Freeman 1995, 2001; Joppke 1998b).

### Political Institutions

Although such interest group models are broadly descriptive of typical legislative outcomes in the post-1970 period, they do not explain variation over time or among migrant-receiving states. Thus, some recent efforts at theory building have grounded these widely held assumptions about interest group dynamics within a framework that emphasizes the mediating effects of political institutions. For example, Money (1999) argues that regional immigrant settlement patterns ensure that interest group disputes play out mainly at the level of gateway communities, whereas immigration policy making occurs at the national level. Thus, policy making may reflect either client politics or broader interest group demands, but policy shifts are likely only when immigrant communities become swing districts at the national level, causing national parties to pursue pro- or anti-immigration voters. [Money’s book focuses exclusively on the British, French, and Australian cases; but Fuchs (1990) and Goldin (1994) make broadly similar arguments about migrant-settlement immigration policy making in the early twentieth-century United States.] Rosenblum (2004a) also seeks to explain the timing as well as the direction of policy shifts, focusing on how changes in the

international and domestic salience of migration affect bargaining among Congress, the president, and migrant-sending states.

Whereas Money and Rosenblum adopt rational choice/institutionalist approaches, Fitzgerald (1996) and Tichenor (2002) examine the changing effectiveness of economic and noneconomic interest group demands through a historical-institutional lens. Tichenor also explains the timing and direction of U.S. immigration policy changes, emphasizing the interaction between evolving policy coalitions and legislative institutions, changes in the social construction of the immigration debate, and international events as catalysts for policy change. Fitzgerald focuses on U.S. interbranch relations, including the path-dependent evolution of congressional dominance in certain areas (e.g., allocation of permanent resident visas) and presidential dominance in others (e.g., regulation of refugee flows).

Other analysts treat institutions themselves as explanatory variables. Hollifield (1992) and Joppke (1998b) argue that liberal European and U.S. constitutions and judicial systems seriously constrain the ability of states to pass and enforce strong immigration control laws. Liberal institutionalists cite the U.S. Supreme Court's rejection of California's anti-immigrant Proposition 187 and recent steps by national courts and the European Court of Human Rights to overrule deportations in several European states as evidence that institutions matter. Yet there is also substantial evidence of states circumventing these judicial constraints, for example by delegating authority to sub- and supranational enforcement agents (Messina 1996, Guiraudon & Lahav 2000, Guiraudon 2001). And courts remain reluctant to overrule immigration legislation, although they have grown more willing to rule on its enforcement (Schuck 1998).

### International Factors

Immigration is an inherently "intermestic" phenomenon (Manning 1977); accordingly, a final set of approaches to explaining variation in policy outcomes emphasizes international factors (alone or in combination with domestic politics) as determinants of migration policy (Hollifield 2000, Meyers 2004, Rosenblum 2004a). At least three distinct types of arguments are made about immigration policy and the international system. First, international migration now occurs within a more generalized process of global economic and political integration, and a number of analysts explain immigration policy making as a function of these broader changes. Sassen (1996) argues that the globalization of capital and the creation of global metropolises have empowered multinational corporations to successfully demand generous immigration policies from host states. Soysal (1994) and Jacobson (1996) focus on international humanitarian norms and regimes; they argue that the liberal domestic institutions discussed above are a product of emerging norms of personhood, which increasingly supersede traditional citizenship-based rights.

A second international-level argument about policy making concerns the complex relationship between population movements and national security. On one hand, many migration flows are the result of international conflict. Civil disputes

in Central America and the Caribbean generated large refugee flows to the United States during the 1980s and 1990s, and conflicts in the former Yugoslavia and North Africa were major causes of migration to Western Europe in the 1990s. This pattern reflects structural changes in the nature of warfare in the post-Cold War period (Russell 1995, Helton 2002, Castles & Miller 2003). On the other hand, migration flows can also be a source of international conflict and insecurity. In such cases as the African Great Lakes region and the Balkans, whole regions have been destabilized by mass migration flows into weak states that are poorly equipped to handle them (Hollifield 2000, Helton 2002).

Given that the level and terms of international migration have important economic and sociopolitical implications for countries on both ends of the exchange, a third way in which international relations may influence immigration policy is at the diplomatic/economic level. Many sending states have strong preferences concerning receiving-state immigration policies (Mahler 1999, Rosenblum 2004b), and both sending and receiving states may seek to employ migration as a tool of foreign policy by linking cooperation on migration control and/or access to legal entry visas to other dimensions of bilateral relations, such as trade, investment, and security relations (Meyers 2004). More generally, numerous analysts writing within an international political economy tradition assume migration policy making reflects states' interests in regulating or permitting migration as an international factor flow, rather than (or in addition to) social and demographic considerations (Moehring 1988, Hollifield 1992, Haus 1999, O'Rourke & Williamson 1999, Rosenblum 2003b).

Empirically oriented work is skeptical about the constructivist argument that international norms are constraints on immigration policy making, in part because international migration regimes have notoriously weak enforcement provisions (Teitelbaum 1984, Gurowitz 1999, Hansen 1999, Guiraudon & Lahav 2000). Some analysts are optimistic that the severity of refugee crises in the post-Cold War period—as well as increased attention to such crises—will promote the development of stronger regimes to facilitate humanitarian burden-sharing (Helton 2002). Yet the absence of meaningful international migration regimes reflects a fundamental difference between migration and other types of international flows. Whereas international commercial regimes, for example, benefit states at both ends of the exchange by expanding gains from trade, strong migration institutions would primarily benefit poor sending states by regularizing outflows. Conversely, wealthy states under the status quo *laissez faire* regime operate in a “buyer's market,” and the absence of migration institutions gives receiving states broad latitude to select immigrants and integrate them on their own terms (Rosenblum 2005). Thus, it is unsurprising that where international cooperation on migration exists it is overwhelmingly in the area of immigration control, not humanitarian or labor migration admissions (Koslowski 1998).

Nevertheless, there is substantial evidence that diplomatic and/or security considerations can shape immigration policy. For example, the removal of internal barriers to migration within Western European countries that adhere to the

Schengen agreement has been accompanied by substantial harmonization of external visa policies and cooperation on asylum adjudication (Koslowski 2000). In the case of the United States, the clearest recent example of migration-as-security-policy is the 1994 invasion of Haiti, in which 20,000 U.S. marines were deployed in large part to prevent additional asylum claims from that country (Newland 1995). Thus, even if political scientists continue to debate the extent to which immigration represents a fundamental threat to Westphalian sovereignty (Hollifield 2000, Shanks 2001), modern nation-states clearly view some types of migration flows through a national security optic.

The best-documented examples of immigration policy as diplomacy relate to the enforcement of refugee and asylum policy. The United States rewarded allies by refusing to admit asylum applicants fleeing these states' right-wing authoritarian regimes, and punished communist states during the Cold War by enforcing generous refugee provisions for those applicants (Loescher & Scanlan 1986, Russell 1995). Rosenblum & Salehyan (2004) demonstrate that differential standards were also applied after the Cold War, when trade relations and concerns about undocumented migration influenced enforcement patterns. Diplomatic considerations also inspired U.S. concessions to Mexico during the early years of the "bracero" temporary worker program, as part of an effort to repair strained relations with that state (García y Griego 1992, Rosenblum 2003a). Diplomacy may influence immigration control policies in addition to admissions. Important examples of negotiated control agreements include Germany's readmission treaties with all of its eastern neighbors, multilateral agreements between the Schengen countries and Poland, and the U.S.-Cuban readmission agreement of 1994.

## DOES IMMIGRATION POLICY MATTER?

As noted above, a broad consensus exists that the determinants of international migration are overwhelmingly structural and path-dependent, and well-established migration systems are often deeply resistant to regulation. Indeed, some analysts question whether it is possible for labor-importing states to control their borders in the twenty-first century (Sassen 1996, Cornelius & Tsuda 2004). Others argue that immigration control policies are essentially symbolic (Andreas 2000).

Yet migration policy merits attention because different countries take disparate approaches to immigration control and immigrant integration. Among developed states, a distinction exists between "traditional" migrant-receiving countries (the United States, Canada, Australia) and those states for which immigration is mainly a late-twentieth-century phenomenon. The former have generally been more tolerant of legal permanent immigration, whereas most European states (as well as newer receiving states such as Japan and South Korea) have historically raised greater barriers to legal permanent settlement. Although most industrialized migrant-receiving states share a common toolkit (i.e., legal permanent admissions, guestworker admissions, humanitarian refugee and asylum policies, border and worksite enforcement), recent research emphasizes emerging

intraregional similarities and inter-regional differences. EU members have moved toward common refugee and asylum policies and nationality laws, and most European states have liberalized their immigrant integration policies in an effort to incorporate immigrants into the body politic. But newer receiving states in East Asia are less generous in this regard, continuing to emphasize temporary guestworker programs without provisions for family reunification. Nonetheless, as Cornelius et al. (2004) observe, these broad patterns mainly hold at the macro level, and substantial variation exists between states (even within regions) in terms of specific admissions criteria, procedures, and policy implementation strategies. Finally, although most research has focused on developed-state immigration policies, a substantial majority of overall international migratory flows are within the global South (especially refugee movements); and many developing states have become important points of transmigration (e.g., Central American, South American, and Asian migration through Mexico to the United States; sub-Saharan migration through Morocco to Spain and other EU countries). These latter cases represent important opportunities for future research.

Moreover, even if the structural push-pull models of international migration flows are correct, immigration policy remains important for at least two reasons. First, all of the structural arguments described above assume that individuals (or families, or communities) believe that the expected benefits of migration outweigh its risks and known costs. Thus, on a theoretical level, it must be possible for receiving states to design policies that reduce unwanted flows by raising the expense of migration to the point at which deterrence is achieved.

Indeed, studies have found evidence that policy choices made by labor-importing countries have affected migration patterns. U.S. legislation passed between 1895 and 1924 was highly effective at restricting European immigration, and the expansion of inflows since the 1960s is directly rooted in additional legislative and regulatory changes passed between 1960 and 1980 (Zolberg 1999). Laws to limit inflows have also been sporadically effective since that time despite their often poor design.

The classic example of inefficient legislative design is the 1986 U.S. Immigration Reform and Control Act (IRCA), which penalized employers who “knowingly” hire unauthorized immigrants but failed to establish enforceable criteria for employment eligibility and thus enabled employers to continue their usual hiring practices (see Calavita 1994). Several quantitative studies found a significant drop in undocumented migration to the United States in the two years following passage of IRCA (Cornelius 1989, Bean et al. 1990), but these declines were offset by new inflows in the 1990s. U.S. immigration control efforts since 1993 have relied on an increasingly militarized U.S.-Mexican border (Andreas 2000, Nevins 2001), although the observable impact of tougher border enforcement has not been a decrease in the flow of unauthorized migrants but rather a rechanneling of the flow, an increase in migration-related deaths and in the fees paid to migrant smugglers, and a higher rate of permanent settlement in the United States (Massey et al. 2002, Cornelius 2005). Migration policy enforcement in the United States may have been further undermined by the fact that the U.S. Immigration

and Naturalization Service (now reorganized as the Citizenship and Immigration Services) has been an exceptionally poorly controlled bureaucracy (Magaña 2003).

Another, more fundamental reason why immigration policy matters is that even though migrant-receiving states have imperfect capacity to determine the number of immigrants, policy choices perfectly define the conditions of migration. In particular, policy decisions classify migrants as legal permanent residents, temporary nonimmigrants, humanitarian migrants, or undocumented immigrants. Policy decisions determine the rights each class of migrant enjoys, as well as how aggressively those rights are enforced. The most important distinction is between legal and undocumented immigrants. The undocumented lack most rights associated with membership in an advanced industrial economy, including unionization and workplace safety rights, unemployment insurance, and programs to subsidize health care and home ownership. As a result, not only do unauthorized immigrants earn significantly less than legal immigrants (and natives) with similar skills, but they are also less likely to own houses, engage in entrepreneurial activity, and obtain preventive health care.

A second set of issues concerns legally admitted immigrants. Specifically, how are the rights of membership in the receiving society granted and enforced? Policies that limit immigrants' labor rights (e.g., limitations on a guestworker's ability to change employers, restrictions on the employment of asylum seekers) tend to have pernicious wage effects similar to those that affect unauthorized immigrants. Policies that impose additional limits on migrants' rights of membership and/or their ability to become citizens also exacerbate income inequality and more generally inhibit immigrant assimilation while promoting societal polarization (Schuck 1998, Koslowski 2000).

Legal access to the United States and other industrialized states is a scarce global resource, and policy makers have substantial discretion in how these precious visas are distributed (Shanks 2001). The distribution problem involves at least two questions: whether to discriminate among migrant-sending states, and how to allocate visas among nationals of a given sending state (on a first-come, first-served basis? on the basis of family ties? or occupational skills?). These decisions have obvious consequences for how the benefits of legal *emigration* are distributed among U.S. migration partners and for immigration's social and economic impacts on host states.

## CONCLUSION

Contemporary international migration flows occur within migration systems in which pushes, pulls, and social networks make migratory pressures overdetermined. The macroeconomic impact of immigration is modest for most advanced industrialized states; its impact on host-state demographics is more significant. Distributive, security, and cultural impacts of immigration are harder to measure but increasingly drive public debate over immigration policy. General publics

throughout the industrialized world typically desire lower levels of immigration than are currently being experienced.

Given the structural determinants of migration in both sending and receiving countries, the ability of host states to respond effectively to this desire is highly arguable. Yet even flawed control policies have at least a modest effect on flow levels, and immigration policy undoubtedly determines the proportion of migrants who enjoy legal status, the specific membership rights associated with different legal (and undocumented) migrant classes, and how policies are implemented. These choices have important implications for how the costs and benefits of migration are distributed among different groups of migrants, native-born workers, employers, consumers, and taxpayers.

For these reasons—and given the virtual demographic certainty that migratory pressures will continue to increase in the foreseeable future—developing better models for explaining immigration policy choices and policy outcomes has become a priority for political scientists in recent years. Much of this recent work seeks to explain the unmet demands for migration control (i.e., the “enforcement gap”), primarily by focusing on interest group dynamics and/or political institutions. A second line of analysis focuses on international models that emphasize security concerns, international institutions, and the role of migrant-sending states. While practitioners of these approaches have tended to focus on explaining modal policy outcomes, others have turned to more complex historical-institutional and cross-level models to explain historical variation in policy outcomes.

There is growing attention to cross-national analyses that seek to explain variance in immigration policy choices and outcomes among labor-importing countries by focusing on differences in regime type, national political cultures, and the distribution of power among governmental institutions. Indeed, the study of comparative politics in advanced industrial countries would benefit from more systematic attention to the ways in which these polities are being reshaped by, and responding to, the forces unleashed by contemporary immigration.

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