Appendix B: Coding of the Immigration Policy Dataset

Case Selection

There are two appropriate and over-lapping universe of cases to which the theory could apply. First, the theory applies to relatively (low-skill) labor scarce states. These are states that have relatively high wages in comparison to the rest of the world or in comparison to their major trading partners. Second, we want to ensure that the countries studied are countries that migrants want to move to. If migrants were not interested in moving to that state, the state could choose any immigration policy since migrants would not move to that state regardless of the policy. Previous research on migration suggests that potential migrants choose locations where wages are high relative to the transaction costs of moving (Massey et al. 1993). States that are very wealthy, such as the United States, the United Kingdom, Germany and Japan, are likely to attract migrants from all over the world; while states that are relatively wealthy in comparison to their neighbors but are not very wealthy, such as Argentina, Brazil or South Africa today, are likely to attract migrants from their neighbors but not from countries far away. The states chosen, therefore, are all wealthy states, in comparison to the rest of the world or to their neighbors, that are likely to attract immigrants and are also relatively (low-skill) labor scarce.

This criteria was operationalized as states with GDP per capita above 200% of the world average GDP per capita in a given year or above 200% of the average GDP per capita for the geographic region in which the state is located. GDP data were taken from both Maddison (2011) and The World Bank (2012). The regional criteria captures states that are attractive to immigrants due to high wages combined with proximity. These two criteria lead to the inclusion of 77 states (or state-like entities) over at least some part of the time period of 1800-2008.

Countries included under the world criteria are: Australia, Austria, Bahamas, Bahrain, Belgium, Brunei, Canada, Cyprus, Denmark, Finland, France, French Polynesia, Germany,
Countries included under the regional criteria are Argentina, Botswana, Brazil, Cape Verde (only after 1997), Republic of Congo, Croatia, Cyprus, Czech Republic, Equatorial Guinea (after 1997), Estonia, Fiji, Gabon, Georgia, Hungary, Latvia, Lebanon, Libya, Lithuania, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Micronesia, Namibia, Oman, Papua New Guinea, Philippines, Poland, Portugal, Samoa, Seychelles, Slovakia, South Africa, South Korea, Suriname, Swaziland, Taiwan, Thailand, Tonga, Turkey, Vanuatu and Venezuela.

From the universe of wealthy countries, the 19 states and state-like entities were selected: Argentina, Australia, Brazil, Canada, France, Germany, Hong Kong, Kuwait, Japan, New Zealand, the Netherlands, Saudi Arabia, Singapore, South Africa, South Korea, Switzerland, Taiwan, the UK and the US.\(^1\) Some states were not studied because they have reached the wealth criteria or became independent states only recently; these states include Cape Verde and Equatorial Guinea and former republics of the Soviet Union and Yugoslavia. Other states were not studied because it is nearly impossible to find information on their immigration policies; these states include some of the members of the Gulf Cooperative Council, Brunei, and other autocracies.

From the set of countries left, I chose countries to have a range of values on the important explanatory variables for this study and for the alternative explanations in the literature. For the argument of this study, it was important to find states that have had both open and closed trade and capital policies. Further, we wanted to examine states that have industries that are relatively immobile, such as natural resources and agriculture, and that are relatively mobile, like manufacturing. There are several major alternative explanations in the literature; explanations based on the power of labor, the power of nativists, the power

\(^1\)Finding data on immigration policies is highly time and labor intensive and, thus, not all states could be studied.
of immigrants, the fiscal costs of immigrants, whether or not a state was a colonial power, regime type and participation in wars. The states chosen to be included, then, vary in these dimensions. Finally, we included states that have been much studied in the literature to ensure we are testing the alternative explanations on the states which these theories should apply. The breadth of the dataset ensures that previous arguments in the literature can be tested while providing external validity by examining a wider range of immigrant attracting states.

The criteria to have a range of values over these explanatory values means that Europe is relatively under-sampled in this study. The Nordic countries, Portugal, Spain, Italy, and Greece have recently gained much attention in the immigration literature, but were not included in this study. This under-sampling would be problematic if there are ranges of the explanatory variables that are not represented in the study already. The Nordic countries are similar to the Netherlands on many of the key variables, including regime type, trade and capital policies, size of welfare state, coordinated market economies, etc. Therefore, we expect that their industrial policies and their welfare policies as well as regime type are similar to that of the Netherlands and should lead to similar immigration policy outcomes. Portugal, Spain, Italy and Greece are often studied due to their relatively new status as countries of immigration rather than countries of emigration. In this way, their experience should be represented by Japan, South Korea and Taiwan, which all switched from being countries of emigration to being countries of immigration. South Korea saw this change occur shortly after it transitioned to democracy, as was the case in Portugal, Spain and Greece. Thus, we do not think that the exclusion of these cases greatly affects the external validity of tests of the argument of this paper and the alternative explanations.

There are two other coding decisions to make with regards to case selection: how to handle federal states and when to begin the analysis. All federal states are coded according to the policy of the most open member of the state until the time when the federal government takes sole responsibility for immigration policy, at which point the federal policy is coded.
This coding scheme is used because most federal states allow the free movement of persons among the members of the federation. Therefore, an immigrant who can come to one of the members can then have access to all of the members of the federation. Due to this coding, only US federal, and not state, immigration policy is coded. Prior to the 1848 *Passenger Cases* decision of the Supreme Court, many states enacted their own immigration policies. However, not all states enacted these policies and, thus, immigration was relatively unrestricted through at least some ports of entry into the United States. The policies that states did enact — provisions against criminals and those likely to become public charges — were similar to the 1875 Federal Immigration Act (Neuman 1993). If we coded the US using these state policies, the US immigration policy would be restricted at the level it was in 1875 from 1789. The results of this study, however, do not change with this coding. Switzerland is also not included in the dataset prior to 1848 because citizens of the different cantons did not have the right to live in another canton. Therefore, for natives and immigrants, each canton was like a separate country. Among EU members, the immigration policies of the most liberal country is not coded as the policy for these countries because freedom of movement does not extend to third country nationals. When EU policy does affect some or all of the nations — either because they implement the regulations with national legislation, such as the Blue Card program for high-skill workers, or have delegated control to the EU as in Schengen — the EU policy is coded as the policy for each nation it affects.

Table B1 lists the states included in the dataset along with the years of coverage for each state. Every state was coded through 2010, but they vary by when they enter the dataset. States enter the dataset when they gain control over their immigration policy, either when they obtain responsible government, independence, or come into existence in their current form. For example, in the case of Australia, New Zealand, South Africa and Hong Kong immigration policy was coded from the date in which colony began and obtained responsible government through a governor general. Canada obtained a level of control over its immigration policy after the 13 American colonies revolted. Singapore and Kuwait
were not granted the same level of control over their immigration policy until the first legislature was elected in the case of Singapore and independence in the case of Kuwait. Similarly, Argentina, Brazil, South Korea, Taiwan and the United States did not gain control of immigration until they gained independence.\(^2\) Germany, the Netherlands and Switzerland are coded from when the modern state came into existence; for the years 1945-1990, the policy coded for Germany is that of West Germany. The United Kingdom, France and Japan are coded from the year in which they pass their first modern immigration policy. Finally, Saudi Arabia is coded from 1950 for two reasons: GDP data does not exist prior to 1950 and major oil production did not begin until after World War II. It is likely that Saudi Arabia was not wealthy enough until around 1950 to attract immigrants.

Table B1: Countries included in the dataset and the dates of inclusion

<table>
<thead>
<tr>
<th>Region</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Settler States</td>
<td>US (1790-2010)</td>
</tr>
<tr>
<td></td>
<td>Australia (1787-2010)</td>
</tr>
<tr>
<td></td>
<td>Canada (1783-2010)</td>
</tr>
<tr>
<td></td>
<td>New Zealand (1840-2010)</td>
</tr>
<tr>
<td></td>
<td>South Africa (1806-2010)</td>
</tr>
<tr>
<td></td>
<td>Argentina (1810-2010)</td>
</tr>
<tr>
<td></td>
<td>Brazil (1808-2010)</td>
</tr>
<tr>
<td>European liberal democracies</td>
<td>UK (1792-2010)</td>
</tr>
<tr>
<td></td>
<td>France (1793-2010)</td>
</tr>
<tr>
<td></td>
<td>Germany (1871-2010)</td>
</tr>
<tr>
<td></td>
<td>Netherlands (1815-2010)</td>
</tr>
<tr>
<td></td>
<td>Switzerland (1848-2010)</td>
</tr>
<tr>
<td>Export-oriented industrializers</td>
<td>Japan (1868-2010)</td>
</tr>
<tr>
<td></td>
<td>Hong Kong (1843-2010)</td>
</tr>
<tr>
<td></td>
<td>Singapore (1955-2010)</td>
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<tr>
<td></td>
<td>South Korea (1948-2010)</td>
</tr>
<tr>
<td></td>
<td>Taiwan (1949-2010)</td>
</tr>
<tr>
<td>Autocracies</td>
<td>Saudi Arabia (1950-2010)</td>
</tr>
<tr>
<td></td>
<td>Kuwait (1961-2010)</td>
</tr>
</tbody>
</table>

\(^2\)In the case of the United States, immigration policy is not coded until 1790 when the federal government was granted sole responsibility for immigration policy.
Coding scheme

Immigration policy is an amalgam of several sets of policies, including policies that regulate who gains entry to the state (border regulations), how the border is enforced (enforcement) and what rights immigrants receive once they have entered the state (immigrant rights). Within each of these three categories, states have used numerous policies to control their borders; these policies often serve as substitutes for each other. To get to a tractable level of aggregation of policies without comparing too many dissimilar policies, twelve major policy dimensions were coded that cover the major areas of immigration policy. Table B2 lists the different dimensions of each category of immigration policy and the basis of each dimension.

<table>
<thead>
<tr>
<th>Category</th>
<th>Dimension</th>
<th>Coding criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Border regulations</td>
<td>Nationality</td>
<td>Number of nationalities restricted</td>
</tr>
<tr>
<td></td>
<td>Skill</td>
<td>Restrictions based on skill or wealth</td>
</tr>
<tr>
<td></td>
<td>Quotas</td>
<td>Numerical limits on entry</td>
</tr>
<tr>
<td></td>
<td>Recruitment</td>
<td>Policies aimed at recruiting immigrants</td>
</tr>
<tr>
<td></td>
<td>Work prohibitions</td>
<td>Restrictions on industries or positions held</td>
</tr>
<tr>
<td></td>
<td>Family reunification</td>
<td>Distance of relatives allowed special entry</td>
</tr>
<tr>
<td></td>
<td>Refugee policy</td>
<td>Entrance policies for refugees outside the state</td>
</tr>
<tr>
<td></td>
<td>Asylum policy</td>
<td>Entrance policies for those claiming refugee status at the border</td>
</tr>
<tr>
<td>Immigrant rights</td>
<td>Citizenship</td>
<td>Who can be a member of the state</td>
</tr>
<tr>
<td></td>
<td>Other rights</td>
<td>Other rights immigrants possess</td>
</tr>
<tr>
<td>Enforcement</td>
<td>Deportation</td>
<td>Who can be deported and how</td>
</tr>
<tr>
<td></td>
<td>Other enforcement</td>
<td>Other enforcement measures in place</td>
</tr>
</tbody>
</table>

The twelve categories were chosen after an exhaustive reading of the literature on the immigration policies of countries in Europe, the Middle East, East Asia, and the New World. All data on immigration policy and the rights given to immigrants was collected. The data was coded as to whether the law restricted some class or type of immigrant; created a test for immigration such as a literacy test or a point system; whether the law affecting recruiting immigrants by the state or by private companies; whether the law was a quota; whether the law affected a right that immigrants had; whether the law affected citizenship rights; whether
the law was about refugees or asylum seekers and whether the law affected enforcement or deportation. From the data collection, it was clear that there were three major areas of focus for policy: who was allowed in, what rights they received and how to get rid of immigrants that are not wanted.

Within policies that regulate who gets into the state, countries have used seven different policies. The major distinction in border regulations throughout the last two centuries has been regulating immigration by nationality or by skill or other characteristic, such as wealth, of the migrant. Nationality restrictions were used in much of the world in the 19th and early 20th century as they were relatively easy to implement. They fell out of favor in the West after World War II and were often replaced by skill restrictions.

There are several other policies that are used less frequently by states to control who gets into the country. First, a few states use numerical quota. Other states have used recruitment policies to control entry. Most states have used recruitment policies to make their countries more attractive destinations for workers by lowering the costs of moving. Other states have sought to make their countries less attractive by decreasing the number of jobs that immigrants can take using work restrictions. While these restrictions do not directly affect entry, they affect the desire for entry. Most states also have a family reunification policy but these policies vary greatly from relatively restrictive, such as Saudi policy restricting family reunification to high-skill migrants and male natives and Hong Kong’s quota on Mainland Chinese wives and children, to relatively open. Finally, I include refugee and asylum policy for two reasons. First, most refugees and asylum seekers eventually enter the labor market. Second, there is a fear, especially in Europe, that asylum seekers are economic migrants in disguise.

There are two main categories of rights. Citizenship allows the migrant to have all the rights of the native. Even without citizenship, migrants are often granted a variety of rights. While rights do not directly affect who gains entry, they likely affect the attractiveness of the country to potential migrants. Rights affect the security of the position of the migrant and
the money that he makes. For example, migrants have few rights to sue their employers for labor violations like withholding pay or overtime in the Gulf Cooperative Council countries. Thus, they are more exposed to abuse and expropriation of their earnings. In contrast, migrants may sue their employers in Western countries, reducing fears of expropriation. These rights, then, make Western states more attractive to migrants as they reduce the risk that the migrants' investment will be expropriated.

Finally, we have to control for enforcement. Ideally, in this category, we would like a de facto measure of enforcement. Unfortunately, given the nature of undocumented migration, it is nearly impossible to measure how effectively a state is enforcing its laws. Instead, we must rely on the de jure measures that states enact. There are two main categories of enforcement: deportation and other measures. More rigorous deportation measures should correlate with greater deportation of migrants who are in the country illegally. Other measures focus on three areas: border control measures to keep unwanted immigrants out, employer sanctions to reduce the demand for illegal workers and "self-deportation" laws that make living in a state illegally more difficult. Most states have passed laws on border regulations and employer sanctions.

Additionally, policies can belong to more than one category. For example, family reunification policies are considered a right that immigrants may possess in Europe, East Asia and the Persian Gulf and form a less important instrument in their immigration policies; in contrast, family reunification is one of the main policy instruments in United States immigration policy. Similarly, regulations on what positions immigrants can take and what sectors they can work in has been a major policy tool to control entry in East Asia and the Persian Gulf; however, the ability to work in any position is also seen as a right in liberal democracies. Refugee and Asylum policy are also hard to categorize; although these policies control entry into the state, they also are seen as a human right similar to the other rights that immigrants may be granted. A more detailed explanation of the dimensions and their coding is listed below. Each dimension was coded from 1 to 5, with greater restrictions
taking lower values and more openness taking greater values.\(^3\)

**Universality by Nationality:** How selective is the state about letting immigrants in based on their national origin? Does nationality matter at all? Are there few national groups or many allowed in? A score of 1 represents that few or no nationalities are allowed in. A score of 5 represents that all nationalities are treated equally. One issue that this brings up is that in the late 20th and early 21st centuries, states often gave some groups preferential access to their labor market while having an overall policy of equality. For example, New Zealand uses a point system with no national origin criteria but also has a special program with the island nations of the South Pacific for seasonal workers. In this case, these preferential access programs - because they are almost always for low-skill workers - are coded in the universality by skill category. This coding rule is used because the policy is to increase, and not deny, access to the state.

1. Only decedents of natives allowed in.

2. A few nationalities allowed entrance but not many. Example: if a European country only allowed immigrants from other EU countries.

3. Many nationalities allowed in but not all or migrants from some regions excluded. Example: Between 1924-1965, the US quota system allowed in many Northern Europeans, some Southern and Eastern Europeans, anyone from the Western Hemisphere and no one from Asia.

4. Almost all nationalities allowed in. Example: In the late 19th century, only Chinese were excluded from the US. Additionally, numerical limits by country but not differentiated

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\(^3\)Theoretically, immigration policy has no bounds; states could always pay people more and more money to come to their country; for example in the 1960s, South Africa not only paid for the cost of passage for European workers, but also established them with bonuses and other monetary goods. At the other end of the spectrum, states could also denaturalize part of their population and force them to leave, as the Germans did to the Jews under the Nazi regime or the South Africans did to Africans under Apartheid. These examples, however, are very rare. Most states fall in between these two extremes the vast majority of the time.
by country. Example: Current US law restricts migration from each country to 20,000.

5 No exclusions based on nationality

**Universality by Skill or Income**: Does the state restrict by the skills or income an immigrant possesses? Does it use a point system with points given for education or special skills? Are people excluded based on profession (i.e. no prostitutes), illness (e.g. no epileptics), or likelihood of becoming a public charge? A score of 5 on this scale indicates that the country has no restrictions by skill and a score of 1 means only the very highest skilled workers (executives, high-level intracompany transfers) are allowed in. Again, when states exempt one group from these restrictions - either by nationality in the case of the New Zealand seasonal workers program for Polynesians or by a general category like the seasonal agricultural workers program in Britain - the score increases.

1 Only highly educated, high income earners allowed in; many excludable classes.

2 Mostly high educated, high earners, but some allowances for low-skilled workers; some excludable classes.

3 Preference for high-skill workers but many opportunities for low-skilled workers; some excludable classes.

4 Few slots reserved for high-skill workers (i.e like the H1B visa in the US); most visas open for anyone; few excludable classes (e.g. only criminals, those likely to become a public charge).

5 No skill restrictions for any visas; no excludable classes.

**Quota**: Is there a quota and how restrictive is it? Quotas are only coded when the quota is a numerical limit on a large portion of immigrants, not when it is a target for the number of immigrants. Targets, like policy statements or development plans, are not coded because they are not changes in legislation but usually administrative policies. The quota does not
need to be binding on all immigrants. This is because it is rare to have a quota that binds on all immigrants. Usually at least wives and minor children of citizens are allowed in above the quota; this policy is denoted in the family immigration policy coding. Sometimes, the quota is only on one class of immigrants, such as the Hong Kong quota on Chinese immigrants, but this class makes up the majority of immigrants entering the country. Again, high-skill workers from other countries could enter above the quota; although, interestingly, wives and minor children of Hong Kong belongers (equivalent to citizens) cannot. This is denoted in the other categories.

1. Less than 0.25% of population can enter annually
2. 0.25-0.5% of population can enter annually
3. 0.5-1% of the population can enter annually
4. Over 1% of population can enter annually
5. No quota

**Recruitment:** Are there special visas or procedures to recruit labor or settlers? To recruit workers, do employers have to advertise first or otherwise seek approval from a government ministry? How many industries can recruit? Do firms have to pay levies or other taxes for foreign workers? Does the government pay for passage or give settlers or workers other benefits to induce them to come? A score of 1 denotes that all workers have to follow the same requirements as all other immigrants and that firms cannot recruit from overseas. An example of this is the US Contract Labor Law. A 5 denotes that the government will pay for passage of any immigrant and will give the immigrant money, land, or other goods to help him to settled.

1. No special procedure or visa, come in under the same system of regulation as everyone else; labor recruitment prohibited.
2 Small set of visas for special groups of workers (i.e. agricultural workers); trigger to reduce numbers based on employment data; employers are not allowed to pay for moving expenses; many restrictions including no unemployed natives in the industry.

3 Moderate number of visas for all groups or many groups obtain visas; employers allowed to pay for moving expenses; some procedures for recruiting workers.

4 Few or no restrictions on visas for any type of worker, employers are allowed to pay moving expenses; few restrictions or procedures for obtaining work visas.

5 Government program to recruit workers or settlers, government pays for the workers’ transportation cost and helps pay for firms or government officials to recruit workers.

**Work prohibitions:** How many occupations can the immigrant work in? Are there requirements to have a certain number of native workers in an occupation/firm or that foreign workers can only make up a certain percentage of workers? How many occupations do the rules cover? All? Just certain industries? Are there racially based policies? A score of 1 means that immigrants are not allowed to work in any industry. This is not the case for any of the states in this sample. A score of 5 means that there are no restrictions or in modern times, that the only restrictions are in highly sensitive national security positions.

1 Immigrants completely blocked from the labor market.

2 Immigrants restricted from many occupations; less than 30% of the workers in a given occupation/firm can be immigrants (covering most or all of occupations).

3 Immigrants restricted from some occupations; 30-50% of workers in given occupation/firm can be immigrants (covers some occupations).

4 Immigrants cannot hold public sector positions; 50% or more of the workers in a given occupation/firm can be immigrants (covers some occupations).
5 Immigrants can hold any position (except for highly sensitive national security positions); no restrictions on the number of immigrant workers in a given occupation/firm.

**Family:** Do family members get special treatment? Can they immigrate more easily than others? Are there racial or skill distinctions? A score of 1 indicates that no family members are given special treatment and a score of 5 indicates that many family members are given special treatment. Most states fall somewhere between a 2 - special treatment for wives and minor children only and a 4 - wives and minor children and sometimes parents can enter without difficulty and all other relatives can be sponsored with some occupational or skill requirements. One issue with family migration is that states did not seem to consider it a necessary policy to have when there were few restrictions by nationality or skill. Family reunification policies only came into being once other restrictions were put in place. Given that the states have no policy on family migration during these times, these years are scored as a 1.

1 No special provisions for family reunification; family members must enter under the same procedures as others.

2 Only wives and minor children of citizens or legal permanent residents can be sponsored, but are free from other controls.

3 Increased number of relatives can be sponsored (e.g. adult children or dependent parents) but only by citizens and/or relatives (except minor children and wives) need to possess same characteristics as non-family immigration (i.e. if there is a literacy test, relatives must pass the test); relative in the country has to pay bond or otherwise be responsible.

4 Many categories of relatives can be sponsored by citizens or residents (e.g. siblings, parents not dependent on migrant) but still must possess same characteristics as non-family immigrants (except minor children and wives); relative in the country has to be responsible for immigrant.
Many categories of relatives can be sponsored by citizens or residents and they do not need to possess the characteristics of non-family immigrants (exemption from literacy exams, etc.); no bond required or responsibility for relative in the country.

**Family Provisions:** Coded 0 before first mention of special provisions for families; 1 after. **Refugee:** Does the state have a resettlement policy or does it just resettle refugees on an ad hoc basis? How selective is their refugee policy? Do they let in many refugees? Are refugees only defined as those who meet the 1951 Convention or 1967 Protocol or is there are more expansive definition? Refugee policy is coded as a 1 if the country has no special policy and a 5 if the country is willing to resettle large numbers of refugees without taking into consideration the refugees’ qualifications. This last criteria is to distinguish the more generous refugee policies of the current day with those after World War II when most receiving countries placed occupational restrictions on refugees, selecting for higher skilled migrants. Ad hoc refugee programs for one group during the crises are coded as relaxing refugee restrictions and the magnitude of the change is based on the number of refugees the state was willing to allow in. The change in coding only lasts as long as the refugee program was in place; for example, when New Zealand took in Ugandan refugees in 1973, but no other years, the increase in the refugee score is only calculated for 1973.

1 Almost no refugees allowed in; those that are allowed in must follow normal immigration procedures.

2 Some refugees allowed in; special refugee visas but refugees chosen by some sort of preference or must be able to pass tests that non-refugee immigrants take; few reasons for being a refugee or ad hoc policy.

3 Special refugee visa, preference system but not overly burdensome; moderate number of refugees allowed in; must follow some of the requirements that a non-refugee immigrant would have to pass; the UN definition of a refugee is followed.
4 Large number of refugees allowed in; no preference system or very weak system; easy to obtain refugee visa; exemption from requirements of non-refugee immigrant; at least the UN definition of a refugee is followed.

5 Large number of refugees; no preference system or requirements; very easy to obtain refugee visa; many categories of refugees included not just the UN definition.

**Refugee Provisions:** Coded 0 before first mention of refugee; 1 after.

**Asylum:** How easy is it to gain asylum? What rights do asylum seekers and asylees have? Are they kept in detention centers? Are they repatriated? Is there only one asylum status or is there temporary protected status as well? What are the procedures and are there legal safeguards?

1 No asylum.

2 Extremely difficult process; asylum granted only in a few cases; little ability to work or access to welfare state while awaiting determination; little recourse if not granted asylum; no temporary protected status; limited access for political refugees.

3 Difficult process; asylum granted for more cases; some access to the welfare state or labor market, more recourse including ability to access courts if denied; some temporary protected status allowed.

4 Fairly easy process; asylum granted to many groups; access to labor market and welfare system; access to courts and other procedures if denied; temporary protected status given to many groups.

5 Easy process; asylum granted for most cases; access to labor markets and welfare state; constitutionally protected procedure; no need for temporary protected status because almost everyone gets asylum.
Asylum Provisions: Coded 0 before first mention of asylum; 1 after.

Citizenship: How easy is it to obtain citizenship? What determines citizenship for children born in the country (jus sanguinis, jus soli, double jus soli)? Are there racial discriminations in citizenship? How easy is it for the government to denaturalize citizens? A score of 1 denotes states where citizenship is only given through birth through one parent (usually the father). A score of 5 denotes jus soli citizenship (citizenship given to all children born in the state) and an easy naturalization process. Racial discrimination in citizenship policies leads to a lower score as well.

1 Only by birth from a native father or mother.

2 Only by birth through either native parent and/or grandparent.

3 Very difficult process to obtain citizenship (language requirements, difficult test) and/or many years to citizenship (more than 10 years) and/or children receive citizenship through either parent or grandparent.

4 Moderately difficult process (relatively easy language requirements and/or an easy test) and/or moderate time to citizenship (more than 5 but less than ten years) and/or children born in state automatically get citizenship.

5 Fairly easy process (e.g. no language requirements) and short time to citizenship (5 or less years) and children born in state automatically get citizenship.

Immigrant Rights: What rights do immigrants have once in the state? Are there racial/national origin discriminations? Does the government try to integrate immigrants or does it just expect them to assimilate? How easy is it to get permanent residency? A score of 1 indicates few legal rights: immigrants had to be registered; they had to go through invasive health checks; they do not have the right to marry nationals; they could only live in specific locations; they could only work for specific employers; they have no access to the welfare state; they cannot own land; they are discriminated against and they cannot gain
permanent residency. In states coded as 1, immigrants can basically only work the job in which they were hired for and cannot leave the housing provided for them by their employer. A score of 5 indicates parity to citizens: complete access to the welfare state; voting rights; no restrictions in where they can live or work; no restrictions in property rights and a robust anti-discrimination program.

1 Almost no legal rights; immigrants must leave state if they leave their job; cannot own property; cannot access the welfare state; they have to register, no freedom of religion, no permanent residency, etc.

2 Some rights but land ownership and ownership of companies restricted; limited access to the welfare state.

3 Ability to change jobs freely, some ownership of real property or companies; some access to the welfare state, some racial discrimination in laws.

4 Access to most welfare policies; few restrictions on ownership of property or firms.

5 Total access to welfare state, voting rights without citizenship, no restrictions in property ownership, integration policies, no racial discrimination, few years to permanent residency.

Deportation: How easy is it to deport an immigrant? What safeguards exist? Does the state engage in mass expulsions or pay people to leave the country? A score of 1 denotes that there are many deportable offenses, including losing one’s job and there are few administrative or judicial safeguards. A score of 5 is given if there are few deportable offenses (usually deportation is limited to criminals) and/ or clear judicial checks.

1 No appeals process; many deportable offenses, including losing one’s job.

2 Administrative process with few checks; fewer deportable offenses.

3 More checks on the process and even fewer deportable offenses.
4 Judicial checks on process including going to the highest court in the land and/or very few deportable offenses.

5 Almost no deportable offenses (conviction for an criminal offense, but not for an immigration offense) and clear judicial checks.

**Enforcement:** How strongly does the state enforce its borders? Are there employer sanctions, fines or prison time for illegal immigrants? Are there amnesties? During an amnesty are immigrants allowed to stay or just leave without paying a fine? A score of 1 denotes a high spending country, with severe employer sanctions, sanctions on those who are in the country legally including fines and prison time, bonds to ensure that immigrants leave and identification papers that are hard to forge. A score of 5 denotes no enforcement beyond basic police enforcement.

1 High spending, employer raids or hard to forge national work id’s, strong employer sanctions, bonds placed by employers to ensure that migrants go home, large number of enforcement officials.

2 Slightly less spending, fewer raids or easier to forge national work id, border enforcement is strong but not impossible to overcome.

3 Even less money, no raids, easy to forge id’s, some border enforcement.

4 Very little enforcement, screening at points of entry, little enforcement on employers.

5 Basically no enforcement.

**Combining the data into a single index**

The goal of a state’s immigration policy is to attract a certain number of immigrants. While there is no consensus on how these different dimensions affect the flow of migrants, it is clear
that not all dimensions affect migration equally.\textsuperscript{4} To combine these different policies into a single measure, I use principal components analysis. The analysis reveals that these dimensions combine to create two different factors: immigration policy and rights of immigrants.\textsuperscript{5} Table B3 shows the eigenvalues over the different factors.

Table B3: Factor Analysis

<table>
<thead>
<tr>
<th>Factor</th>
<th>Eigenvalue</th>
<th>Difference</th>
<th>Proportion</th>
<th>Cumulative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Factor 1</td>
<td>3.65969</td>
<td>1.43823</td>
<td>0.3050</td>
<td>0.3050</td>
</tr>
<tr>
<td>Factor 2</td>
<td>2.22146</td>
<td>1.08594</td>
<td>0.1851</td>
<td>0.4901</td>
</tr>
<tr>
<td>Factor 3</td>
<td>1.13553</td>
<td>0.08545</td>
<td>0.0946</td>
<td>0.5847</td>
</tr>
<tr>
<td>Factor 4</td>
<td>1.05007</td>
<td>0.07847</td>
<td>0.0875</td>
<td>0.6722</td>
</tr>
<tr>
<td>Factor 5</td>
<td>0.97160</td>
<td>0.31016</td>
<td>0.0810</td>
<td>0.7532</td>
</tr>
<tr>
<td>Factor 6</td>
<td>0.66145</td>
<td>0.10612</td>
<td>0.0551</td>
<td>0.8083</td>
</tr>
<tr>
<td>Factor 7</td>
<td>0.55532</td>
<td>0.07995</td>
<td>0.0463</td>
<td>0.8546</td>
</tr>
<tr>
<td>Factor 8</td>
<td>0.47537</td>
<td>0.06063</td>
<td>0.0396</td>
<td>0.8942</td>
</tr>
<tr>
<td>Factor 9</td>
<td>0.41474</td>
<td>0.02093</td>
<td>0.0346</td>
<td>0.9288</td>
</tr>
<tr>
<td>Factor 10</td>
<td>0.39381</td>
<td>0.15813</td>
<td>0.0328</td>
<td>0.9616</td>
</tr>
<tr>
<td>Factor 11</td>
<td>0.23567</td>
<td>0.01039</td>
<td>0.0196</td>
<td>0.9812</td>
</tr>
<tr>
<td>Factor 12</td>
<td>0.22528</td>
<td></td>
<td>0.0188</td>
<td>1.0000</td>
</tr>
</tbody>
</table>

LR test: $\chi^2(66) = 1.3e + 04$ Prob $> \chi^2 = 0.0000$

The first factor, immigration policy, places more weight on nationality, skill, recruitment, quotas, enforcement and deportation policies than the second, rights of immigrants, which places more weight on family reunification, refugee, asylee, citizenship, rights and work prohibition policies; hence, the names for the two factors (Table B4).\textsuperscript{6}

Another coding decision is how to treat refugee, asylum and family reunification policy before these policies were in place. In the 19th century, many states had relatively open immigration policies and so had little need for a separate policy for refugees, asylum seekers or family members. In the coding of immigration policy in this paper, refugees, asylees and

\textsuperscript{4}Leblang, Fitzgerald and Teets (2009) has examined how policies attract immigrants, but only used citizenship policy and a simple coding of immigration policy.

\textsuperscript{5}There are four eigenvalues greater than 1; the other two are 1.14 and 1.05 and neither explain much variation.

\textsuperscript{6}The first factor correlates highly (at 0.95) with a standardized average of nationality, skill, quota, recruitment, work prohibitions, deportation and enforcement.
family policies were coded as a 1 until there was a policy on these issues in place. As a robustness check, I coded these policies as a 5 for years with no policy and as a 1 once there was another policy in place that would exclude a refugee, asylum seeker, or family reunification immigrant (e.g. provision against public charges or other wealth criteria). This coding produced just one factor, which correlates with the coding of immigration policy at 0.9.

Finally, to ensure the validity of the coding, the data for eight countries were recoded by a second coder; the two codings correlate at 0.9.

**Sources**

Several primary and secondary sources were used to compile the data on the laws and are listed below by country.

**Argentina**


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<table>
<thead>
<tr>
<th>Variable</th>
<th>Factor Loading Immigration Policy</th>
<th>Factor Loading Rights of Immigrants</th>
<th>Uniqueness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nationality</td>
<td>0.3871</td>
<td>0.1452</td>
<td>0.8291</td>
</tr>
<tr>
<td>Skill</td>
<td>0.7439</td>
<td>-0.0363</td>
<td>0.4453</td>
</tr>
<tr>
<td>Quota</td>
<td>0.4278</td>
<td>-0.4310</td>
<td>0.6313</td>
</tr>
<tr>
<td>Recruitment</td>
<td>0.5485</td>
<td>0.0713</td>
<td>0.6941</td>
</tr>
<tr>
<td>Work Prohibitions</td>
<td>0.4266</td>
<td>0.5465</td>
<td>0.5194</td>
</tr>
<tr>
<td>Family Reunification</td>
<td>-0.6910</td>
<td>0.4364</td>
<td>0.3320</td>
</tr>
<tr>
<td>Refugees</td>
<td>-0.4837</td>
<td>0.6174</td>
<td>0.3848</td>
</tr>
<tr>
<td>Asylum</td>
<td>-0.4527</td>
<td>0.4399</td>
<td>0.6015</td>
</tr>
<tr>
<td>Citizenship</td>
<td>0.2429</td>
<td>0.6050</td>
<td>0.5750</td>
</tr>
<tr>
<td>Other rights</td>
<td>0.4571</td>
<td>0.6359</td>
<td>0.3867</td>
</tr>
<tr>
<td>Deportation</td>
<td>0.7411</td>
<td>0.4097</td>
<td>0.2830</td>
</tr>
<tr>
<td>Enforcement</td>
<td>0.7465</td>
<td>-0.0789</td>
<td>0.4366</td>
</tr>
</tbody>
</table>

**Australia**


**Brazil**


Canada


France


Germany

Hong Kong


Japan


Kuwait

Netherlands


New Zealand


Saudi Arabia


**Singapore**


**South Africa**


**South Korea**

mashita (2008)

**Switzerland**


**Taiwan**


**United Kingdom**

United States

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