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The Liberal Model and the Market Model

MIGRATION AT A CROSSROADS

For much of world history, human migration¹ was largely unregulated. Since antiquity, people have moved from place to place, crossing frontiers in search of resources, trade, or refuge. However, the obstacles to individual movement were historically social and logistic, rather than legal. When societies sought new sources of labor for expansion, colonization, or trade, they attained them through conquest or slavery. As territorial states developed over time, as transportation became faster and more accessible, and as resource disparities broadened, desirable destinations have each been confronted with the need to manage the growth and composition of their populations. This process continues into the present day, when societies that were once considered to be on the world's periphery now face far greater numbers of prospective voluntary and involuntary immigrants and a stronger impetus to govern their entry and settlement.

¹ In this book, we employ a demographic definition of an international migrant as employed by the United Nations and OECD: a person residing outside of the country of his or her birth. This includes temporary migrants, who hold visas permitting a period of residence, often allow renewals, and sometimes have pathways to permanent migration or citizenship. However, this does not include tourists and others who are not permitted to reside or work in the destination state for under three months (UNPD 2008: 1).

It is worth underscoring that this book is exclusively concerned with international migration, as opposed to internal migration. These are ultimately different phenomena that merit separate treatment, though they have been considered together by a collection of geographers and anthropologists in the past (see Skeldon 2006). Internal migrants only alter local and regional socio-political trends and, as most states do not monitor sub-national borders, movement is typically unregulated and difficult to measure.

The rise of international human rights norms around migration in the second half of the twentieth century has complicated the transactional nature of migration evident in earlier periods. Finland's Foreign Minister Erkki Tuomioja (2004) discussed the humanity of immigration when addressing his population's desire for "foreign labor" during Finland's economic boom:

It would not really be "labour" we would be bringing into the country, but human beings who want to move to Finland for a variety of reasons and for shorter or longer periods of time. And these human beings may well have children and spouses they wish to bring with them. People have a whole spectrum of expectations and needs, also outside the world of work. They should not be seen only as somebody who fills the slots in labor markets but also as somebody who enhances Finnish society as a whole.

The extent to which countries address these "expectations and needs" – as they pertain to migrants' duration of stay, reunification with family members, and citizenship – drive the differences between them. In this book, we catalogue these differences and identify various types of immigration regimes. And we see how, as migrants pursue opportunities in new destination societies with alternative forms of governance, the national regimes regulating admission and naturalization are evolving in different ways.

One prominent evolution took place amidst the liberal spirit that permeated the afterglow at the end of the Cold War. The collapse of old boundaries and the opening of new economies facilitated the global movement of people, goods, and money with new intensity and breadth during the 1990s. Throughout this period of globalization, there was a sense that immigration regimes would also liberalize. Outside of some areas of Eastern Europe, immigrant stocks rose across the European continent, Naturalization Rates spiked in the world's primary destinations, and the birth of the internet rendered a sense that all states and peoples would soon be connected and integrated. Scholars like Gary Freeman (1995) and Christian Joppke (1999; 2005a; 2005b) argued that the world was converging toward an increasingly open, liberal, and non-discriminatory immigration system, even if countries retained distinctive models. Over time, these observers implied, migration countries

International migration requires individuals to register and adapt to a new society and system. In a similar spirit, we choose not to examine sub-national forms of governance and their outcomes. In all states, sub-national bodies ultimately submit to the authority of the national government in controlling the admission and settlement of international immigrants, and while sub-national governments are competing with national authority and filling gaps in legislative control, this activity does not determine admissions.

would converge to a “Liberal” Model akin to those of settler states, characterized by permanent and equal incorporation of immigrants into national communities.

However, during the same period, an alternative reality was emerging – one that saw the facilitation of global movement as an economic opportunity to be exploited, and a risk to the security of national identity and sovereignty. Beginning in the 1960s but accelerating in the 1990s, the Gulf Arab states of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates responded with a vision of governance that views migrants as guests who are expected to quietly execute their work, quarantine themselves from society, and otherwise return to their country of origin. In many ways, this *kafala* system, under which migrants are treated as human capital controlled by their employer, is similar to the immigration regime of Singapore, which has issued temporary work permits since the 1970s. Under the terms of these permits, low-skilled immigrants to the Southeast Asian city-state must repatriate if their employment is terminated or should they become pregnant. If they wish to marry a Singaporean national, they must receive special government approval. Immigrants are subject to regular medical tests and their employers must post sizable bonds and purchase insurance policies in case of accidents or illness (Yeoh and Lin 2012). These low-skilled workers are, in sum, economic resources to be managed.

While this variation in immigration regimes is reflected in a growing range of social science analysis, it has not yet been adequately understood in a unified, systematic, and comprehensive typology of national immigration regimes. In short, researchers know little about how immigration regimes differ – a descriptive question – or why different countries govern human migration the ways they do – an explanatory question. International migration and its scientific examination have therefore reached a crossroads. A principal reason is that we lack a standardized means of measuring and classifying immigration regimes. In response to this gap, this book examines fifty countries’ demographic immigration outcomes, derives a typology of immigration regimes for thirty countries for which complete data are available, and attempts to explain what drives the variation in outcomes across borders.

A NEW TAXONOMY OF IMMIGRATION REGIMES

We define an immigration regime as the migration policies and their outcomes that collectively reflect the admission and settlement of

foreign-born people over time. This encompasses both the array of policies adopted by states and the outcomes of those policies (as implemented) that relate to the movement of people into and out of national territory. They are generated both by regulatory processes, but also by a range of powerful interests who enforce policies, contest policies, and sometimes evade policies.²

Across the chapters of this book, we develop a number of new concepts in the measurement of migration demographic outcomes, and then assemble these to create a multidimensional concept of immigration regimes that reflects the approaches that immigration destination states take to the governance of people's admission and citizenship. We do so across a much larger number of countries than earlier research, incorporating data from outside the Organisation for Economic Cooperation and Development (OECD) in light of the growing profiles of these countries as migrant destinations. Due to limitations on the availability of data across this exceptional variety of countries, we focus our analysis on a single year of data: 2011, as this is the year for which we have the most available data across the broadest array of countries. However, we also discuss trends across time when they are known, and our method of analysis is replicable across any number of years and countries, should new data be collected or released.

Based on these concepts, we create a taxonomy – a system of classification – that features seven types of immigration regimes across the primary destination states we examine for the thirty countries for which we have full data:

- (1) **Neoliberal Regimes** (Australia, Canada, New Zealand, and the United Kingdom) – many of which began as settler states – feature high levels of temporary migration, a strong labor admissions focus, and elevated Naturalization Rates.
- (2) **Humanitarian Regimes** (Finland, Sweden, and the United States) most reflect the legacy and influence of historic settler state models

² This definition applies earlier definitions of “regimes” related to other spheres of governance, largely in the international sphere. Krasner (1982: 185) defines regimes as sets of “principles, norms, rules, and decision-making procedures around which actor expectations converge in a given issue-area.” More pertinent to this study, Kratochwil and Ruggie (1997: 32) focus on nation states and define regimes as “governing arrangements constructed by states to coordinate their expectations and organize aspects of international behavior in various issue areas.” These authors clarify that regimes include “a normative element, state practice and organizational roles.” We expand this definition beyond a focus on institutions by incorporating a consideration of migration demographic outcomes.

in North America and Oceania, which sustained significant flows under diverse visa types, with high rates of naturalization – even though only the United States is actually one of these historic settler states.

- (3) **Extra-Union Regimes** (Belgium, France, Ireland, Italy, Portugal, and Spain) are characterized by moderate levels of free movement inside the European Union, a moderately diverse admissions program, and low levels of naturalization.
- (4) **Intra-Union Regimes** (Austria, Denmark, Germany, the Netherlands, Norway, and Switzerland) have elevated levels of free movement from member states of supranational unions (e.g. the European Union), limiting flows under other visa types and suppressing demand for citizenship.
- (5) **Kafala Regimes** (Bahrain, Kuwait, Oman, and Saudi Arabia) are characterized by exceptionally high migrant flows, and an exclusive focus on temporary labor admissions with few outlets to citizenship.
- (6) **Quasi-Kafala Regimes** (China, Russia, and Singapore) follow the economic efficiency of Kafala Regimes but with significantly lower migrant flow levels.
- (7) **Constrained Regimes** (Brazil, Japan, Mexico, and South Korea) feature lower flow levels, less economically focused admissions, and – with the exception of Brazil – low Naturalization Rates.

THE MARKET MODEL

Examining this taxonomy and its underpinning demographic data more critically, we see that the world's most prominent migration destinations no longer appear especially influenced by the policies of the settler states of yesteryear. Indeed, today, even some of the most liberal settler states like Australia and Canada no longer look much like settler states at all, with some of the highest rates of temporary immigration as a percentage of annual migrant flows among the world's democracies and dominant emphases on labor. Rather, the countries in this study quite generally exhibit elevated numbers of temporary migrants, a focus on labor migration via economic visas or, more commonly, free movement agreements, forms of tacitly ethnicity-based selection, and relatively low levels of naturalization. Relative to the openness and permanence of Freeman and Joppke's "Liberal" Model, this emerging approach resembles the increasingly contingent nature of labor markets worldwide.

This approach demonstrates states' countervailing acknowledgment of human capital needs and their reluctance to make permanent commitments to newcomers. It reflects new premiums placed on short-term, flexible hiring in a world economy of greater expedience and less concern with the rights and stability of people's lives. And it appeals to societies that have experienced nativist and xenophobic backlashes to the way that global migration dilutes demographic homogeneity and national heritage. In economically unstable times characterized by public concern over various threats to national security, the Market Model permits governments to have it both ways – effectively sanitizing globalization from its purported ills while enjoying the economic benefits that it brings.

This approach, which we call the Market Model, is characterized by a more market-oriented approach to immigration selection and regulation. As it relates to the distribution of entry visas, while economic migration selection does not predominate in all states, most countries rhetorically preference either economic immigration or a combination of economic and free-movement-based entry. At the same time, many regimes have attempted to reduce humanitarian and family-based immigration, which implies permanent settlement and is viewed as less economically robust than these other streams, although with mixed effectiveness. Simultaneously, we observe across most of the studied countries a focus on temporary labor and attempts by governments to reduce opportunities for economic migrants to remain on an indefinite basis. This reflects governments' desire to enjoy the economic benefits of immigration without open acceptance of the societal and demographic transformations that might result. This is particularly the case in non-democratic countries, where rates of temporary immigration are especially high. Finally, with regard to Naturalization Rates, we observe that Naturalization Rates of new migrants have trended downward over the last two decades. More restrictive or stringent integration policies also reinforce these changes in naturalization. Collectively, the effect of these policies is to shift immigration regimes toward a more transactional style of immigration governance.

It is this context that made Germany's generous response to the influx of over one million asylum seekers from Syria, Iraq, and Afghanistan since 2015 appear so counterintuitive. Historically, Germany had attempted to execute this Market Model even as other countries were liberalizing through the country's *gastarbeiter* (guest worker) program, in which immigrants, particularly Turks and Southern Europeans, were admitted on short-term labor visas. Germans have since focused their

admissions on immigrants from within the European Union – which could be viewed as an implicit form of ethnicity-based selection (Favell 2008: 701). Discomfort and uproar in response to the Germans' unexpected accommodation of the largely Muslim asylum seekers has fueled the rise of xenophobic politics across other European states like Austria, France, Switzerland, and the United Kingdom, deepening their commitment to Market Model policies in the future and undermining their commitment to the European Union and free movement within it.

WHAT DRIVES IMMIGRATION REGIMES?

After presenting our new migration taxonomy in Chapter 7, in Chapter 8 we seek to understand the central reasons for this local variation and the overarching convergence toward the Market Model. We present a segmented theory of regime development, which demonstrates different explanatory pathways for different regime clusters. In short, we reject a single grand narrative for the variation in regime clusters, instead arguing that there are different pathways to migration outcomes that depend on the broader context of each regime's environment and history. We then argue that the subtle shift to a Market Model across these seven clusters is influenced by three main factors: first, the greater adoption of neoliberal economic models that has permeated labor standards, trade, financial markets, and now immigration governance globally; second, voting publics' increasing xenophobia and protectionism (Gest 2016); and third, politicians' rhetorical attempts to connect immigration with pervasive paranoia about international terrorism (Gest 2010).

BOOK OVERVIEW

Chapter 2 explains why it is important to develop a rigorous means of classifying immigration regimes. We then explore existing systems of classification and their limitations. We emphasize three primary limitations: first, a heavy focus on Western democracies that excludes prominent, new immigration destinations; second, the unclear indicators behind existing systems of classification; and third, these systems' inability to account for the relationship between admissions and citizenship policies. In response, we propose our approach, which examines a broader variety of countries, a variety of admissions and citizenship outcome dimensions, and is based on a set of demographic indicators that are replicable and more comprehensive. We outline each of these indicators and then

conclude by explaining the basis of our case selection – a blend of convenience and consideration of immigrant stock levels.

Chapter 3 situates our focus on immigration regimes and their determinants within a historical context. While debates continue over the relative size of contemporary migration flows compared with those of the late nineteenth century (Hatton and Williamson 2008; cf. Castles and Miller 2009: 2), it is clear that there are several distinctive features to current migration trends, when compared with an earlier period. In this chapter, we sketch the comparative history of immigration regimes across countries and regions – tracing the move from a relatively laissez-faire approach to immigration in the late nineteenth century based mainly on economic factors, to the emergence of passports and visa categories, to the rise of race-based selection that sought to control the extent to which migrant origins are concentrated in certain regions or source countries. We elaborate about the regulation of migrant origins, and then discuss the modern shift toward organized family, economic, and free-movement-based categories. Linked to the empirical chapters that follow, we also consider the implications of rising centers of economic power – China, Brazil, and the Gulf states – on North–South migration dynamics and immigration regime variation more broadly. In so doing, we account for enduring explanations for the contemporary trends that we analyze.

We then begin a three-chapter examination of the three categories of outcomes that we argue comprise immigration regimes. Chapter 4 considers a dimension of immigration outcomes that is central to policymakers, but often overlooked within academic immigration scholarship: the “Visa Mix” – the relative contribution of economic, humanitarian, and family migration to immigration flows. As noted, in light of claims of a shift toward skilled immigration (Doomernik et al. 2009), it is important to consider the extent to which immigration regimes demonstrate an economic focus in their actual immigration outcomes. Why some states have more economically dominated immigration outcomes than others is of central relevance in an age of global competition for “the best and the brightest” (Boucher 2016). Before we can answer this explanatory question, it is necessary to map the variation in the Visa Mix across states. Non-democracies may be more able to tilt migration outcomes toward economic migration, in light of the democratic imperative to confer family reunification rights to accompanying family members. Given the central importance of family migration for women’s migratory paths (Boyd and Pikkov 2004), the trends mapped in this chapter are essential for assessing the gender dimensions of immigration regimes. Finally, it

is necessary to consider how well these patterns are influenced by rules around free movement of either a bilateral or a multilateral quality.

Chapter 5 considers the percentage of total immigration that is economic and temporary in nature, which we refer to as the “Temporary Ratio.” For instance, in 2008, 2.3 million temporary migrant workers entered OECD countries, compared with 1.5 million permanent migrant workers (OECD 2010: 30). Temporary migration typically places conditions on the residency period and work rights of migrants. Given the increasing premium placed on flexible workforces, especially since the global financial crisis began in 2007, this ratio may grow more exaggerated as governments seek to satisfy employer demand for labor and assuage public xenophobia by rendering migrants’ status more contingent. After setting out our approach to defining the Temporary Ratio, this chapter assesses the extent of temporary economic migration in our country cases.

Chapter 6 considers the Naturalization Rate of immigrants. Some states are comprised almost entirely of people of national birth (such as North Korea, Cuba, and Vietnam). Others are comprised largely of people who were foreign-born (such as Qatar, the United Arab Emirates, and Kuwait). Meanwhile, the rest of the cases we examine are somewhere in between these two extremes. Within this variation, there is also variation in how much states facilitate access to national citizenship. We ask what percentage of immigrants is naturalized and we consider the implications of different policy approaches to naturalization. This chapter also confronts confounding trends such as where states with high proportionate migrant stocks have low rates of naturalization, such as in the Gulf states.

Chapter 7 aggregates values from the three dimensions of immigration regimes: Visa Mix, Temporary Ratio, and Naturalization Rates. Using an unsupervised k-means clustering algorithm, this chapter identifies seven clusters in the universe of immigration regimes for our global selection of countries and five similar regimes in the selection of OECD countries we consider. This yields a taxonomy of immigration regimes, grounded in the demographic data we collect. We examine the attributes of each taxonomic group, and discuss the methods we use to corroborate its structure. Notwithstanding this variation, across all regimes, we observe a move toward a Market Model, characterized by either increased permanent economic or free movement migration, a focus on temporary economic visas and a gradual reduction in naturalization over time. The emergence of this model stands in contrast to early expectations of a

movement toward a more open Liberal Model that draws upon the settler state experience.

Chapter 8 addresses the question of what explains the regime cluster variation that we outline in Chapter 7. We find that no single theory applies across all regime clusters. Rather, we propose a segmented theory to best address the trends that emerge. So while the Kafala Regimes are united by a high reliance on resource welfare and centrally controlled economics, in other clusters, the legacies of *Pax Britannica* or other colonial empires appear more important. In yet other regimes, a confluence of factors is important, and for both the Quasi-Kafala and Kafala Regimes, the autocratic status of the governments appears to be central.

A Methodological Appendix provides an overview of the key research methods employed in the monograph. We discuss and collate the sources of our data, and clarify any assumptions we make in our data collection and analysis.