BREAKING THE BONDS OF BLOOD: THE POLITICS OF FAMILY MIGRATION IN EUROPE

by

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DISSERTATION ABSTRACT

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Breaking the Bonds of Blood: The Politics of Family Migration in Europe

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Family migration accounts for the majority of migrant movement to the developed world. In response, European states change family migration policy provisions in an attempt to balance national interests with their human rights obligation to respect family life. This dissertation explains variation across European family migration polices and discovers politics is the primary policy determinant. The findings suggest public support for immigration control and radical anti-immigrant parties trumps humanitarian, economic, and demographic concerns when it comes to explaining variance in family migration policy. Indicators of political conservativism also describe variation in labor and family migrant policy, in family immigration and immigrant policies, and in the implementation of "integration from abroad" programs. The results have significant political implications on two fronts. First, immigration policies based on humanitarian principles are fragile to national political maneuvering, suggesting that international law has not obtained significant weight over national interests. Second, the importance of the radical right and anti-immigrant public opinion for family migration policy reveals the vulnerability of rights-based immigration policy to anti-democratic interests. In addition to providing robust findings and practical implications for domestic and international politics, this dissertation contributes to the existing literature in an additional four ways: it

examines family migration (which has not been widely distinguished as a unique subject of study); it groups existing theories of immigration policy into an evaluative framework of humanitarian, economic, political, and demographic policy motivators; it uses multivariate analysis to examine general trends across cases; and it uses recent data to examine policy provisions in quantitative models.

DEDICATION

I dedicate this dissertation to my parents Dr. Cynthia Westfall and Glenn Westfall, whose love, encouragement and understanding make me a better person and scholar. Also to my mentors David S. Brown and Joseph Jupille, whose patient guidance from the initial to the final level enabled me to develop an understanding of the discipline. All of you have made me who I am today, and it is with much love and respect that I dedicate this project to you.

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CHAPTER 1

Introduction

In the fall of 2008, a young man from Ghana entered the small office of his family reunification caseworker on the outskirts of Paris. Six months previously he had applied to bring his wife, his two-year-old son, and his eight-month-old daughter (whom he had never met) to France, where he had been working for two years. After approximately six months of waiting, he was told his application was rejected. The application failed because an inspection of his accommodation revealed insufficient square footage and poor ventilation (no fan) in the bathroom. He was invited to re-apply once he moved into appropriate accommodation, at which point the lengthy visa acquisition process would start over. On one hand, it seems unforgiving to deny a person the right to live with his family based on a few feet of space and a fan. On the other hand, under the guise of insuring *liberté, égalité* and *fraternité* for all individuals living within French borders, the French state has an interest in ensuring humanitarian living conditions for all residents.

Why does France require immigrants to have appropriate accommodation for their families while other European states (i.e. Ireland) do not? This dissertation considers this question (among others) as it examines European variance in family migration policies. Family migration is defined as migration for the stated purpose of living with a family member. The term "family migration" is indistinguishable from "family reunification", the term most often used by policy makers but avoided in this analysis due to the recent politicization of the difference between "family reunification" and "family formation" (see below).

Family migration is relatively neglected as a subject for academic study, a strange omission since family migration accounts for over half of all migration to the developed world. Because family migrants must follow a sponsor migrant, family migration is a consequence of labor or refugee migration, and since many scholars see family migration as a direct extension of more interesting facets of immigration, family migration is largely ignored as a topic worthy of distinct analysis (notable exceptions include legal academic Ryszard Cholewinski, social scientist Eleonore Kofman and political scientist Gallya Lahav), though several scholars include family migration as a subset of a larger study of the politics of migration (e.g. James Hollifield and Christian Joppke). Recent policy change challenges the academic neglect of family migration, as European states limit the relatives eligible for family reunification and add new requirements for family immigration. European policy makers recognize the dominance of family migration flows, they know family migrants generally come from less-developed countries, and they connect the immigrant family to problems associated with immigrant integration. These policy changes skirt the protection of family migration in human rights law to restrict family migration into EU countries. The current focus on family migration and the method of policy change suggest family migration policy deserves a careful academic analysis.

This dissertation seeks to understand the variation in European family migration policy and to answer the following question: why do some states adopt restrictive family migration policies while others do not? Restrictive family migration policies either stop or slow the process of immigration, or limit the rights available to migrants. Inclusive policies open the borders or provide immigrants with increased rights and privileges in a host country. This study uses an evaluative framework of humanitarian, economic, political, and demographic concerns to explain variance in family migration policy. The results suggest politics trump all other policy

determinants to explain family migration policy variance: Anti-immigrant political parties and public support for immigration control consistently predict the implementation of restrictive family migration policies. The importance of politics for migration policy is exhibited across a wide range of policies: indicators of political conservativism explain variance in labor and family migrant policy, in policies governing family migrants before and after their entry into a host state, and in the implementation of "integration from abroad" programs. At the same time, the results suggest economic, demographic, or humanitarian explanations for immigration politics may provide a false rationale for a purely political outcome.

The remainder of this chapter discusses general concepts and theories relating to European immigration, setting the scene for the empirical analysis. It begins with a brief overview of why people move and discusses the history of post-war migration to Europe. It then describes the phenomena behind the recent politicization of family migration. The last two sections review the methodological approach and outline the structure of the dissertation.

1.1. WHY PEOPLE MOVE

International migration involves movement across state borders with the intention to settle. Settlement makes migration a political issue for host states, because when migrants settle they become part of the host society. However, the real phenomenon of immigration is much more complex than the simple migration-settlement pattern. The intent behind migration can be temporary or permanent, migration can be long-term or short-term, migrants might live in one country and work in another, or they might move back and forth between a sending and host state on a regular basis. Further, migrants move for many different reasons. Generally there are four primary motives for migration: to work, to escape persecution, to join family members, or to study. However, even these categories are not clear-cut. Migrants may have several reasons for

moving, but choose to apply for the visa offering the path of least resistance. For example, a potential immigrant living in an impoverished failed state may migrate to improve his quality of life and get a well-paying job, but the easiest way to get into a European country is through the asylum system. Alternatively, a migrant might apply for family reunification when he really wants a better-paying job in France. Even when motivations match the category of migrant entry, immigrants overlap in purpose. A wife moving to join her husband may also eventually seek employment or go to school. A student studying at a university might look for a job in the same city after graduation. A laborer might marry his girlfriend from home while he is working in another state, and apply to bring her to the host country as a family migrant. The conflation of purposes blurs the categories of migrants.

Nevertheless, the categories of migrant entry matter because categorizations lead to distinguishable bodies of policy: refugee policies, asylum policies, labor migrant policies, and family reunification policies. The categories also lead people to attribute particular social problems to a specific immigrant group. For example, temporary migrants are viewed as a positive solution to the aging European work force; temporary migrants work and contribute the system without planning to withdraw full benefits. On the other hand, asylum seekers and family migrants pull disproportionately from the welfare state (Borjas 1999; Allard and Danzinger 2000; Geddes 2003; Bailey 2005). Policy makers react to generalizations and pursue policy encouraging beneficial migration and aiming to discourage or at least ameliorate the negative consequences of costly migration. This dissertation focuses on immigrant families, an extremely important immigrant group for modern European societies. The salience and significance of family migration is largely a product of the European experience with immigration throughout the post-war period.

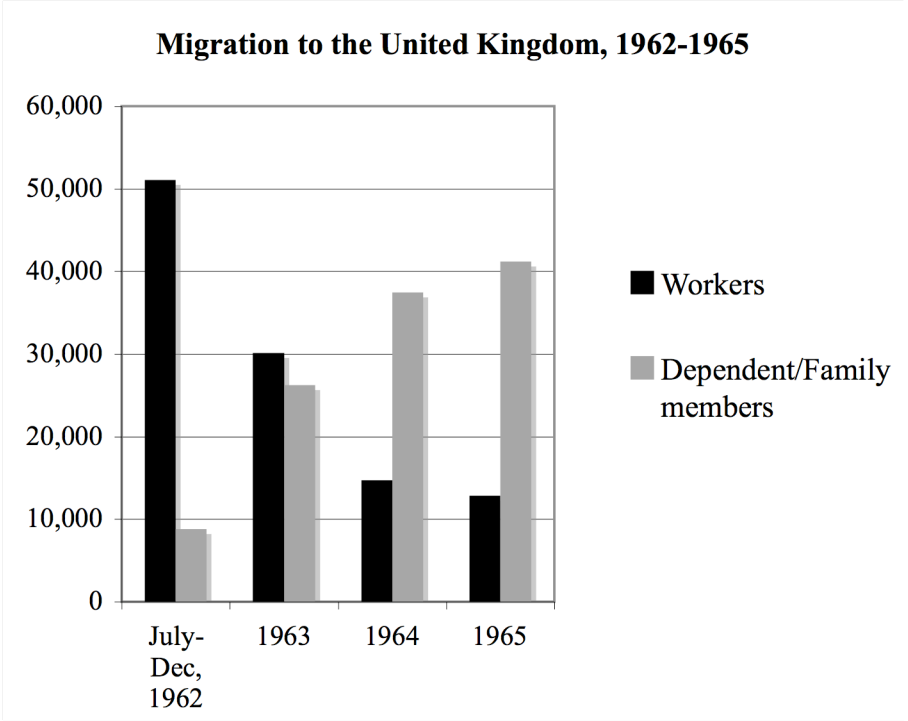
1.2. IMMIGRATION IN POST-WAR EUROPE

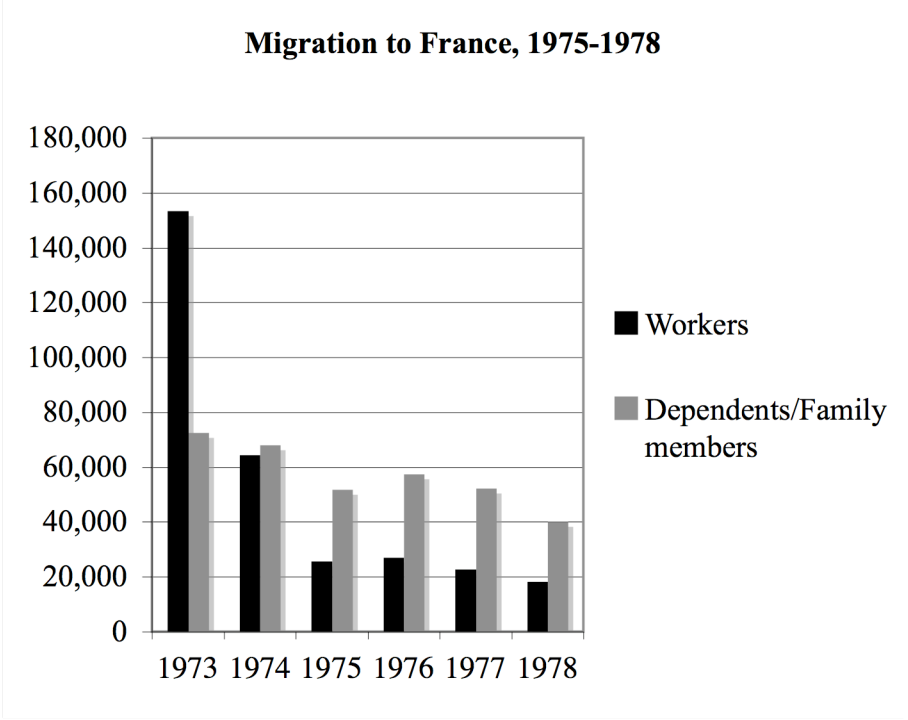
In the European context, immigration is associated with a negative, costly and threatening vocabulary. Words like "flooding" and "invasion" are used in reference to growing foreign populations, and these words frame the immigration debate around threats to the welfare state, societal cohesion, and national security. However, Europe's historical experience with immigration has not always been antagonistic. Immigration became a major issue for Europe at the end of World War I when most European nation states started to pass legislation meant to manage immigration flows and the naturalization process. This restrictive focus persisted until post-World War II, when the project of economic and structural recovery drew migrant workers into developed European countries. In fact, all highly industrialized West European countries used temporary labor recruitment at some point in the post war period (Messina 2007). In some cases, developed states took advantage of willing workers living in the less-developed European periphery, including many of the Mediterranean states, Southern Europe, Finland, and Ireland, while others (most notably Germany) expanded their "guest worker" programs to include Turkey, Morocco, Tunisia, and Yugoslavia (Castles and Miller 2003). In addition to more formal guest worker programs, many bilateral agreements were used to negotiate labor migration (Geddes 2003). At the same time, the free movement of workers within the European Community entered into force in 1968 allowing Italians to access the labor markets of the north, and the Nordic Labour Market allowed Finnish laborers to easily migrate to Sweden (Castles and Miller 2003). Migration from colonial states also increased during this period, partly as the result of labor recruitment but largely due to the individual initiative of immigrants responding to labor shortages in developed states. The boom of labor migration was abruptly brought to an end with the oil crisis of 1973-74, when the recession motivated states to re-consider their role in the

world economy. New industrial areas became the target of investment, and technology changed the face of the working class. Low-skilled migrant labor was no longer in demand. In response, most European states halted labor programs and closed access to visas for all economic migrants.

The labor stop had serious consequences. Thousands of foreign workers reacted to the change in policy by settling more deeply into their host societies and workers who initially intended to return to their country of origin quickly began the process of permanent settlement and family reunification (de Wenden 1994). This reaction to the change in labor policy caused a dramatic increase in family migration. By putting a quick stop to labor migration, West European governments created a "movement of workers, many who intended to stay temporarily, into a permanent immigration of families" (Castles and Kosak 1973, 31). This shift is evident in the data on immigration flows. Figure 1.1 illustrates the British and French flows of immigrant laborers and dependents over the period of policy change (Britain passed legislation to reduce the number of immigrant workers in 1962 and France curbed labor migration in 1974).

Figure 1.1. Labor and Family Migration to the United Kingdom and France



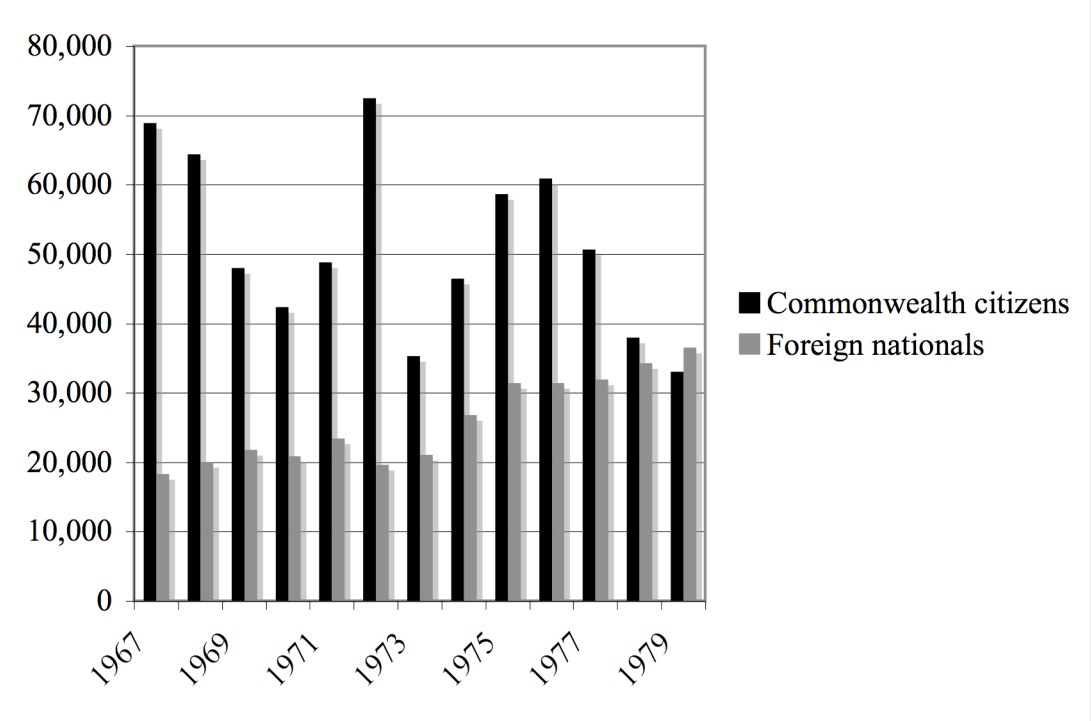


Note: The data for Britain only includes immigration from the Commonwealth
Source: Messina 2007: 36

The data in Figure 1.1 illustrates the effectiveness of the labor stoppage, but also shows the trade-off between labor and family migration. Labor migration declined around the time of policy change in both Britain and France. In the British case, smaller labor migration flows corresponded with a steady increase family migration. In France, both labor and family migration dropped off, but the proportion of migrants seeking to join family members grew dramatically to the point where three out of five foreigners who migrated to France between 1974 and 1978 were family members of French citizens or settled workers (Messina 2007).

Even as European states passed restrictive policy intended to slow immigration, a steady stream of colonial immigration continued under the guise of family reunification (Geddes 2003). In the Belgian, British, Dutch, and French cases, colonial migrants automatically enjoyed many rights comparable to those of citizens, including reduced barriers of family reunification (Messina 2007). It is impossible to cite precise figures about the size of colonial immigration, but evidence from the UK suggests a dramatic peak in Commonwealth migration. Between 1955 and 1962, about 500,000 citizens from India, Pakistan, Bangladesh, and the West Indies settled in Britain (Layton Henry et al. 1985). Figure 1.2 illustrates how a large majority of all individuals admitted into Britain between 1967 and 1979 were citizens of a Commonwealth country, and almost all of them were families intending to settle in the UK.

Figure 1.2. Settlement in Britain, 1967-1979

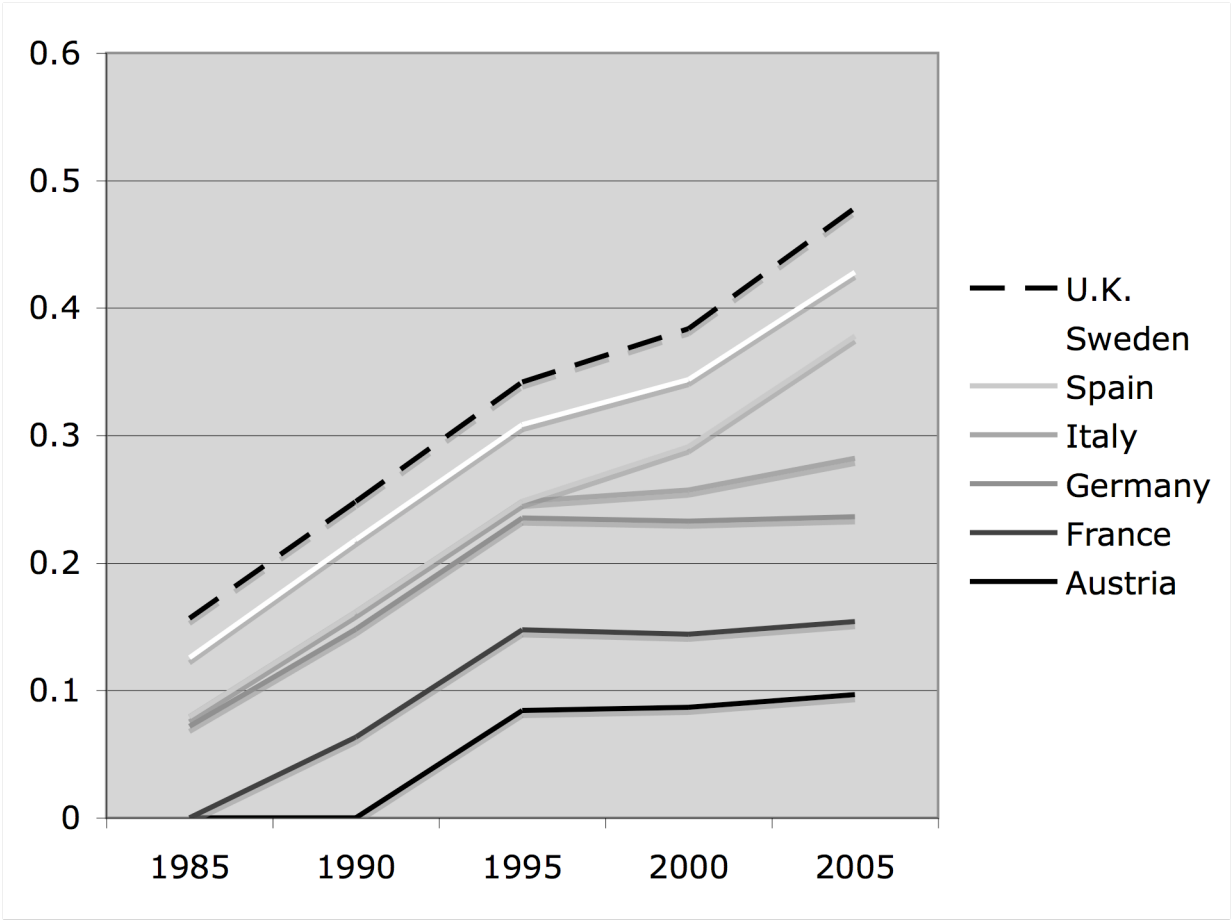


Source: Messina 2007: 35

While European governments did not seem to be aware that curbing labor migration would have such a dramatic effect in motivating family migration, permanent migration was sometimes encouraged. In fact, many European societies like France, Germany and Belgium included family migration in their strategy for immigration closure: family migration was hoped to stabilize the immigrant population, causing the total rate of immigration to eventually fall (Freeman 1979; Messina 2007). Also, many governments tolerated family migration in order to assist with the social integration of settled foreign workers (Castles and Kosak 1973). In sum, the settlement flows of immigrants have been historically promoted (at most) or tolerated (at least) by the governments of European states, at least until recently.

Today's immigration flows and the size of the immigrant populations reflect the historical story of immigration. Figure 1.3 illustrates the size of the immigrant populations residing in select West European countries from 1985-2008 (additional figures for the full sample of European states are presented in appendix A).

Figure 1.3. Size of Foreign Population in Select European Countries, 1985, 1990, 1995, 2000-2008 (percent of total population)



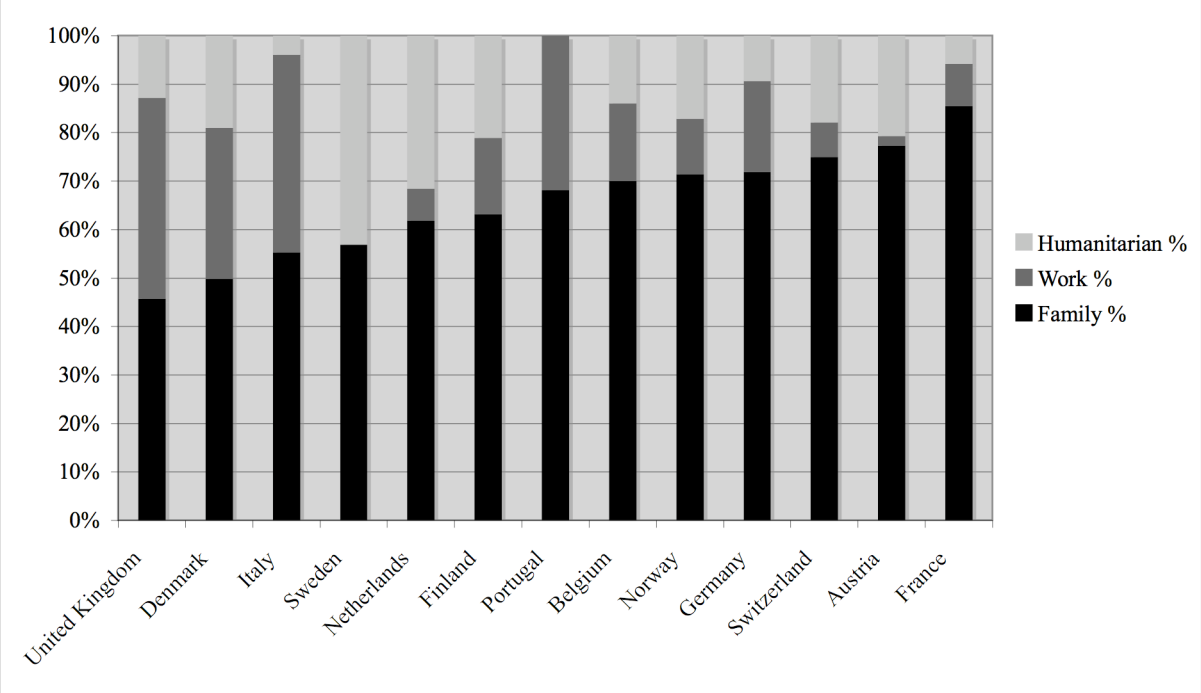
Source: OECD.Stat, stats.oecd.org

In most countries the size of the migrant population has grown despite efforts to control it over the years. The growth is a consequence of the institutionalized nature of human movement; migrants quickly establish networks, which help determine ease of entry and integration for

future migrants. Further, when economic workers become permanent residents they seek to reunite with their family in their new host country, resulting in exponential growth of the immigrant population.

The arrival of immigrant families is a part of the normal dynamics of every historical mass migration, and family migration continues to dominate European immigration flows to this day (Castles and Miller 1973). Figure 1.4 illustrates the robust size of family immigration in comparison to the other major categories of entry in 2006.

Figure 1.4. Migration Flows by Category of Entry, 2006



Source: OECD Stat, stats.oecd.org

In response to growing immigration flows dominated by family migrants, states are passing immigration and immigrant policies to encourage beneficial migration, discourage costly migration, and better integrate resident immigrants. Immigration policies control the entry of migrants into a host state, and immigrant policies manage resident migrants. In recent years, both immigration and immigrant policies especially focus on immigrant families.

1.3 FAMILY MIGRATION

Modern European societies are obligated to accommodate family movement due to the international obligation for nation states to recognize the human right to private and family life and a 2003 EU Directive on "the right of a family reunification for third-country nationals" (Council Directive 2003/86/EC). However, the right to family was not always recognized by European states. After initial hopes that family migration would eventually slow the total flow of migration and better integrate labor migrants (Freeman 1979), both France and Germany tried to restrict resident foreigners from reuniting with family members or prevent the family members from working in the host state. They also experimented with restrictions based on accommodation standards and requirements. The policies changed often, presumably due to lively opposition from human rights organizations. In the end, constitutional courts struck down regulations explicitly restricting family migration (Hollifield 1992). Ever since then, European states have been obligated to accept family migrants as a consequence of the state's humanitarian obligation to respect the right to family.

States do not always accept the flows of family migrants willingly. Even with the backing of the EU Directive and the widespread acceptance of court decisions upholding family migration, states interpret obligations to family migrants differently. For example, political challenges to family migration are the result of an increased attention to "family formation" within immigrant groups. Family formation refers to when an unmarried resident third country national chooses to marry another third country national and uses the family reunification system to bring the new spouse into the host country. This situation has become more prevalent recently as the children of immigrants (i.e. second generation migrants) choose to seek a marriage partnership in their parent's country of origin.

Opponents of family formation argue the state's obligation to respect the right to family life should not be subordinate to an individual's educated choice and the right to family life only obligates states to accommodate *existing* family relationships, not those occurring after the initial migration. However, the Directive on the right to family reunification allows for family migration "whether the family relationship arose before of after the resident's entry" (Council Directive 2003/86/EC, Article 2d). The EU Directive does not distinguish between family reunification and family formation within the principle of respect for private and family life. Nevertheless, policy makers highlight "family formation" as specific element of family migration that deserves additional attention due to its particular relevance for immigrant integration.

In recent years many European states have become very concerned with the integration of immigrant groups into host societies. The Parisian riots of 2005, the discovery of homegrown terrorist cells in Germany and the UK, and several high profile murders served as a wake up call to many West European governments with poorly integrated immigrants. Resident immigrant groups quickly became the focus of several pro-integration policy initiatives. Intermarriage is regarded as a positive sign of integration, and allowing family formation with spouses from foreign countries is assumed to encourage anti-integrationist behavior. In response, many politicians have started to reform family migration policies to include an integration component, a policy change permitted by the EU directive.

Other non-conventional marriage behavior has provoked political responses in European states. Muslim immigration into West European states sparks intense cultural debate, particularly over the occurrence of forced marriages, arranged marriages, polygamy and honor killings. Many members of western society do not want to recognize abusive relationships or support a

family environment contradicting ideals of gender equality and freedom. Western policy makers seek restrictions or added legal measures for marriages suspected of being non-consensual (typically polygamous marriages or arranged marriages), hoping to discourage the incidence of forced marriage on European soil. As a result, European states increase requirements for family immigration. In addition, states may withhold legal protections from resident third country nationals in order to maintain the state right to deport individuals suspected of engaging in forced marriage.

Finally, the use of marriage to illegitimately gain access to legal residency in Europe is well-documented, and states are therefore very suspicious of any partnerships that do not conform to the usual boy-meets-girl dynamic. Long-distance relationships and arranged marriages are especially suspected of being "marriages of convenience" where a non-resident marries a resident with the sole motivation of obtaining a visa. Policy makers restrict unusual relationships hoping to reduce the occurrence of fake marriages and technically illegal immigration.

Family migration is important because family flows constitute the majority of immigration. It is also important theoretically, as the policies relating to family migration are questioning pre-conceived notions about human rights, family life, integration, and illegality. Up to this point, the literature has largely neglected family migration as a unique subject of study (with a few important exceptions), and therefore has not benefited from the unique insights provided by the challenges associated with welcoming and incorporating family migrants. This research seeks to fill that gap by illustrating the variance in politics surrounding family migration policies.

1.4. METHODOLOGY

This dissertation employs quantitative and qualitative evidence as it seeks to explain cross-national variance in family migration policy. This analysis is limited to family migration connected to third-country nationals (non-European citizens), because the range of policy options relating to third-country nationals is more expansive than those applied to European citizens, which are constrained by national and European constitutions. The dissertation is structured around several cross-national quantitative models. The data for the analysis are primarily drawn from the 2006 rendition of the Migrant Integration Policy Index (MIPEX) published by the Migration Policy Group and the British Council. The MIPEX quantifies cross-national European policies relating to minorities, making the MIPEX one of the first and largest datasets allowing national policy comparisons. The dissertation primarily considers policies relating to family reunification, but also examines the policies relating to labor market status in chapter two.

The dissertation includes case research and elite-level interview evidence in four countries of interest: France, Germany, Sweden, and the UK. The four cases are selected based on their recent or ongoing debates over family migration policy provisions, and the importance of the four states in the decision-making structure of European immigration policy. France, Germany, and the United Kingdom are indisputably the most powerful countries within Europe and they also receive the largest number of immigrants (See figure 1.3). Further, at the time of the interviews, France held the rotating presidency of the European Council and was actively pursuing immigration restrictions at the European level. The United Kingdom opts out of many of the European policies relating to immigration, and is not party to the directive establishing the acceptable policies for family reunification within Europe. Therefore, the immigration politics of

the UK are separated from those of Europe, and allow for the consideration of whether and how the EU directive influences national policy for countries within Europe. Sweden is included as a case for special consideration due to its reputation as the defender of human rights within Europe. Because family migration is protected by human rights, the policy debate in Sweden is of special interest. In sum, the four countries selected for detailed research and interview analysis represent cases of high political interest when it comes to the decision-making process over policies of immigration, and family migration especially. Case analysis confirming the quantitative results often involves evidence from these four countries.

Ninety-seven interviews were conducted with the political elites of France, Germany, Sweden, the UK and the European Union. Interview subjects include policy makers, NGOs, lawyers, and prominent academics. Evidence from the interviews is included throughout the dissertation as supportive evidence, but the primary purpose of the interviews aimed at generating hypotheses on family migration policy formation to be tested through quantitative analysis. An anonymous list of the interviews is included in appendix B. The names of the interview subjects are excluded to protect them from any negative repercussions resulting from their participation in interviews. An assigned number identifies interviews when they are included in the analysis.

1.5. STRUCTURE OF THE DISSERTATION

This dissertation consists of five empirical chapters. The chapters are organized around a deductive logic, starting with the most general research question examining variance in family migration policies, and progressing into more nuanced investigations of specific areas of family migration policy. The chapters yield the same finding: politics explain cross-national variance in family migration policy.

Chapter two uses a cumulative index of family migration policies to compare prevailing theories for different migration policies with a humanitarian explanation for policy variance. Family flows are justified by the individual right to respect for family life and recognition of the family as the foundation of a healthy society. Given the standardizing influence of European human rights law, why do European states enforce different family migration policies? While most immigration policy is explained by domestic economic, political and demographic concerns, family immigration has a normative graft binding policy makers. The relevance of human rights should produce distinct policy outcomes associated with national-level humanitarianism. The data suggest humanitarianism does not consistently describe family migration policy outcomes. Instead, populist political pressures from the radical right and public opinion matter most for explaining variance in family migration policies.

When the models in chapter two show little magnitude in the relationship between humanitarianism and family migration policy, the results provoke the question of whether family migration policy is different from any other type of migration policy. Chapter three uses data on immigrant rights to explore whether family migration policy varies differently than labor migration policy. It finds little distinction between the two bodies of policy; contexts where there is a public preference for closed immigration policies are more likely to have restrictive labor and family migrant rights. However, it is too soon to conclude the same things describe variance in all labor and family migration policies because the dependent variables of chapter two only measure rights. Policies governing immigrants after they enter the country (immigrant policies) may be subject to different politics and domestic determinants than policies governing immigrant entry (immigration policies).

Chapter four tests the difference in determinants of immigrant and immigration policies using data on family migration policy. It finds party politics describes variance in both immigration and immigrant migration policies, but differently. Countries with anti-immigrant radical right parties are more likely to have restrictive family migration policies, as the radical right uses the unknown nature of the "imagined" immigrant to lay a foundation of public pessimism and fear towards immigrants attempting to enter the country. Immigrant family migration policies are associated with mainstream politics of public opinion. In order to pass restrictive immigrant policy, political parties need a strong electoral mandate to overcome the difficulty of withdrawing rights from a visible and "real" population with defined needs.

Fieldwork experience suggests not all immigration policies are similarly politicized. In the last five years, pre-entry civic integration policies for family migrants have been the most publicly debated. Chapter five explores variance in the application of pre-entry integration policies to understand why some states implement the policies while others do not. Because the policies are intended to improve immigrant integration, they should be implemented in contexts where immigrants are poorly integrated. Instead, the results of statistical analysis suggest variance in pre-entry integration policies is described by politics and ideology, and function much like the other immigration policies.

In sum, politics explain variance across all migration policies considered in this dissertation. While providing robust findings relevant for domestic and international politics, this dissertation contributes to the existing literature in four ways: it examines family migration (which has not been widely distinguished as a unique subject of study); it groups existing theories of immigration policy into an evaluative framework of humanitarian, economic, political, and demographic policy motivators; it uses multivariate analysis to examine general

trends across cases (a unique approach compared to the heavy reliance on case analysis and narrative in the immigration policy literature); and it uses fresh data to examine policy provisions in quantitative models. Chapter six highlights these contributions by summarizing the findings and discussing the implications of the research. The fact that politics explain the variance in family migration policy tells an important truth about the concerns of policy makers. Attributing immigration policy to the economy, demography, or to external human rights law may be a misrepresentation of the political reality. Instead, immigration is vulnerable to the much more strategic concerns of party politics and public opinion.

CHAPTER 2

Ties That Bind?
Humanitarian Norms, Domestic Politics and Immigration

Family migration comprises over sixty-five percent of legal migration to the developed world (OECD 2006). Family migrants are different from the young worker migrating in search of better economic opportunity. Instead, they are people moving in order to live with a family member. Family migrants might be spouses who have been in a long-distance relationship, children growing up without one or both of their parents, and aging parents who can no longer live alone and must rely on the support of children living abroad. The basic motivation of family migration distinguish it from any other type of human movement, and universal belief in the importance of family living together translates into international human rights law protecting the right to family life. The European Union goes further and declares violating the right to family life as punishable in court. Despite efforts to coordinate immigration policies and the protection of family movement by human rights, European states exhibit wide differences in family migration policy. Why does this difference exist? Given the universal sympathy for familial bonds and the interference of human rights in family migration policy making, do humanitarian ties bind policy makers when legislating family migration policy?

Family migration policy should be subject to different pressures than other forms of migration policy because of the humanitarian motive of family migration and its protection in international law. Since human rights and family migration are intertwined, state-level respect for humanitarian principles might explain variation in the extent to which nations respect the human right to family life. Alternatively, many domestic economic, political, and demographic

conditions may influence immigration policy. Where immigration is costly to a society, policy may be restrictive, and where the effects are beneficial or neutral, policies might be more open. In other words, it remains an open question whether considerations of human rights matter for national policymaking, or whether domestic considerations overwhelm humanitarian concern for the family.

This chapter examines the relationship between a society's respect for human rights and its family migration policy. The results convey bad news to idealists: societal respect for human rights has no correlation with permissive family migration policy, nor do economic or demographic conditions. The political climate explains all cross-national variance in family migration policy. In particular, the strength of public support for immigration controls and the electoral presence of an anti-immigrant party explain restrictive family migration policies in cross-national perspective.

This chapter is organized as follows. The next section derives hypotheses by discussing the humanitarian nature of family migration and the domestic costs of inclusive migration policy. The subsequent section describes the data and estimation procedure. The third section discusses findings, highlighting the insignificant relationship between humanitarianism and family migration policy and discussing the more important roles of public opinion and the radical right. The final section concludes.

2.1 CONCEPTUAL BACKGROUND

The human right to family life

Family migration and asylum are the only two forms of human movement explicitly included in human rights law. Family reunification is protected by the individual right to family life based on the reality that human beings live in social family units, which make up the

fundamental building blocks of society (Cranston 1973; Lahav 1997; Cholewinski 2002; Kofman 2004). The right to family is enshrined in international law and many national constitutions.[i] As Article 10 of the International Covenant on Economic, Social and Cultural Rights explains "The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children." The European Union codifies the right to respect for private and family life in Article 8 of the European Convention for Human Rights, and the Council of the European Union passed a 2003 directive protecting the right to family reunification for third-country nationals (Directive 2003/86/EC). Unlike other international conventions or declarations, the directive is legally binding for the member states of the European Union. However, universal recognition of human rights does not make rights-based policies immune from negotiation; the right to family life is widely interpreted as a "qualified" right. With qualified rights, individual rights are balanced against the legitimate aims of the state and the needs of a democratic society. Within the parameters allowed by qualified rights, European countries interpret their obligation to protect the right to family life differently.

The EU directive on the right to family reunification lays down a minimum legal standard for policy and outlines the policy areas left to state discretion. For example, the application of the right to family depends on national definitions of "family life", where states decide which family members are protected by international law. States have the right to choose the conditions a sponsor must meet before they can apply to bring family members into the host state, and can choose whether to require evidence of integration from the family migrant. The directive also permits flexibility in providing access to education, employment and welfare to resident family migrants. States are obligated to provide family members with a right to autonomous residency

no later than five years after providing a initial residency visa, but European states vary widely on this provision: some states grant the right to autonomous residence in three years or fewer (i.e. Belgium) and others give the right to autonomous residence after five years or only under certain conditions (i.e. Austria) (Niessen et al 2007).

The qualified nature of the right to family life allows for variable application of the right in policy. Nevertheless, the relevance of human rights law subjects family migration policy to different ethical and legal pressures than those pushing other forms of migration policy governing movement based on economic or demographic need. When dealing with family, policy makers are bound by international law, and the degree of national sympathy for the general concepts and practices of human rights should indicate limits to their acceptance of permissive family migration policies.

Interviews with policy makers support the idea that human rights matter for policy. As a member of Sarkozy's cabinet explains: "Our [immigration law] is extremely intricate, including many international agreements or treaties…it gives the people a lot of rights. We have to follow the [international law] by the book, and it makes it very hard to implement policies. It's easy to say we have to be tough [with migration]. In fact, in the real world, you have hardly any room for policy change" (18, personal communication, 10/20/08). The head of the French office managing family migration legislation explains how human rights restrain policy in more detail: "[Human rights] are important because we are obligated to respect human rights. We also know we have to respect the right to a private family life, because our constitution protects a "normal" life. Private family life and normal life are the same thing. Evidently we take this into account for the right to residency for foreigners. In our policies, even though they are a bit restrictive, we can't just say that we want to take away family reunion. For all [policy] decisions made by the

Prefecture, there is always a specific examination [of the policy] relative to the European Convention for Human Rights. If the policy doesn't pass the examination, the judge will stop the policy …or annul a decision because it doesn't qualify according to the article 8 of the convention (protecting family reunification)" (10, personal communication, 10/7/08) France is not alone in being constrained by human rights law. A member of the German Ministry of the Interior responsible for writing residency law explains "Human rights are always on our minds. In Germany, there are many human rights groups, national NGOs and also [groups] from the European Union who do reports on policy. We are legally obligated to answer their questions…when we are in the process of writing the law, we have to hear from experts on constitutional law and the law of the United Nations, and these experts write reports to make sure we are on track with international law. So, when there is a conflict between international law and national interests, the international law wins" (39, personal communication, 11/21/08). Even in Britain, where the government opts out of many binding EU provisions, a senior policy advisor at the UK Border Agency admits "It's quite important to find out whether [the immigration law is] going to stand up to legal scrutiny, whether there are any issues relating to for example, the European Convention on Human Rights, and so the legal advice is something that we'll take into account as well in terms of the future development of the policy" (91, personal communication, 6/10/09). Even elected politicians often consider human rights in formulating policy opinions. As the Swedish MP for the Left party explains: "The right to family reunification should not be debated. It is in several international conventions…arguing that we should give in and take on international conventions is wrong. They exist because you are already supposed to fulfill them" (80, personal communication, 4/20/09).

Human rights do enter into the policy decision-making process. However, if all European states apply human rights in the same way, the family migration policies should be similar across European cases. Perhaps levels of respect for human rights explain the observed variance in family migration policies across European countries. This logic leads to the primary hypothesis of this chapter: In environments where governmental and individual respect for human rights is high, family migration policies will be more inclusive.

Domestic conditions

As a qualified right, the right to family for immigrant groups is balanced against the legitimate needs of society. The qualified nature of the law allows room for domestic economic, demographic, and political conditions to overwhelm the obligation to the right for family life and influence family migration politics. Unemployment, slow economic growth, and high social spending communicate potential economic costs connected with welcoming a new population into society (Borjas 1994). A healthy economy allows policy makers to be optimistic about employment and lifestyle prospects for migrants and provides a context for a discussion about the potential economic benefits of migration (Borjas 1995). Immigration increases the flexibility of the labor market, slows wage growth, and provides economic opportunities (Zimmerman 1995). The impact of immigration on native wages and employment is the subject of particular debate (Smith & Edmonston 1997; Coppel, Dumont & Visco 2002). Immigration increases the supply of labor, leading to competition for employment. At the same time, the presence of immigrants in the work force drives down wages, especially in sectors where natives compete with immigrants for jobs. Though the effect of slowing wage growth and providing competition for jobs might be positive from a macroeconomic perspective as it benefits employers, lower

wages and unemployment will negatively affect the individual worker/voter. Policy makers hesitate to promote policies that contribute to economic difficulty.

Even though family migrants move for the purpose of living with family and not to gain employment, the public only sees a growing immigrant population of potential competitors without considering the reason for migration. Further, though family migrants do not migrate to work, evidence suggests that they do eventually take up employment in the host state (2, personal communication, 9/9/08). The competition presented by low-wage family migrants in the labor market may result in reduced wages or unemployment for native workers. The policy response is to tighten all immigration controls in times of economic difficulty, and in environments where unemployment is high, family migration policy should be more restrictive.

The size of the welfare state also matters when it comes to projecting the costs of migration. Gary Freeman (1986) claims a welfare state cannot coexist with free movement due to fundamental tensions between a closed welfare system and an open labor market. Welfare states must be closed to insulate themselves from outside economic pressures and to restrict benefits to members. As globalization brings more foreigners into a welfare state, migrants draw disproportionately from the welfare system (Borjas 1999; Allard & Danzinger 2000; Geddes 2003; Bailey 2005). Migrant families especially require social spending in education, health, and government benefits. With heavy migrant reliance on public funds, the universal right to welfare becomes associated with one ethnic group, which changes the political debate around welfare. With these altered conditions, the traditionally conceived welfare state cannot exist. The incompatibility between welfare and open movement motivates restrictive family migration policy in welfare states.

Demography also impacts the extent of migration control. Europe is facing stagnant population growth and an aging workforce, a lethal combination for the expansive welfare states of most European member states. Where fertility among nationals is low or where there is a disproportionately large elderly population, immigration policies might be more inclusive in order to balance the population through "replacement migration" (UN Population Division 2002; Zimmerman 1995). Of all the types of immigration, family migration is the best weapon to counter aging populations. When families migrate, the clear intention is the settlement of future generations of immigrants who will uphold the economy. Further, immigrant groups typically have higher fertility rates than most Europeans, and large immigrant families could compensate for the declining population of native Europeans. Though some research suggests that replacement migration is unnecessary or unsustainable (Feld 2000; UN Population Division 2002), others suggest certain immigration policies could help solve future fiscal problems (Zimmerman 1995; Storesletten 1999). Despite some negative evidence, replacement migration remains in the forefront in many policy makers' minds. During the elite interviews carried out in France, Germany, Sweden and the United Kingdom, policy makers in all four countries acknowledged the argument for replacement migration and listed it as a policy priority. For example, one policy maker in Germany argues "It is pretty clear that we do not get enough migrants to constitute replacement migration. But it should also be clear that we will need all kinds of instruments to rectify these [demographic] challenges. If migration is one small part of the solution, it should be used. We are finding more and more support for this idea" (52, personal communication, 12/17/08). Growing support for the concept of replacement migration suggests that family migration policy will be more inclusive in countries with low fertility rates.

Even though a large immigrant population improves the chances for replacement migration, the size of the immigrant population could also have a restrictive effect on immigration policy. The size of the immigrant population determines the extent of societal costs imposed by immigrants; survey analysis suggests public perception of negative costs to society and demand for tighter immigration control increases when there is a large or a rapidly growing immigrant population (Money 2007). The exacerbating effects of a large resident migrant population or high immigration flows into a country should motivate more restrictive family migration policies.

The political determinants of immigration control are tied to political ideology and party politics. Historically, parties on the right of the ideological continuum hold the most consistent positions on immigration. Conservative parties generally promote restrictive or closed immigration policies based on platforms of cultural conservativism and nationalism. Further, conservative parties have successfully used xenophobia to bring themselves into power, using immigrants as scapegoats, elaborating on the domestic costs of migration, or projecting a future "flood" of immigrants (Thränhardt 1995). They do this for two reasons: 1) immigration provides an opportunity to avoid the politics of the economy and seize votes from the left; 2) they fear loss of support to the radical right (Pettigrew 1998). For example, during elections in Britain, Germany, and France in the 1990s, the three Conservative parties created the expectation that once in government, the conservatives would implement dramatic changes that would cut the numbers of settled migrants sharply (Thränhardt 1995). In fact, policies typically remain unchanged after conservatives gain power, which partially accounts for the rise in support for the radical anti-immigrant right in the late 1990s. As the radical right wins seats in the legislature, centrist conservative parties become more decisive in issuing immigration policies consistent

with campaign promises (Williams 2006). Family migration policy will be more restrictive in contexts where conservative parties capture a large vote share.

Governments usually do not enter office with binding commitments on immigration because general party preferences are often disturbed by dynamics of consensus building among the major centrist parties (Messina 1989; Freeman 1979; Katznelson 1973). Further, immigration policies of centrist parties are often inconsistent: "Conservative parties actively pursue immigration to pursue cheap labor for industry, now they stigmatize and scapegoat the foreigners they had earlier invited" (Pettigrew 1998, p. 97). As a result, the immigration policies of the centrist conservative parties might be vague or watered down, especially when compared to immigration policy preferences expressed by radical right parties.

Europe is experiencing an unprecedented rise in the number of national radical right parties. These radical right parties do not garner enough support to gain substantial seats in the national parliament, which should make their policy influence minimal (Messina 1989; Freeman 1995). However, under the right circumstances, the radical right influences immigration and immigrant policy through deliberate strategies used by the radical right and through the political response to the radical right by the major centrist parties (Schain 2006; Williams 2006; Norris 2005; Pettigrew 1998). Family migration policy should be restrictive if there is a radical right party winning electoral support.

The European population has reacted negatively to the new minorities of Europe (Pettigrew 1998). Negative public opinion influences immigration policy indirectly through communicating a preference to elected representatives in the legislature. Politicians will directly react to public opinion by adjusting their voting position on issues important to the public or they will use knowledge of public preference to shape the public agenda (Downs 1957). However,

this relationship cannot be taken for granted. No liberal state directly consults the public on issues of immigration policy and public influence on policy must occur indirectly at elections (Hoffman-Nowonty 1985). Unfortunately, elections are a clumsy mechanism for predicting policy choice. Based on evidence from the United Kingdom between 1955 and 1981, Jeannette Money (2007) suggests that national politicians ignore changes in the demand for immigration control unless "these constituencies are able to swing a national election from one party to another"(p. 685). Freeman (1995) also points out the relative openness of immigration politics in liberal democratic states when compared to typically restrictive public opinion. He attributes this difference to an information gap between the public and the politicians, and also credits institutional constraints to making policy responsive to public opinion. Freeman also notes that organized public opinion more favorably influences policy, especially at times when immigration is politically salient (i.e. times of economic or demographic vulnerability). Regardless, where a public expresses strong preferences for immigration control, the national decision-makers will be more likely to pass restrictive immigration policies.

2.2 ESTIMATION

Family migration policies should be more inclusive in contexts where respect for human rights is high, despite any domestic economic, demographic and political conditions. In order to predict the policy impact of human rights against other explanations for family migration policy, a statistical model must control for all possible immigration policy determinants. The hypotheses suggest a model with the following specification:

Family migration policy = α + $\beta_1$humanitarianism +$\beta_2$gdp + $\beta_3$unemployment + $\beta_4$social spending +. $\beta_5$fertility + $\beta_6$immigrant population + $\beta_7$immigration flows +$\beta_8$center right vote share+ $\beta_9$legislative presence of anti-immigrant party+ β_{10}public support for immigration control + *e*

The measurement of the dependent and independent variables are described below.

Measuring family migration policy

The multivariate model uses data from the 2006 Migrant Integration Policy Index (MIPEX) in a series of ordinary least squares regression models (Niessen et al 2007). The MIPEX data quantify cross-national European policies relating to minorities, making the MIPEX one of the first and largest datasets allowing national policy comparisons. This chapter draws data from the family reunification policy area to create a score measuring family migration policy for the 25 EU member states, Norway, and Switzerland in 2006.[ii] The index for family reunification is composed of 26 policy indicators along four dimensions: 1) eligibility, indicating when a legal resident is entitled to apply for family reunification and a definition of which family members are eligible to apply for reunification; 2) conditions for acquisition of family reunification privileges, indicating whether there are integration requirements for family members and economic or accommodation standards the sponsor must meet; 3) security of the family status, considering the duration of the visa, rights of appeal, and grounds for rejection or deportation, and; 4) rights associated with family immigrant status, demonstrating access to education, employment, social services, etc. Table 2.1 illustrates list the policies included in the index

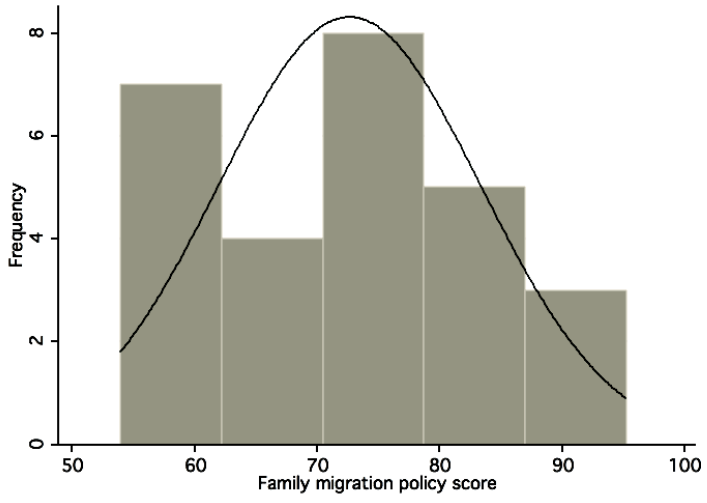
Table 2.1 Family Migration Policies

- **Eligibility for status**
  - Of sponsor/legal resident
  - Of spouse/partner
  - Of minor children
  - Of dependent relations
    - In ascending line
    - Adult children
- **Conditions for acquisition of status**
  - Passing integration test
  - Imposition of integration course
  - Language assessment
  - Accommodation requirement
  - Economic resources requirement
  - Length of application procedure
  - Cost of application
- **Security of status**
  - Duration of validity of permit
  - Ground for withdrawing, rejecting, refusing to renew status
  - Before refusal, due account given to family circumstance (by law)
  - Legal guarantees or redress in instance of refusal or withdrawal
- **Rights associated with status**
  - Right to autonomous residence for spouse/partner and children
  - Right to autonomous residence for other relatives
  - Access to education and training for adult family members
  - Access to employment and self-employment
  - Access to social security, social assistance, healthcare, and housing

The norms for the MIPEX policy indicators are based on the vision for coordinated family reunification programs outlined in the EU Tampere presidency conclusions in 1999 which advocate comparable rights and obligations for resident third-country nationals and EU citizens (Niessen et al 2007). On each indicator, a country receives one of three possible scores; a 3 corresponds with policies meeting the most inclusive standards, while lower scores indicate restrictiveness, unequal access for third country nationals and citizens, or merely meeting the minimum requirements of the EU family reunification directive. A detailed description of the coding is provided in appendix C.

Table 2.2 presents the MIPEX family migration scores for the sample of European cases standardized on a scale from 0 to 100 (and rounded to the nearest whole number). Thirty-three represents the lowest possible policy score and 100 the highest or most inclusive. The relatively normal distribution of the data signal a good fit between the data and an OLS model.

Table 2.2 MIPEX Family Migration Policy Scores			
Sweden	95	Netherlands	73
Portugal	90	Norway	73
Italy	87	Hungary	70
Slovenia	83	Ireland	70
Lithuania	81	Luxembourg	70
Malta	79	Greece	65
Poland	79	France	62
Spain	79	Switzerland	62
Finland	78	Slovak Rep	60
Belgium	76	Latvia	59
Estonia	76	Cyprus	59
Germany	76	Denmark	54
UK	76	Austria	54
Czech Rep	75		
Obs.	**Mean**	**S.D.**	**Range**
27	72.66	10.70	54 - 95



The validity of the index is tested through correlations, factor analysis, and a Chow test.[iii] Appendix D provides a correlation table of smaller indices representing the four theoretical groups of family migration policies that make up the family migration policy index: eligibility,

conditions, security and rights. All four indices are positively correlated with each other, though the conditions for acquisition for status are not strongly correlated with the two indices measuring the security of status and the rights associated with status. The positive correlations suggest the policy groups may in fact represent a cohesive body of policy that can be represented with an index.

Principal component factor analysis confirms the relationship suggested by the correlations between the policy groups. Principle component factor analysis is used to discover simple patterns in relationships among variables. In particular, it tests whether variables can be grouped together and explained by a much smaller number of variables called factors. In this instance, factor analysis is used to test whether there are significant subgroups among the policy variables, or whether they all load on the same factor. If they do load on a single factor, all the policy variables approach the same theoretical concept and can be combined in a policy index. Appendix E illustrates the factor eigenvalues and the factor loadings for each independent variable. The eigenvalues indicate the number of relevant factors, and the factor loadings illustrate how strongly each variable loads on a factor.[iv] The policy variables load on two factors, but most elements of the index load on the first factor. These results affirm the validity of the index as a single measure of family migration policy liberality. Factor analysis within each of the four theoretical groups of the dependent variable is illustrated in appendix F. Within each group, only one factor should be retained, which signals that all indicators within each group approach the same theoretical concept. The factor loadings do suggest variance in the strength of the relationship between some of the indicators and the first factor, but the eigenvalues maintain the relevance of a single factor.

In addition, an insignificant Chow test of the difference in error terms between an equation estimating pre-entry policies and the same equation estimating post-entry policies suggests that the difference is not statistically meaningful, further confirming the validity of using the family migration policy index as a single measure (see appendix G).

Measuring independent variables

Humanitarianism or respect for human rights is the primary independent variable of interest. Respect for human rights is measured through several indicators illustrating public and governmental respect for human rights. The percentage of a state's World Values Survey population that are members of human rights organizations measures public support for humanitarianism, while indicators of national humanitarian donations and the size of the refugee population demonstrate governmental levels of humanitarianism. The governmental humanitarian indicators assume governments giving more money to international humanitarian causes and accepting more refugees might interpret human rights broadly and will have less trouble applying those rights to a foreign population. This support for international human rights should translate in to a general support for policies protecting domestic human rights, like the right to family.

Unemployment and high social spending are expected to restrict family migration policy. The national unemployment rate as a percentage of the working population captures employment conditions, and national social spending as a percentage of gross domestic product (GDP) captures the size of a welfare state. The total GDP is included in the models as a control variable. Demographic conditions of low fertility and large immigrant populations should also play a part in motivating restrictive family migration policy. The average number of children per woman indicates fertility levels. The number of foreign citizens per capita measures the size of the

resident immigrant population, and immigration flows per capita captures the size of the incoming immigrant population.

High levels of support for parties on the right of the ideological spectrum should correspond with more restrictive policies. The vote share won by parties of the center right and the presence of an anti-immigrant radical right party in the national legislature measure conservative political pressures. An anti-immigrant party is identified through the party classification by the Chapel Hill Expert Survey and by news sources detailing the party's use of anti-immigrant or ethno-national slogans, advertisements, or leadership. Public support for immigration control will provide a democratic mandate for restrictive policy. The measure for public support is a national percentage of survey respondents who indicate they would like to heavily restrict or completely stop immigration to their country.

Table 2.3 reports the sample characteristics of all the independent variables included in the model. Where possible, measures of the independent variables have been lagged one year to allow the effect of the policy determinant to filter through the policymaking process and influence the outcome. The models were also run with the independent variables most proximate to 2006, with no noticeable difference in the findings.

Table 2.3 Independent Variable Sources and Summary Statistics					
Variable	**Source and definition**	**Obs. (year)**	**Mean**	**S.D.**	**Range**
GDP	Eurostat	27 (2005)	105.03	43.62	48.6 – 254.1
Unemployment	Eurostat	26 (2005)	3.51	2.61	0.8 – 11.7
Social Spending	Eurostat; % of GDP	27 (2005)	23.25	5.81	12.4 - 35.5
Center right party vote share	Chapel Hill Expert Survey, vote share of all parties aligning with the ideological right	27 (2006)	31.79	13.62	5.3 - 64
Legislative presence of anti-immigrant right	Chapel Hill Expert Survey Seat share>0 = 1	27 (2006)	0.41	0.50	0 - 1
Public support for immigration control	European values survey; % responding “strict limits” or “prohibit people from coming”	26 (1999)	54.71	15.03	24 – 84.7
Immigrant population	Eurostat; foreign citizens per capita	27 (2005)	0.07	0.09	0.001 - 0.385
Immigration flows	Eurostat; immigration flows per capita	27 (2005)	0.009	0.008	0 – 0.033
Fertility	Eurostat; number of children per woman	27 (2005)	1.50	0.24	1.24 – 1.94
Member of human rights organization	European values survey; % of respondents w/ membership	26 (1999)	5.13	8.02	0.1 – 33.3
Humanitarian donations	Financial Tracking Service; donations as % of GDP	27 (2005)	13.85	19.65	0.14 – 75.66
Refugees per capita	UNHCR	27 (2005)	3	3	0.005 – 9.3

2.3 RESULTS

Table 2.4 provides the OLS coefficient estimates with robust standard errors in the model intended to test whether humanitarianism influences family migration policy. Robust regression allows moderate outliers to violate the assumptions of OLS regression and be included in the analysis. It does this by first fitting an OLS regression model and identifying the cases that have a Cook's distance greater than one (Cook's distance is a metric for determining whether a single observation unduly affects the regression estimates). A regression is run in which cases with Cook's distance greater than one are given zero weight. From this model, weights are assigned to records according to the absolute difference between the predicted and actual values (the absolute residual). The records with small absolute residuals are weighted more heavily than the records with large absolute residuals. Then, another regression is run using the new weights, and again weights are generated from this regression. This process of regressing and re-weighting is repeated until the differences in weights before and after a regression is sufficiently close to zero.[v] With such a small number of cases (26), it is important to reduce the effect of outliers while keeping as many observations as possible.[vi] Of course, there are limitations with having only 26 observations in the empirical model: The precision of the statistical results is weakened significantly, and degrees of freedom limit the number of indicators that can be included in the model. To compensate, each model is subjected to extensive sensitivity analysis beyond robust regression, and the results with the greatest magnitude are explained with case study. There are five models in table 2.4. The first contains the full model, while the other four models omit GDP (which is highly correlated with all the indicators of economic and demographic conditions, see appendix H) and immigrant flows (highly correlated with immigrant population).[vii] Models two

through four each include a different humanitarian indicator (all of which are highly correlated, see appendix H).

Table 2.4 OLS Models of Family Migration Policies				
DV: Family migration policy	1	2	3	4
Human rights organization membership	0.150 (0.183)	0.103 (0.310)		
Humanitarian donations per capita			0.144 (0.097)	
Refugees per capita				19.846 (619.825)
GDP	0.261** (0.089)			
Unemployment	1.047 (1.305)	0.596 (1.259)	0.902 (1.378)	0.584 (1.329)
Social spending	-0.195 (0.325)	-0.032 (0.256)	0.063 (0.221)	0.015 (0.289)
Fertility	-9.394 (9.629)	1.805 (11.072)	-2.090 (9.701)	1.719 (10.806)
Immigrant population	-32.530 (22.565)	-29.461 (26.041)	-38.215* (20.680)	-27.003 (26.018)
Immigration flows	-1486.915** (455.749)			
Center right party vote share	-0.095 (0.113)	-0.191 (0.125)	-0.192 (0.124)	-0.194 (0.123)
Legislative presence of anti-immigrant party	-14.76** (3.909)	-12.433** (5.369)	-13.079** (5.002)	-12.150** (4.827)
Public support for immigration control	-0.386** (0.117)	-0.258* (0.132)	-0.257* (0.130)	-0.266** (0.126)
Constant	105.852** (18.983)	97.609** (19.629)	99.687** (18.402)	97.410** (19.636)
Observations	26	26	26	26
R^2	0.72	0.524	0.557	0.520
**p<0.05,*p <0.1				

Given the basis of family migration policy in international law and the relevance of a state's interpretation of human rights for the policy making process, the low magnitude in the relationship between human rights and family migration policy is unexpected. However, some interview subjects are not surprised by the inability of human rights to explain family migration

policy variance, and suggest the attention given to human rights by policy makers may be superficial, especially when it comes to formulating policy. As a French human rights lawyer for GISTI (Groupe d'information et de soutien des imigrés) explains: "The goal of France's family migration policy is to have less migrants. The real goal is to have quotas, but it is plainly incompatible with the European Convention of Human Rights and the right to live with one's family…Instead, they will say that the immigrant needs a certain level of income, or that they need to be resident for two years and need to get a bigger apartment. The idea is to make the migration more and more complicated. This gets around the human rights requirement. It happens the same way with asylum, where we say 'yes, we respect the human rights' but then we make it harder and harder for people to come legally" (2, personal communication, 9/9/08). In this scenario, policy makers ultimately want to control the flow of family immigrants and pass restrictive policy designed to discourage migration without legislating an immigration stop like those overturned by the German and French courts in the 1970s. In other words, the range of available family migration policies provides a way to legislate *around* human rights. When asked why the policy makers follow restrictive logic, the same lawyer replies "It's politics…there is a crisis and you need a scapegoat, and it's always the migrants. That's noting new – you blame migrants every time you feel that there are problems beyond your control" (2, personal communication, 9/9/08).

The relationships in table 2.4 support the GISTI lawyer's theory. Only political conditions consistently describe variance in family migration policy. More specifically, the presence of an anti-immigrant party in the legislature shares a negative relationship with family migration policy across all the models, suggesting that contexts with successful anti-immigrant parties are associated with restrictive policy. Interestingly, the vote share of the center right is not

associated with a restrictive family migration policy platform. The non-finding confirms the theory that immigration policies of the center right are watered-down by the dynamics of consensus building, which prevent the electoral size of the centrist party from correlating with immigration policy (Messina 1989; Freeman 1979; Katznelson 1973). The purity and consistency of the anti-immigrant preference among the radical right perhaps allows them to make a bigger splash in policy outcomes. The policy importance of the anti-immigrant right is surprising considering the body of literature arguing anti-immigrant parties can not exert significant policy influence (Messina 1989; Freeman 1995; Rydgren 2004) Why are anti-immigrant parties associated with restrictive policy?

The most obvious mechanism for how a party influences politics relates to whether the party enters a governing coalition. However, Michael Minkenberg (2001) illustrates right-wing influence on policy and agenda setting regardless of whether the radical right captures legislative power. Radical right parties achieve policy importance through parliamentary participation, influencing the executive, and through interactions with established political parties. The results presented in model five confirm Minkenberg's findings by suggesting that the presence of an anti-immigrant party matters, regardless of whether the party enters into governing coalition.

The French case demonstrates the way an anti-immigrant party can influence immigration policy without being included in government (Minkenberg 2001; Messina 2007; Schain 2002). Over the past decade the National Front has grown to capture fifteen percent of the French electorate and has become "the third largest political force in France after the Socialists and the Gaullists" (DeClair 1999, p. 183). The visibility of the anti-immigrant National Front reached its peak in 2002 when the French electorate infamously voted the National Front leader Jean Marie Le Pen into the second round of French presidential elections with 17% of the

national vote. Though Le Pen was trounced in the second round with 82% of votes supporting Jacques Chirac, the internationally publicized success of a radical and anti-democratic party shocked and embarrassed the French population. The next presidential election in 2007 carried the two leading candidates, Nicholas Sarkozy of the center right Gaullist Union for a Popular Movement (UMP) and Ségolène Royale of the center left Socialist Party (PS), to the second round of elections. In the run up to the election, the UMP strategists realized that guaranteeing a decisive win required pulling voters away from Le Pen's National Front. Just before the climax of the election, Sarkozy's UMP adopted a platform of immigration restrictiveness corresponding closely with Le Pen's immigration platform, minus some of the xenophobic rhetoric. The strategy of borrowing Le Pen's position on immigration, identity, law and order to win votes was recognized in the media at the time, and even acknowledged by Le Pen, who claimed to be flattered by Sarkozy's co-optation of his ideas (Bremner 2007; The Economist 2008). Subsequently, Sarkozy has worked to reform the immigration system in France, particularly through expanding pre-entry integration requirements to include acquisition of the French language before entry, and requiring immigrants to sign a legally-binding "contract of integration". The reforms would probably not have been so expansive without the political motivation provided by the National Front. As explained by minister at the Ministry of Immigration, Integration, National Identity and Co-development "It is necessary to remember that in 2002, Le Pen came in second in the presidential elections. The vote expressed the fears of certain French people who see uncontrolled immigration as a threat to the values and the health of the Republic" (10, personal communication 10/7/08). The French administration appeals to the qualified nature of the right to family and imposes policies intended to neutralize the negative political effects of immigration.

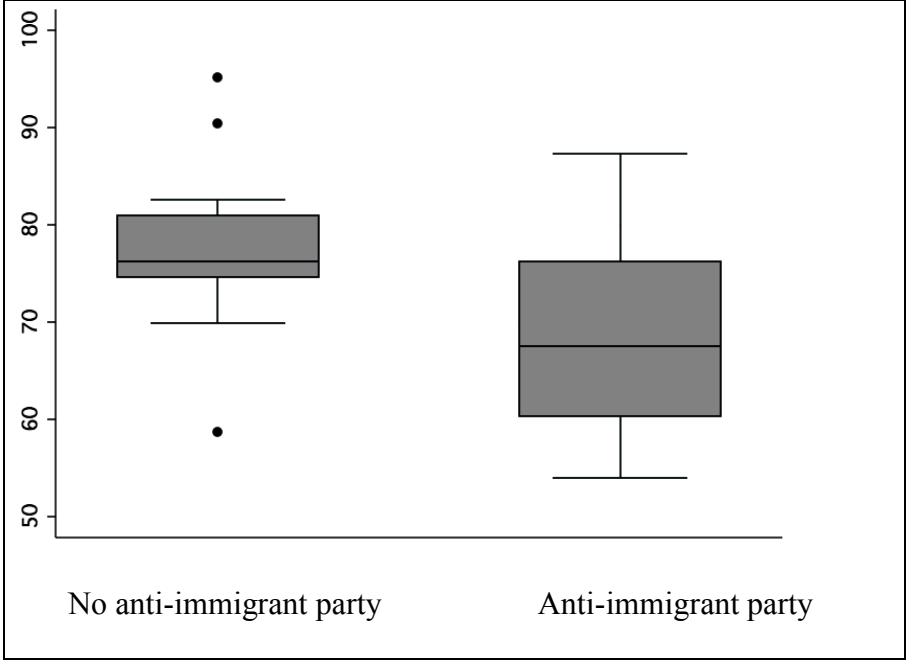
Another minister explains the administration's reaction to the radical right: "Of course they (the radical right) stress a problem (immigration), they point out something about that side of our community but it's not to say that we have to follow them, it's to say that we have to *counter* them and that the political debate *can* happen with the government" (29, personal communication, 10/31/08). During Sarkozy's administration, the center right has countered the radical right with a comprehensive set of restrictive immigration policies. In fact, the UMP consistently passes restrictive immigration, immigrant or minority policies after signs of electoral or political distress for the party. The most recent example is Sarkozy's decision to expel Roma, following on the heels of regional elections where the UMP suffered an electoral blow and the National Front had a "surprisingly strong showing" (Samuel 2010).

The French are not the only people to grapple with the consequences of radical and anti-immigrant political parties. Even in Sweden where the political discourse is generally very inclusive and human rights oriented, the radical right is gaining a foothold through the Swedish Democrats. As a MP of the Conservative Party explains: "The Swedish Democrats are not a right-wing party. They are a fascist party…We are trying not to give them too much attention. We are giving this political area (immigration) a lot of attention instead…to change the picture presented to the people" (81, personal communication, 4/21/09). An MP of the Swedish Left Party thinks the influence of the radical right is more direct: "If we look fifteen years back, we had another right wing populist party in the parliament called New Democracy. That party proposed several things that at the time were considered xenophobic, even racist. But afterwards we made investigations on how many of their proposals have really been implemented into policy. Almost everything they proposed at the time has now been inserted in government policies." In the same interview, the Left Party MP told a story where she "sat down with a state

secretary from the Social Democratic Party and I asked her 'Why are you passing these harsh policies?'…She said, 'Well you see, if we don't then the right wing populist parties will enter parliament.' So that, I would say, is the main argument. It is not often put like that out in the open. This was a closed meeting, so she would not say that openly, but I believe that [logic] would be the background for arguing for a harsh position [towards immigrants]" (80, personal communication, 4/20/09). The radical right is an increasingly European phenomenon: The British are confronted with the unprecedented success of the radical right British National Party, and even in Germany where radical right parties are not tolerated at the national level, radical right political movements are popping up at the local level and confronting established political authority.

Figure 2.1 illustrates the magnitude of the relationship between the presence of an anti-immigrant party and family migration policy outcomes. The figure shows the predicted mean values of family migration policy when there is no radical right party winning a seat in the legislative elections (MIPEX score of 77.55) and when there is at least one radical right party winning a seat in the legislative elections (MIPEX score of 68.17). The dark squares and the whiskers represent the distribution of the data.

Figure 2.1 Family Reunification Policy Score by the Presence of an Anti-Immigrant Party in the Legislature



The policy difference between a country with a radical right party winning a seat in the legislature and one without is equivalent to the policy difference between Spain and Ireland (see table 2.2 for policy scores). In Spain, migrants are eligible to sponsor a spouse or partner, minor children and sometimes other dependents after a year of residency. The applicants do not have to fulfill integration conditions, though the sponsor must provide sufficient income and accommodation for the family. If Spain granted legal redress in the case of application refusal, Spain would achieve best practice (defined as rights equal to those of nationals) in granting security of status, and they would enjoy best practice for the rights associated with status if they moved the wait for an autonomous residency permit from five to three years (Niessen et al 2007).

By comparison, Ireland's family reunification policy score falls slightly below the mean of the family migration policy score within the European sample. Within Ireland, migrants'

rights to and conditions for family reunification are heavily dependent on the nature of the sponsor's work permit, and are highly vulnerable to discretionary practice. In terms of the policy provisions of security and rights for reunited families, Ireland ranks the worst of all the 28 countries evaluated in the MIPEX study. The state can reject applicants without being legally obligated to consider their individual circumstances, and in the case of a negative ruling, there are few options for appeal. Also, no matter how long a family member lives in Ireland, they are never automatically entitled to autonomous residence permits, and can only reside as the family of a worker. Equal access to education, training, employment, and benefits is also contingent on the sponsor's work permit (Niessen et al 2007). Looking at the comparison between Spain, well known for its pro-immigrant stance, and Ireland, one of the most restrictive countries in the European sample, we can see the policy impact of a radical right party is potentially dramatic, even when the radical right only wins a single seat.

Table 2.4 portrays one more consistent relationship with high magnitude: Public support for immigration control shares a negative relationship with inclusive family migration policy. The finding that public opinion independently describes policy variance is surprising because democratic theory suggests that public opinion exerts policy pressure via elected representatives who desire reelection and must pacify public demand (Downs 1957). If parties and politicians are the only mechanism by which public opinion influences policy, the relationship between public opinion and policy should wash out when party variables are included in the model. However, public opinion's explanatory value remains even after controlling for the vote share won by conservative parties. This is probably because centrist parties typically do not enter office with binding commitments on immigration, and voters cannot align their votes with their specific desired policy agenda (Messina 1989; Freeman 1979; Katznelson 1973). Representatives

formulate clear preferences on immigration after being elected, possibly in response to public preference or because immigration is anticipated to be a politically salient topic for the next round of elections.

In sum, the results of the OLS models refute the primary hypothesis predicting respect for human rights should explain variance in family migration policies. Politics appear to be the strongest explanation for family migration policy variance, overwhelming humanitarian claims and most other domestic pressures. In particular, the electoral presence of an anti-immigrant party and public support for immigration control are associated with restrictive family migration policy. Based on these results, politics appear to be manipulating family rights in modern European societies.

In the full specification illustrated in model one, GDP and flows per capita illustrate the expected relationships of high magnitude with the dependent variable. However, these two variables are highly correlated with each other, and when they are included in the model independently, neither exhibits an important relationship with the dependent variable (with the exception of model three, where higher immigration flows are associated with more restrictive family migration policies. Due to the high correlations between the independent variables and the unreliable results for GDP and immigration flows, model two from table 2.4 is the base model for the remainder of the sensitivity analysis.

Sensitivity analysis

The results hold under extensive sensitivity analysis. The specification of the models in table 2.4 is limited due to constraints imposed by the degrees of freedom in a model with twenty-six observations, and only one or two indicators are used as representatives of humanitarian, economic, political, and demographic policy determinants. Fortunately, additional models with

different specifications confirm the strength of the findings in table 2.4. These models are described below.

Humanitarianism could describe policy variance through public behaviors or belief systems outside those included in the statistical analysis of table 2.4. For example, a large population of religious individuals may feel a greater responsibility to care for underprivileged human beings. In some countries, the church has an acknowledged policy role, especially when it comes to family-related policies. In Germany both official and non-official organizations represent the interests of the church to the government. They assert the importance of the family as the building block of human society and affirm the right to family for both nationals and non-nationals (51, personal communication, 12/16/08). Further, church organizations view the protection of human rights as a religious mandate: "It's not only about human rights, it's about the inner perspective of the society…it's not only their [the immigrant's] human rights, it's *our* human rights. This is what we are now thinking in churches… we are here to prove what's going on with human rights. Human rights are the worth of the human being; something [that] comes from God. This is why we are involved in such cases and we want to be involved" (53, personal communication, 12/17/08). Where a large population adheres to religion and trusts the church to act as their representatives in a policymaking process, family migration policies might be more liberal. Indicators of religiosity (survey responses of frequency of prayer, attending religious service, and considering oneself a religious person) are included in a model with the humanitarian indicators and theoretical controls in appendix I. The level of religiosity in the population does not explain variance in family migration policy, not does its inclusion affect the significance of other relationships in the model.

Immigration control is associated with several economic phenomena beyond GDP, unemployment rates and levels of social spending. Models including economic growth and industrial productivity are examined in appendix J, and none of additional economic indicators explain policy variance. Aggregate public assessments of the economic climate drawn from the Eurobarometer 65.2 are examined as a possible economic determinant of family migration policy to no effect. It is safe to conclude that economic factors to not explain variance in family migration policies in 2006.

Table 2.4 includes indicators of national electoral results along the right side of the ideological spectrum, focusing on the center and anti-immigrant radical right. Appendix K tests additional models including electoral results along the left side of the ideological spectrum (i.e. center-left party vote shares and green party vote shares), and none of the additional party variables explain variance in family migration policy. Appendix K also includes a model replacing the indicator of the electoral viability of an anti-immigrant party with a measure of the vote share going to the anti-immigrant parties. The size of the anti-immigrant party does not explain cumulative policy variance after outliers are removed from the analysis (i.e. Austria), while the *presence* of a party in the legislature does, no matter how big the party is.

The results of the sensitivity analysis suggest the findings of table 2.4 are not a feature of any single indicator used to represent a group of policy pressures in the base model. They also instill confidence in the findings that the electoral presence of the anti-immigrant party and public support for immigration control share a negative relationship with inclusive family migration policy. Policies relating to family migrants are primarily motivated by politics.

2.4 CONCLUSION

This chapter examines the sources of family migration policy divergence to explore whether humanitarianism binds policy makers drawing up human rights-based family migration policy or whether the more traditional domestic costs better explain policy variance. It concludes that political parties and public opinion best explain policy variance. This finding contributes to the literature on immigration policy in three distinct ways: 1) it illustrates that humanitarianism does not consistently explain family migration policy variance, 2) it concludes that economics do not explain family migration policy in the same way they are purported to describe other forms of migration, and 3) it reveals politics play an important role in explaining policy variance.

Family migration is set apart from other forms of migration. Family migrants move to fulfill a fundamental human impulse: the desire to live within a family unit. The universal recognition of the innate need for family has motivated the protection of family life in international law. Logically, countries showing great sympathy for concepts of humanitarianism should more readily accept the sanctity of the right to family life, and will protect that right through policy. However, the link between humanitarianism and liberal family migration policy is not consistently supported in the cross-national data.

Since variance in family migration policy is not described by humanitarianism, domestic costs are most likely to explain the restrictiveness of policy. Unemployment and welfare are particularly assumed to explain the degrees of restrictiveness in immigration policy (Borjas 1994; Borjas 1995; Smith & Edmonston 1997; Coppel, Dumont & Visco 2002; Freeman 1986; Geddes 2003; Borjas 1999; Bailey 2005; Allard & Danzinger 2000; Money 2007). However, the data does not support any theoretical link between the economic conditions of a country and the degree of inclusiveness in family migration policy outcomes. Therefore, while family migration

policy does not distinguish itself through an association with humanitarianism, it still distances itself from the economic focus of labor migration policies.

Instead, politics serve as the primary explanation for policy variance in cross-national perspective. More specifically, the presence of a radical right party in the legislature results in more restrictive policies, as do high levels of public support for increased immigration controls. This finding is disappointing to idealists hoping for evidence of humanitarian constraints on policy making; the humanitarian foundation of family migration does not exempt it from political wrangling above the minimum policy standard required by international law. However, the ideological nature of the significant policy determinants can offer an element of hope to those who would like to see the human right to family universally respected. Because family migration policy does not appear to require proof of economic benefit to society, the shift to a more progressive policy need only change public perception, which is then filtered through public opinion and party choice. The public consciousness is more easily manipulated than economic institutions, suggesting hope for a more humanitarian outcome where the public is mobilized around ideas of humanitarianism. Family migration can eventually reflect the prioritization of the human right to family life if the public can be won over in support of inclusiveness.

The insignificance of respect for human rights in family migration policy formation coupled with the exclusive importance of politics raises the question of whether family migration policy is different from other forms of migration policy. If the foundation of human rights theoretically distinguishes family migration from labor migration, but the human rights make no difference in policy, perhaps all forms of immigration are vulnerable to the same political considerations. The next chapter compares the determinants of labor and family migrant rights to discover whether there is a difference in policy formation. If there is no difference between the

two, the value of performing an exclusive study on the distinguishing features of family migration is in jeopardy.

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[i] see Article 12 of the Universal Declaration of Human Rights, article 17 of the 1966 International Covenant of Civil and Political Rights and Article 10 of the International Covenant on Economic, Social and Cultural Rights. These three declarations present the most general form of family rights. There rights of the family are also affirmed in multiple international declarations and conventions pertaining to marriages. For example, Article 16 of the Universal Declaration allows for men and women "without any limitation due to race, nationality of religion have the right to marry and found a family", the International Covenant on Civil and Political Rights reiterates the right of people of marriageable age to marry, and the 1966 International Convention on All Forms of Racial Discrimination guarantees the right to marriage and choice of a spouse.

[ii] MIPEX also published data for family reunification policies in 2004. However, the 2004 data only covers 15 EU countries, and the family reunification policy dimensions under investigation are limited. The investigation here is limited to the 2006 data, because it provides many more cases and more expansive data. The 2004 data will be considered in future extensions of the project.

[iii] A Chow test is a statistical test of whether the error terms in two linear regressions are normally distributed with equal variance, and are independently distributed. See Gujarati, Damodar N. 2003. *Basic Econometrics*. Boston: McGraw Hill, p. 276-278. In this instance, I use the Chow test to verify that the division along the lines of pre- and post-entry policy witnessed in the factor analysis does not represent two subsets in the data with statistically distinct error terms.

[iv] The Kaiser criterion maintains that any factor with an eigenvalue over one has statistical meaning, though in this case keeping all six statistically relevant factors muddies the analysis without adding any explanatory value. I limit my analysis to the four factors exhibited in appendix C.

[v] See http://www.ats.ucla.edu/stat/stata/output/stata_robust.htm for further information.

[vi] There are 27 European countries included in the MIPEX data. Ideally the models would include 27 cases. Unfortunately, Cyprus is excluded from the models due to missing data for Cyprus in the European Values Survey.

[vii] When included in a bivariate regression with the dependent variable or in a multivariate model with the humanitarian and political indicators, GDP has no explanatory power. Likewise, when immigrant population is substituted with immigration flows, there is not difference in the results with the exception of model three, where both flows and humanitarian donations per capita gains significance. Similarly, when fertility (which is highly correlated with the economic indicators) is excluded from the model, no results are affected.

CHAPTER 3

Bread vs. Blood:
The Rights of Labor and Family Migrants

Chapter two examines the determinants of family migration policy. It finds only party politics and public opinion explain policy variance from a cross-national perspective. This result contradicts the primary hypothesis of the chapter, which expects humanitarianism to predict inclusive policy because of family migration's foundation in human rights law. The exclusive significance of political determinants raises the question of whether family migration policy functions differently than other forms of migration policy. After all, conservative politics should have a restrictive impact on all immigration policies based on the prioritization of nationalism, citizenship, and cultural conservativism within conservative parties. This chapter compares family and labor immigrant policies (i.e. policies managing immigrants after entry into a host state) by examining explanations for cross-national variance in policies conferring rights to family and labor migrants. The results suggest the descriptions of policy variance are not distinguishable; anti-immigrant public opinion explains variance in both labor and family migrant policies. This contradicts the principles of universal human rights, which argue certain social and economic rights should be granted under all conditions, without exception. The results of this chapter suggest universally applied rights do not exist as a political reality in immigration policy.

The chapter is organized as follows. The next section derives several hypotheses through a discussion of the expected differences between labor and family immigrant policies covering migrant rights. The subsequent section describes the economic determinants of labor immigrant

policy. The third section describes the data and estimation procedure. The fourth section discusses results, first examining public opinion as an explanation for differences in labor migrant rights across Europe, and comparing it to the importance of public opinion in conferring family migrant rights. The French case illustrates the power of public opinion for migrant rights conferral. The final section concludes by discussing implications, and suggests additional research on the difference between immigrant and immigration policies for both labor and family migration policies.

3.1 BREAD VS. BLOOD – LABOR VS. FAMILY

Labor and family migration are intrinsically linked; family migrants must follow an initial migrant who is often a laborer. Therefore, the factors leading to labor migration also indirectly lead to family migration. Given the dependence of family migration on labor migration, why would labor and family migration be expected to function differently?

The difference between labor and family migration reveals itself in historic political responses to immigration flows. Though family migration has always been part of the immigrant experience, it was only politically considered as a distinguishable form of migration in the aftermath of the oil crisis of 1973-74. Before the 1970s, the mass movement of workers from the less developed countries of the Mediterranean, Eastern Europe, and colonial states dominated post-war migration to Europe. The oil crisis of 1973 shook the European economies and the role of immigrants became uncertain during the following recession. Governments felt an urgency to protect the jobs of citizen workers and promote labor market equilibrium. The most politically expedient action for European nations was to stop migration, and especially migration from Turkey and North Africa. For example, Germany decreed a halt to immigration in November of 1973, and France reacted similarly in July of 1974. In both instances, immigration stops were

comprehensive, including labor and family migration. In 1978 the French Council of State overturned the suspension of family migration and the German Constitutional Court reduced the state's capacity to control family migration because it violated the constitutional right to family life. After these landmark decisions, family migration was distinguished as separable from labor migration, uniquely protected under international law and national constitutions.

Family migration is a humanitarian issue, and labor migration is economically determined by demand for workers. Because labor migrants are connected with the economic environment in the host country, policy makers place emphasis on the economic costs and benefits of migration when passing labor migration policy. Therefore, throughout the hard economic times of the 1970s and 80s European states were obligated to maintain open policies of family migration while labor migration was heavily restricted.

The open family and controlled labor migration dramatically changed the demography of immigrant groups in Europe from 1970 onward. Before the 1970s, the main reason for migration was the post-war economic boom, which created rapid economic opportunity and major labor shortages. During this time, private employers and governments actively recruited foreign workers, most of whom were young and male. Both migrants and policy makers assumed the migration was temporary. Once the economic climate changed and the 1973 oil crisis affected European economies, the freeze on the recruitment of new workers and voluntary immigrant repatriation schemes led to a gradual reduction of foreigners in the workforce. However, the immigration stop had the unintended consequence of stimulating the settlement of migrant laborers, and the settled immigrants started to bring their families into the host country. The migration of families changed the composition of immigrant communities to include more women and more younger and older people. These groups were less likely to participate in the

economic marketplace, but they increased immigrant engagement with the welfare system, making the politics of immigrant welfare and integration a national policy priority for the first time (Geddes 2003). The history of post-war immigration in Europe reveals the political and demographic importance of the difference between labor and family migration. Labor migrants stimulate concerns about the national economy, while family migrants motivate discussions over welfare and integration.

In today's European nation, the difference between labor and family migration is made abundantly clear in the distinction between migrants defined as "wanted" and those described as "unwanted". Desirable migration benefits the economy and is usually identified as high-skilled labor migration. Undesirable migration operates outside market pressures and is relatively uncontrolled by the state. Undesirable migrants are asylum seekers and family migrants. The policy distinction between labor and family migrants as wanted and unwanted was made most clearly by Nicolas Sarkozy in 2006, when he encouraged "*immigration choisie*" (chosen immigration) deliberately selected to meet the economic needs of France. At the same time, he called for retrenchment of "*immigration subie*" (suffered or imposed immigration), which is immigration perceived as taxing the resources of the French state. Family migration is a form of *"immigration subie"* (Lochak and Fouteau 2008). As explained by an individual working at CIMADE, a non-governmental organization heavily involved with immigrant interests, "France doesn't want to endure immigration. We want to choose immigration. We don't want to have to accept the family of a working immigrant. *We* want to make the decisions about the family" (14, personal communication, 10/9/08). The message of wanted and unwanted immigration clearly translates into policy agendas where "wanted" labor migration is encouraged with open and inclusive policies, while at the same time, "unwanted" migration is discouraged with policies

intending to either slow the flow of family migrants or to reduce costs imposed by family migrants.

3.2 CONCEPTUAL BACKGROUND

The European post-war experience with migration illustrates the historical distinction between family and labor migration. Once the courts made family migration uncontrollable, they removed it from the policy sphere occupied by labor migration. As a consequence, policy-makers must take courts and international law into consideration when passing family migration policy, while labor migration remains vulnerable to market pressures or other domestic conditions. This difference justifies conceptual clarity around immigrant category of entry.

The theoretical distinction between labor and family migration policy is largely based on immigration policies governing immigration flows, i.e. policies determining who can enter a country. An examination of the difference between labor and family migration policies would ideally consider a more comprehensive package of policies covering immigration and immigrant policies. Unfortunately, the lack of comparable data on labor and family immigration policy, limits this inquiry to immigrant rights. The focus on rights does change the expectations over which determinants will distinguish family migrant policy from labor immigrant policy.

Because labor and family migrant rights are included in the International Covenant on Economic, Cultural and Social Rights, humanitarianism should similarly influence both family and labor migrant rights. In contexts where respect for human rights is high, family and labor migrant rights should be more inclusive. Likewise, the effect of politics should be similar for labor and family migrant rights. Political conservatives are hesitant to endorse the universality of human rights due to their focus on the preservation of nationalism and cultural conservativism. For most conservatives, the responsibility of the nation state lies only with the citizenry, a

perspective making conservative governments less likely to support internationalism and concepts of human rights as a state responsibility (Thérien and Noel 2000). Therefore, where conservativism dominates the political environment, family and labor immigrant rights should be more restrictive.

Labor migrant rights should differ from family migrant rights through the direct relevance of the economy for labor migration. Though most research on economic migration concentrates on flows instead of rights, many of the assumptions about the economic determinants of labor immigration policy hold in the context of immigrant rights. Immigrants choose the migration scenario most beneficial to themselves and their families. The immigrant's cost benefit analysis extends beyond employment opportunity or wages to include health care, social welfare and social and political rights given to immigrants within the host country. Even if wages are high, an immigrant will question moving somewhere they will fall victim to economic uncertainty, exploitation or heavy persecution. Politicians understand the draw of inclusive rights for labor migrants and react accordingly: if policy makers want to discourage immigration, they will pass policies with less liberal rights. For example, French Interior Minister Charles Pasqua used restricting rights as a form of immigration control when he passed the second Pasqua reforms in 1993. In this instance, equal protection and due process were denied to foreigners by cutting off the right to appeal and giving the police increased power to detain and deport foreigners. Foreigners also were denied access to the benefits of the social security system, particularly health care. The stated objective of these reforms was "zero immigration" (Hollifield, 1999). The French case illustrates the use of restricting immigrant rights to discourage migration even to the point of trying to stop it altogether, and the explicit use of restricting rights as a mechanism of control leads to the primary hypothesis of this chapter: In

countries where the national economic situation is better, labor migrant rights should be more inclusive. Economic conditions should matter very little for family migrant rights. The aspects of the economy most relevant for labor migration are discussed below.

The economics of labor migration

Labor migrant rights should be more inclusive in times of economic health, and more restrictive in times of economic uncertainty. Signals of poor economic health include unemployment, low economic growth, and high social spending. These conditions communicate the potential economic costs of welcoming a new population into society (Borjas, 1994). Alternatively, signals of a healthy economy allow policy makers to be optimistic about employment and lifestyle prospects for migrants, and provide a context for discussion about the potential economic benefits of migration (Borjas, 1995). For example, immigration increases the flexibility of the labor market, slows wage growth, and provides greater economic opportunities (Zimmerman 1995). The task of labor migration policy is to balance the costs and benefits of migration to draw up legislation attracting beneficial labor migrants into the host society. The cost-benefit analysis focuses on wages, unemployment, economic growth, social spending, sectoral needs, and the skill level of immigrant laborers.

The impact of immigration on native wages is the subject of extensive debate, but immigration is generally assumed to increase the supply of labor and drive down wages (Smith & Edmonston 1997; Coppel, Dumond & Visco 2002). Slow wage growth and competition for jobs might be positive from a macroeconomic perspective because it benefits employers, but the benefit of migration is not spread equally across the population: some win while others lose. The wage-reducing effect of migration is strongest for high school dropouts, and moderately influences the wages for high school equivalent workers (Borjas 1996). If groups of low-wage

earners are important politically, policy makers will be hesitant to pass policy perceived as contributing to economic difficulty. Therefore, in countries where the population earns higher wages on average, labor immigrant rights should be more inclusive.

That immigrants compete with and price natives out of the job market is one of the most common economic complaints about international immigration. Though the evidence of immigrants displacing native workers suggests that the effect is small to non-existent (Winter-Ebmer and Zweimüller 1999; Simon et al 1993; Dustmann et al 2005), popular discourse picks up on perceived economic threat from migration and uses it to foment domestic discontent. For example, the "British jobs for British workers" movement in the United Kingdom gained substantial support when local oil refinery workers went on strike in 2009 to protest the employment of foreign laborers (BBC 2009). The slogan was initially promoted by the radical right British National Party (Parkinson 2007), but was picked up by the then-prime minister Gordon Brown. Where nationals fear that their jobs are at risk by immigrants, politicians will try to appear unsupportive of labor migration. Therefore, in countries with high unemployment, labor migrant rights should be more restrictive.

When an economy is healthy, policy makers can be optimistic about the economic future. With economic growth, there is more opportunity for local industry to expand and for employment opportunities to develop. As demand for workers increases, the consequences of competition between workers becomes less severe because there are enough jobs for full employment. Immigrants can contribute to overall growth; in many industries, immigrants are as effective as native workers, but cost substantially less. They also reduce the costs of native workers as they slow wage growth, allowing employers to be more flexible and produce at lower costs (Zimmerman 1995). Where an economy is growing, the benefits from immigration are

more obvious and the threat to native workers is less apparent, suggesting policy makers will make efforts to attract immigrant labor under circumstances of economic growth. Therefore, in countries with high economic growth, labor migrant rights should be more inclusive.

A welfare state has difficulty coexisting with free movement due to contradictions between a closed welfare system and an open labor market (Freeman 1986). Welfare states must insulate themselves from external pressures and clearly identify the members eligible for benefits. As globalization brings more foreigners into a welfare state, migrants draw disproportionately from public funds and tax the sustainability of the system (Freeman 1986; Geddes, 2003; Borjas, 1999; Bailey, 2005; Allard & Danzinger, 2000). With these altered conditions, the traditionally conceived welfare state cannot exist, and where welfare spending is high, labor migrant rights should be more restrictive.

Economic benefits of migration come from the migrant's contribution to specific economic sectors requiring work that natives either will not or cannot do. In times of labor shortage, many sectors seek immigrant labor, and the demand for labor migration is sometimes translated into policy. For example, in 2008 the United Kingdom adopted a tier-based system where a potential laborer is assigned points based on skill level and the ability to "fill a gap in the workforce that cannot be filed by a settled worker" (Home office 2010). In most European economies, immigrants are readily employed in industry (especially construction and manufacturing), in service positions, and in the information and communication technology sector (Katseli 2004). Where these sectors dominate a country's economy, policy makers will use inclusive immigrant policy to encourage labor migration and fulfill employer demand.

In order to calculate the possible surplus gained from admitting a group of migrants, the skill level of the immigrants must be considered. Unskilled migrants impose the highest fiscal

costs because they are more likely to require government services and pay lower taxes into the economy (Borjas 1995). “The immigration surplus is maximized when the immigrant flow is exclusively skilled,” because skilled migrants complement factors of production in the native economy (Borjas 1999, 1707). This provides a rationale for drawing up policies explicitly designed to attract skilled migrants. On the other hand, if the domestic workforce is predominately skilled, the benefit of immigration is greatest if the country admits unskilled migrants. Research on the economic effects of immigration suggests that the host country can benefit from immigration “as long as immigrants and natives differ in their productive endowments” (Borjas 1999, p. 1700). The recently adopted points system in the UK provides an example of immigration policy taking skills into account and prioritizing high-skilled labor. In particular, Investors, entrepreneurs, lawyers and artists all fall in the highest tier in the points-based system (Home Office 2010). Similar evaluative points-based systems are used in Canada, Denmark, Australia, and New Zealand. In general, European societies advocate highly skilled migrants as the best complement to native economies, to the point where the EU is debating policy to make the whole continent more accessible to skilled labor through the creation of an EU Blue Card (Europa 2007). Countries experiencing skilled migration flows should pass more inclusive labor migrant rights to encourage the desirable immigrants to stay. Further, countries with a positive historical experience with skilled immigration flows might also be more inclined to welcome new immigrants to society, and to entice them with a comprehensive package of immigrant policies.

3.3 ESTIMATION

Measuring family and labor migrant rights

Economic determinants should uniquely describe variance in cross national labor immigrant policy. To test the influence of economic determinants against the humanitarian and political controls for both labor and family migrant rights, I use 2006 data from the Migrant Integration Policy Index published by the Migration Policy Group and British Council as the dependent variable in the series of ordinary least squares regression models.[1] This project draws data from the labor market status and family reunion policy area to create two indexes: the labor migrant rights index and the family migrant rights index. Both indexes measure migrant rights for the 25 EU member states, Norway, and Switzerland in 2006. The policies governing labor migrant rights are detailed in table 3.1.

Table 3.1 Labor Immigrant Rights
Immigrants able to accept employment
Immigrants able to take up self-employment
Recognition of qualifications
Measures taken to integrate immigrants into labor market
State facilitation of recognition of extra-EU skills and qualifications
Equality of access to vocational training and study grants
Renewal of work permits
Termination of work permit leads to revocation of work/residence permit
Right to become and member and participate in unions and work-related bodies
Changes in working status/permit

The resulting index measures the rights available to labor migrants after gaining entry to the host state. For each of the index components, countries receive one of three possible scores. A three corresponds with policies meeting the most inclusive standards equal to the rights of national citizens, while lower scores indicate restrictiveness or high levels of inequality when

[1] Niessen, Jan, Thomas Huddleston, Laura Citron, in cooperation with Andrew Geddes and Dirk Jacobs. 2007. *Migrant Integration Policy Index*. Brussels, Belgium: British Council Brussels, Foreign Policy Centre, Migration Policy Group

compared to the rights of nationals. The scores are standardized on a scale of 0 to 100 with 30 representing the lowest possible policy score and 100 the highest, or most inclusive. The rounded scores for labor migrant rights range from 47 to 100 and are illustrated in table 3.2.

Table 3.2 Labor Immigrant Rights Policy Scores

Sweden	100	Germany	67
Portugal	93	France	67
Spain	93	Czech Republic	67
Italy	90	Ireland	67
Estonia	83	Luxembourg	63
Belgium	83	Austria	63
Switzerland	83	Greece	60
Norway	80	Denmark	60
Netherlands	80	Cyprus	60
Finland	80	Malta	53
Slovenia	73	Poland	50
UK	73	Latvia	47
Lithuania	70	Hungary	47
Slovak Republic	70		

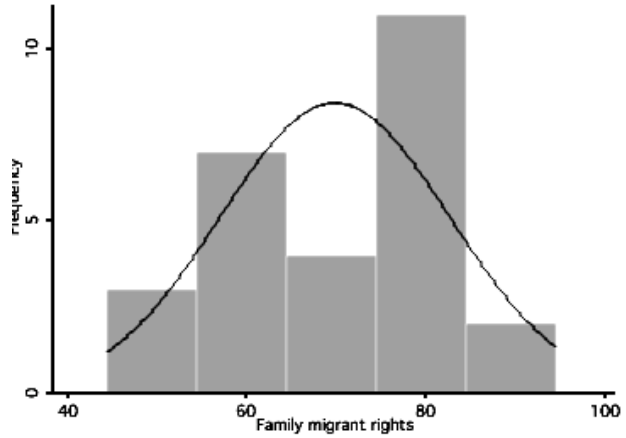
Obs.	Mean	S.D.	Range
27	71.19	14.31	47-100

The policies governing family migrant rights are listed in table 3.3. Family migrant rights are scored in the same way as the labor migrant rights.

Table 3.3 Family Immigrant Rights
Duration of validity of permit
Ground for withdrawing, rejecting, refusing to renew status
Before refusal, due account given to family circumstance (by law)
Legal guarantees or redress in instance of refusal or withdrawal
Right to autonomous residence for spouse/partner and children
Right to autonomous residence for other relatives
Access to education and training for adult family members
Access to employment and self-employment
Access to social security, social assistance, healthcare, and housing

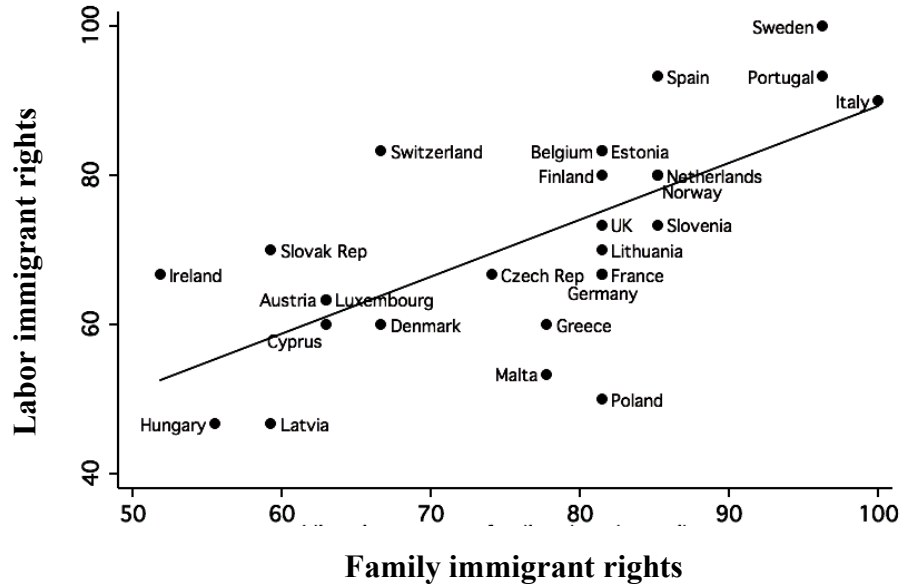
Table 3.4 illustrates the standardized range of 52 to 100 for family migrant rights scores across European states. Thirty-three is the lowest possible policy score, and 100 is the most inclusive score.

Table 3.4 Family Immigrant Rights Policy Scores			
Italy	100	France	81
Sweden	96	Malta	78
Portugal	96	Greece	78
Slovenia	85	Czech Republic	74
Spain	85	Switzerland	67
Norway	85	Denmark	67
Netherlands	85	Luxembourg	63
Finland	81	Austria	63
Lithuania	81	Cyprus	63
Poland	81	Slovak Republic	59
Belgium	81	Latvia	59
Estonia	81	Hungary	56
Germany	81	Ireland	52
UK	81		
Obs.	Mean	S.D.	Range
27	76.41	12.75	52-100



The more specific coding breakdown of each individual policy indicator of labor migrant rights is detailed in appendix L and the coding for family migrant rights is detailed in appendix M. The scatter plot in Figure 3.1 shows that the two measures are clearly related, with a Pearson's R coefficient of 0.676.

Figure 3.1 Correlation of Labor and Family Immigrant Rights



Pearson's R coefficient: 0.676

The high correlation is somewhat surprising, since labor and family migration are motivated by different concerns and because family migration incurs different costs than labor migration. Either the similarity exists due to the mutual focus on rights, or the same domestic conditions result in restrictive policies across all forms of migration. However, even with a high correlation, the determinants of labor and family policy may be different. For example, Poland has relatively inclusive family migrant rights, but restrictive labor migrant rights. Immigrants in Poland receive no help in getting their qualifications recognized, and are given no information about opportunities for additional education or training. Labor migrants' status is insecure because migrants lose the right to reside when they lose their job, no matter how long they have been in the country. Polish family migrants are more secure because they have a right to autonomous residence within three years and there are relatively few reasons for family members to loose their ride to reside. Access to educational and training opportunities is limited for both labor and family migrants.

Switzerland grants inclusive labor migrant rights but is restrictive when dealing with family migrants. Out of the full European sample, Switzerland achieves the second highest score for inclusive access to employment and self-employment, and also provides labor market integration programs designed to improve language skills. Switzerland is also one of the best European countries at providing access to education and training. The status of labor migrants is secure, and migrants are allowed to change their job within the first working year. Family migrants in Switzerland are not very secure and the government can expel them if they become dependent on welfare. Family migrants have access to social security and social assistance, but they face additional barriers to education, employment, and autonomous residency. This chapter seeks to address situations like those in Poland and Switzerland where policies deal differently with labor and family migrant rights.

Measuring economic policy determinants

Economic conditions are hypothesized to be the only policy domestic factors that describe labor migrant rights differently than family migrant rights. There are several economic conditions that are theoretically relevant for labor migration policy, including the wage-earning potential of the domestic worker, national unemployment, and economic growth. The effect of immigration on wages matters for the average worker. Education is very closely related to the wage an individual can earn, and because the level of education most accurately conveys employment potential and vulnerability to the negative effects of migration (Borjas 1996), the percentage of natives with post-high school education measures potential economic threat of immigration for native workers.

Countries with higher levels of unemployment will be less likely to encourage labor migration with liberal labor migrant rights. The unemployment rate captures costs associated

with unemployment. Economic growth signals increased economic opportunity, and the consequences of immigration for wages and unemployment will be less obvious where growth is high. As a result, labor migrant rights should be more liberal in these contexts. Growth is measured with a simple national level statistic of the percent of economic growth in 2005. Labor migrant rights and social spending should share a negative relationship due to the incompatibility between open migration policies and social spending. Levels of social spending are captured with the percent of GDP spent on health, education, pensions, etc.

The sectoral structure of the state economy will determine the inclusiveness of immigrant rights. Where the sectors using migrant laborers dominate, the rights should be more liberal. Industry draws on migrant labor, and the standardized size of the labor force working in industry and construction is used to estimate the demand for migrant laborers in society.

Positive experiences with migrant labor will influence the package of rights given to labor migrants. Where the migrant population is skilled, national policy makers should entice the migrants to stay in the country with a comprehensive package of rights. They might also favor welcoming new labor migrants based on positive experiences. The skill level of immigrants is measured by the percentage of legal immigrants residing in the host state who have achieved above a high school education.

The empirical model

The hypothesis that economic conditions uniquely influence labor migrant rights suggests a model with the following specification:

Labor immigrant rights = $\alpha + \beta_1$native education + $\beta_2$unemployment + $\beta_3$economic growth +$\beta_4$social spending + β_5GDP + $\beta_6$industry labor + $\beta_7$construction labor+ $\beta_8$immigrant education + $\beta_9$humanitarianism + β_{10}vote share of center right + β_{11}vote share of anti-immigrant party+ β_{12}public support for immigration control + β_{13}immigrant population + β_{14}immigration flows+ e

Because humanitarianism and political considerations should influence labor and family migrant policy similarly, they are included in the model as controls along with the size of the immigrant population, immigration flows and GDP. Humanitarianism is measured with three indicators. The first captures public approval of humanitarianism with the percentage of a national survey population claiming membership in a human rights organization. The second and third indicators measure governmental humanitarian behavior with the state funds dedicated to humanitarian aid and the size of the refugee population.). The size of the vote share won by the center right and radical anti-immigrant parties in the last national election is used to measure the dominance of conservativism along with the percentage of survey respondents indicating they would prefer to completely stop or heavily restrict immigration to their native country.

Table 3.5 reports the sample characteristics of all the independent variables necessary for implementing the model above. Where possible, measures of the independent variables have been lagged one year to allow the effect of the policy determinants to filter through the policymaking process and influence the outcome, though when independent variable values most proximate to 2006 are included in the analysis, there is no noticeable difference in the results.

Table 3.5 Independent Variable Sources and Summary Statistics					
Variable	**Source and definition**	**Obs. (year)**	**Mean**	**S.D.**	**Range**
GDP	Eurostat	27 (2005)	105.03	43.62	48.6 – 254.1
Native education	OECD stat: percentage of natives with an education level exceeding high-school equivalency	21 (2005)	0.413	0.152	0.122 – 0.67
Unemployment	Eurostat	26 (2005)	3.51	2.61	0.8 – 11.7
Economic growth	Eurostat	27 (2005)	3.88	2.5	0.7 - 10.6
Social Spending	Eurostat; % of GDP	27 (2005)	23.25	5.81	12.4 - 35.5
Industry labor	Eurostat - Industry Labor input index (mining and quarantine, manufacturing, Electricity, gas and water supply)	26 (2004)	100.85	2.20	96.4 – 106.4
Construction labor	Eurostat - Construction Labor input index	26 (2004)	96.14	6.88	71.8 – 109.9
Immigrant education	OECD stat: percentage of natives with an education level exceeding high-school equivalency	21 (2005)	0.338	0.088	0.194 – 0.546
Vote share of center right party	Chapel Hill Expert Survey	27 (2006)	31.79	13.62	5.3 - 64
Vote share of anti-immigrant party	Chapel Hill Expert Survey	27 (2006)	6.20	7.82	0 – 26.7
Public support for immigration control	European values survey; % responding “strict limits” or “prohibit people from coming”	26 (1999)	54.71	15.03	24 – 84.7
Immigrant population	Eurostat; foreign citizens per capita	27 (2005)	0.07	0.09	0.001 - 0.385
Immigration flows	Eurostat; immigration flows per capita	27 (2005)	0.009	0.008	0 – 0.033
Member of human rights organization	European values survey; % of respondents w/ membership	26 (1999)	5.13	8.02	0.1 – 33.3
Humanitarian donations	Financial Tracking Service; donations as % of GDP	27 (2005)	13.85	19.65	0.14 – 75.66
Refugees per capita	UNHCR	27 (2005)	3	3	0.005 – 9.3

3.4 RESULTS

Labor migrant rights

This chapter considers the predictors of labor immigrant policy, assuming that an economic cost benefit analysis uniquely enters into the labor policy decision-making process. Table 3.6 presents the ordinary least squares model for labor migrant rights with robust standard errors. Several different model specifications are considered because many independent variables are correlated (See appendix N for a correlation table). Model five omits several of the economic variables with missing data to increase the sample size.

Table 3.6 OLS Models of Labor Immigrant Rights with Robust Standard Errors				
DV: Labor migrant rights	1	2	3	4
GDP	0.189 (0.180)	0.185 (0.136)	0.089 (0.111)	0.153** (0.062)
Native education	18.603 (68.417)			
Unemployment	0.985 (2.132)	1.349 (1.769)	-0.089 (1.676)	0.681 (0.894)
GDP growth	0.797 (2.924)	0.338 (2.145)	1.702 (2.949)	0.839 (1.467)
Social spending	0.355 (1.725)	0.549 (1.393)	0.049 (1.576)	0.134 (0.563)
Construction labor	-0.424 (0.574)	-0.407 (0.526)	-0.253 (0.555)	
Industry labor	-0.384 (4.699)	-0.247 (4.436)	-0.010 (4.523)	
Immigrant education	-42.888 (105.73)	-7.550 (40.868)	-30.508 (44.764)	
Center right party vote share	-0.162 (0.427)	-0.242 (0.413)	-0.164 (0.431)	-0.202 (0.128)
Vote share of anti-immigrant party	-0.548 (0.540)	-0.524 (0.446)	-0.216 (0.497)	-0.253 (0.247)
Public support for immigration control	-0.760 (0.471)	-0.639 (0.381)	-0.786* (0.402)	-0.842** (0.131)
Human rights organization membership	0.325 (0.392)	0.383 (0.336)	0.356 (0.408)	0.459** (0.168)
Immigrant population	-85.248 (67.022)	-119.488** (51.803)		-57.058* (32.030)
Immigration flows	-787.473 (807.235)		-1454.13* (739.306)	-985.625* (539.644)
Constant	-183.177 (449.022)	149.936 (434.554)	151.885 (440.185)	110.310** (22.600)
Observations	20	20	20	26
R^2	0.848	0.830	0.814	0.784
**p<0.05,*p <0.1				

According to table 3.6, economic indicators do not explain variance in labor migrant rights. The exception is GDP, which experiences sporadic significance (likely due to its high correlation with other variable included in the model). The results in table 3.6 reveal three

explanations for labor migrant rights with consistently high magnitude: public support for immigration control, the size of the immigrant population, and immigration flows. The direction of all relationships corresponds with theoretical expectations. The relationship between public support for immigration control and labor migrant rights is negative, suggesting that as the population advocates increasingly restrictive controls, labor migrant rights will be less comprehensive. This significant relationship is interesting because the aggregate survey question relates directly to immigrant *flows* while the dependent policy variable in this analysis deals with granting migrant *rights* after the migrant becomes a resident. However, it is possible the sentiment driving the public preference on flows is a more general concern related to ethnocentrism, xenophobia or other social considerations rather than a rational individual consideration of the costs and benefits of migration (Hainmueller and Hiscox 2010). If non-economic concerns are the driving force behind the policy preference, it is natural that the preference for immigration control would be negatively associated with any policies benefiting immigrants.

The relationship between public support for immigration control and labor migrant rights is illustrated in figure 3.2. The image on the left is the added variable plot from table 3.6 model three with twenty cases. The image on the left is from model four with twenty-six cases. The model with a more restricted model and additional cases illustrates a stronger relationship between support for immigration control and labor immigrant rights.

Figure 3.2. Added Variable Plots – Public Support for Immigration Control

Table 3.6, model three

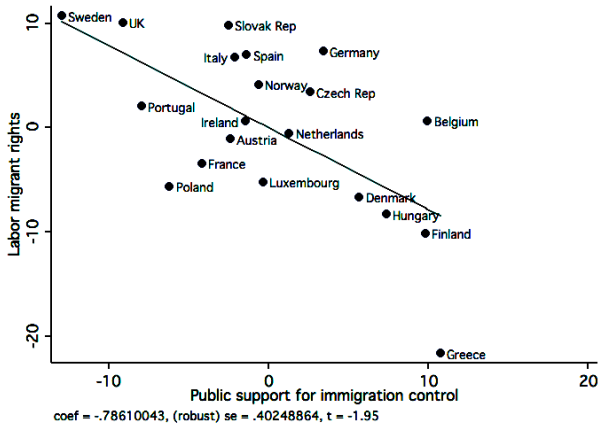
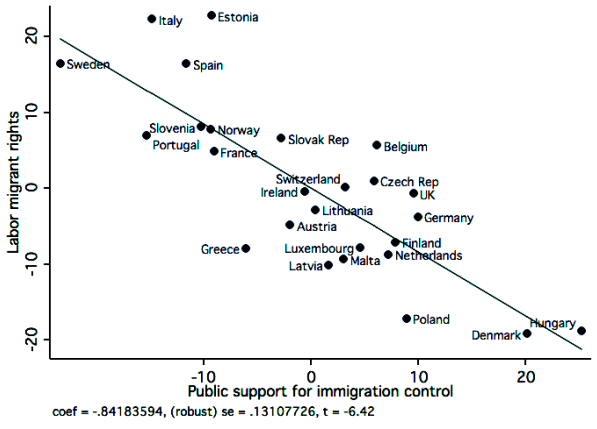


Table 3.6, model four



The role of public opinion for describing variance in immigrant rights is nicely illustrated by the French case. After President Jacques Chirac's Interior Minister Charles Pasqua attempted his first set of reforms aimed at restricting the civil liberties of foreigners in 1986, the policies provoked a firestorm of protest from the public, organized by civil and immigrant rights associations. In particular, organizations such as the La Ligue des Droits de l'Homme, GISTI, SOS-racisme, and MRAP rallied against the reform and succeeded in pressuring Pasqua and Chirac to withdraw the bill from consideration. "The withdrawal of the Bill constituted a political failure for the Chirac government, which had unwittingly provided the increasingly active French civil rights movement with a new rallying cry: 'Ne touch pas à mon pote!' ('Don't touch my buddy!'). Thousands marched in Paris under this banner" (Hollifield 1999, p. 69).

Both public opinion and the work of civil associations represented the public to the policy makers, who were forced to react. However, the evidence suggests that organized civil society with the support of a segment of the population is not always enough to motivate a policy difference, especially if there are equally strong anti-immigrant feelings at work. For example, in

1993 Pasqua introduced a bill that was very similar to the 1986 bill. GISTI and other organizations again defended the rights of immigrants, but by this time, public attitudes around migration had changed. The political clout of the left was significantly weakened, and Jean Marie Le Pen of the radical right-wing National Front had appeared on the political scene with a platform almost completely based on anti-immigrant and nativist sentiment. Despite the continual presence of civil society supporting immigrant rights, the general tide of politics allowed for the passage of a policy package severely restricting the rights of immigrants across France. The French example clearly illustrates the way political maneuvering with respect to public opinion drives the provision of migrant rights

The negative relationships between the size of the immigrant population and immigration flows and labor migrant rights are the only other consistent explanations of variance, suggesting as the immigrant population grows or more immigrants arrive, states endorse fewer rights for resident migrants. These finding is vulnerable to outliers. A calculation of Cook's Distance recognizes Poland, Ireland, Greece, and Germany as significant outliers in models one through four, and in model five Estonia, Norway, Poland and the Slovak Republic are also outliers. When outliers are excluded, the relationships between the immigrant population and immigration flows and policy lose magnitude. The relationships are not reliable enough to be considered a determinant of labor migrant rights in cross-national perspective.

In model four, the human rights indicator illustrates a relationship of high magnitude with the dependent variable. The relationship is positive, which suggests that as the population expresses support for human rights through membership in human rights institutions, labor migrant rights will be more liberal. This finding corresponds with theoretical expectations. However, when other variables of humanitarianism are substituted into the model, none of them

exhibit relationships with magnitude. Further, sensitivity to outliers ultimately destroys confidence in the humanitarian finding. In sum, the results of table 3.6 refute the primary hypothesis that economics explain variance in labor migrant rights. Instead, public support for migration control is the only indicator consistently associated with the provision of fewer immigrant rights.

The non-findings of table 3.6 are very interesting. Economics do not explain cross-national variance in labor immigrant rights. This non-finding is very counterintuitive, since the residency of the labor migrants is based on economic conditions and the ability of the migrant to find employment. Because theory so strongly suggests economics should matter for the inclusiveness of labor migrant rights, the relationship between the economy and labor migrant rights requires additional investigation. The small sample size in table 3.6 possibly prevents weaker relationships from revealing themselves. When all variables are included in the model the political variables may be explaining all the variance in labor migrant rights across the 25 cases, especially since the strength of politically conservative ideology is determined in reference to the economy. To be sure the power of economic factors is not being overwhelmed by other variables in the analysis, a model including only the economic determinants is considered in table 3.7.

Table 3.7. OLS Models of Labor Migrant Rights with Robust Standard Errors				
DV: Labor migrant rights	5	6	7	8
GDP	-0.034 (0.074)	-0.055 (0.057)		
Native higher education	-18.837 (45.248)			-30.935 (14.070)
Unemployment	-1.605 (1.231)	-1.809 (1.172)	-1.230 (0.884)	-1.307 (0.801)
GDP growth	1.519 (3.154)	1.425 (3.116)	1.041 (2.904)	1.303 (2.887)
Social spending	1.776 (1.589)	1.726 (1.554)	1.655 (1.511)	1.755 (1.444)
Construction labor	-0.638* (0.353)	-0.706* (0.372)	-0.689* (0.332)	-0.587* (0.296)
Industry labor	-4.745** (1.536)	-5.098** (1.524)	-4.891** (1.398)	-4.426** (1.397)
Immigrant education	-22.992 (83.138)	-51.380* (27.683)	-49.895* (27.144)	
Constant	586.77** (163.090)	635.386** (148.593)	607.130** (133.865)	543.186** (136.558)
Observations	20	20	20	20
R^2	0.568	0.561	0.545	0.563
**p<0.05,*p <0.1				

When political variables are not included in the model, the size of the labor force employed in industry and construction shares a consistently negative relationship with labor migrant rights. This contradicts the hypothesized relationship where the prevalence of immigrant-friendly industry creates an environment where rights for immigrants are endorsed by business. Most likely the relationship is negative because the large number of native workers employed in these industries feel threatened by the immigrant labor, and push for restrictive policies either independently or through their unions. The "British jobs for British workers" movement illustrates this scenario. This theory would make sense with the finding that public opinion is the most significant policy determinant. Further, the relationship between the prevalence of industry/construction workers and labor migrant rights could signal a spurious

relationship between socioeconomic status and support for immigrant rights even though educational attainment is controlled for. Supporters of nationalism and radical conservatives are typically blue-collar males, the same demographic working in construction or industry (Norris 2005). Despite the significant and potentially confusing results when the economic variables are considered in their own model, the policy decisions are not made in a political vacuum, and the fact that the economic relationships wash out when party and ideological variables are included in the model suggests that politics are the *most* important cross-national explanation for policy variance in migrant rights provision.

Family migrant rights

This chapter questions if variance in labor and family migrant rights are explained by the same considerations. To make an accurate and complete comparison between the determinants of labor and family migrant rights, the model from Table 3.6 is run against family migrant rights as the dependent variable. The inconclusive results are presented in Table 3.8, where significant relationships vary widely depending on the specification of the model.

Table 3.8. OLS Models of Family Immigrant Rights with Robust Standard Errors				
DV: Family migrant rights	9	10	11	12
GDP	0.089 (0.158)	0.116 (0.200)	0.178* (0.081)	0.177** (0.064)
Native education	74.364 (39.376)			
Unemployment	0.700 (1.417)	1.614 (2.339)	0.950 (1.560)	0.291 (1.072)
GDP growth	-4.456** (1.036)	-5.032* (2.465)	-3.363 (1.978)	-2.797* (1.537)
Social spending	-0.773 (0.689)	-0.325 (1.011)	-0.751 (0.782)	-0.630 (0.532)
Construction labor	-0.649 (0.487)	-0.421 (0.346)	-0.206 (0.263)	
Industry labor	0.209 (2.223)	1.018 (2.363)	1.368 (1.991)	
Immigrant education	-94.425 (56.509)	28.188 (32.662)	3.632 (27.198)	
Center right party vote share	-0.035 (0.209)	-0.253 (0.241)	-0.114 (0.184)	-0.027 (0.135)
Vote share of anti-immigrant party	-0.787 (0.604)	-0.561 (0.545)	-0.398 (0.302)	-0.336* (0.189)
Public support for immigration control	-0.743** (0.233)	-0.432 (0.269)	-0.665** (0.223)	-0.639** (0.129)
Human rights organization membership	0.208 (0.138)	0.300 (0.269)	0.113 (0.199)	0.058 (0.123)
Immigrant population	15.463 (48.283)	-67.598 (72.946)		0.692 (25.417)
Immigration flows	-1746.329* (825.677)		-1862.582** (501.535)	-2143.953** (358.155)
Constant	200.940 (257.366)	48.773 (237.176)	21.790 (195.641)	136.895** (26.469)
Observations	20	20	20	26
R^2	0.93	0.774	0.862	0.818
**p<0.05,*p <0.1				

As with labor migrant rights, a consistent relationship with high magnitude is the one between public support for immigration control and family migrant rights. This relationship only loses significance in model ten. At the same time, immigration flows explain variance in family migrant rights through a negative relationship, where countries receiving high numbers of

immigrants give fewer rights to those immigrants. This finding corresponds with theoretical expectations, and is not vulnerable to outliers. However, immigration flows are highly collinear with other indicators in the model, notably GDP. When GDP is not included in the model, the importance of immigration flows loses magnitude. The fragility of the finding prevents immigration flows from being seriously considered as a determinant of family migrant rights

It is interesting to note the sporadic significance of economic indicators in models eleven, thirteen and fourteen. GDP is significant in models eleven and twelve. However, this relationship declines in magnitude when Luxembourg (an outlier according to its Cook's Distance statistic) is removed from the analysis, and the relationship cannot reliably explain variance in family migrant policy. Economic growth is significant in models nine, ten, and twelve. The relationship holds up after outlier analysis. However, the negative relationship goes against theoretical expectations, suggesting that in contexts with high growth, family migrant rights are more restrictive. This could be explained by the relatively high correlations between economic growth and social spending, immigrant higher education, and center right party vote share (see Appendix N). More likely, economic growth signals a spurious relationship. The countries with the highest growth in Europe in 2005 are the developing economies, largely the countries of central and eastern Europe (See Table 3.9). The correlation between economic growth and being one for the first fifteen members of the European Union is -0.57. Central/east European countries have a special relationship with immigration and immigrant rights for a variety of economic, social and political reasons. An exploration of the difference between west and central/eastern European countries is beyond the scope of this project at present, but the correlation between growth and central/eastern European countries prevents economic growth from being seriously considered as a determinant of family migrant rights across Europe.

Table 3.9. Economic growth and EU15 membership (2005)					
	Economic growth	EU 15		Economic growth	EU 15
Italy	0.7	X	Poland	3.6	
Germany	0.8	X	Spain	3.6	X
Portugal	0.9	X	Cyprus	3.9	
Belgium	1.8	X	Hungary	3.9	
France	1.9	X	Malta	4	
Netherlands	2	X	Slovenia	4.3	
UK	2.2	X	Luxembourg	5.2	X
Denmark	2.4	X	Czech Rep	6.3	
Austria	2.5	X	Ireland	6.4	X
Switzerland	2.6		Slovak Rep	6.5	
Norway	2.7		Lithuania	7.8	
Finland	2.8	X	Estonia	9.2	
Greece	2.9	X	Latvia	10.6	
Sweden	3.3	X			
Source: Eurostat					

In sum, there is very little to distinguish the explanations for variance in family migrant rights from those of labor migration rights. Public support for immigration control explains variance in both cases, and is the only finding not vulnerable to outliers or high collinearity. The unexpected similarity in variance of labor and family migrant rights confirms the suspicion planted by the high correlation between the indicators of labor and family rights and the lack of difference is underlined by a Chow Test demonstrating the absence of any statistical difference in the way the model works to describe labor vs. family migrant rights (See appendix O). This similarity is surprising due to the different justifications for family and labor for migration and the diverse reactions to the different types of migration: public responses to labor migration have historically focused on economics, while the focus of family migration policy is integration.

Even with the strong theoretical argument for the difference between labor and family migration policy, it is possible to rationalize the lack of difference in three ways. First, once labor and family migrants are resident in a host state, it is very difficult to distinguish between them. Often the political right will have no desire to distinguish between immigrant groups,

especially if they want to use immigrant groups as a scapegoat for poor economic or social conditions. When using immigrants as a scapegoat, little attention is paid to whether the migrants in question are laborers or family members. When a politician or a voter sees an immigrant, they will not know whether that immigrant is a family or a labor migrant, and any negative opinions developed about either labor or family migrants could be applied to any migrant (or minority). For resident migrants, the negative opinion about either immigrant group could have negative political consequences for *all* immigrant groups.

Second, once immigrants are resident in a European host country, the category of entry looses significance for all practical purposes. The right to reside typically includes the right to work, and family migrants will work alongside labor migrants. As an interview subject working at a French legal NGO explains, "The family are all people who are going to get involved in the labor market. If it's children they will get involved later on, if it's wives and husbands right now" (2, personal communication, 9/9/08). Since the policies under investigation in this chapter all concern rights given to migrants after they have entered the country (at which point all migrants have the same working privileges), it makes sense that the distinction between the policies would be blurred.

Third, the dependent variables under consideration are measuring rights-based policies for both family and labor migrants. As already mentioned, the focus on rights slightly weakens the weight of the theoretical distinction between labor and family, which is primarily based on the differences in policies governing flows (immigration policies). Perhaps it is not surprising to find that the same political policy pressures determine social and economic rights regardless of whether the rights apply to labor or family migrants. Once the migrant is inside the host country,

the importance of the labor/family category of entry becomes less relevant, and rights are equally applied.

Even with reasons for finding similarity between labor and family migrant rights provision, there is a minor difference between the public opinion policy determinants. Public opinion has greater magnitude in describing labor migrant rights variance than it does for family migrant rights. Perhaps labor migration is more firmly in the hands of the public because labor is domestically managed phenomenon, and is less associated supranational human rights law. Therefore, at the policy-making stage is easier to justify an anti-immigrant policy in terms of public sentiment and protecting native workers from foreigners. It is far more difficult to frame the same kind of debate around family members, especially with the moral weight carried by the family and with the heavily institutionalized right to private and family life. Slight differences aside, the results of the analysis conducted here suggest cross-national variance in labor and family migrant rights are directly and almost exclusively associated with public support for immigration control.

3.5 CONCLUSIONS

This chapter has two objectives: explain variance in labor migrant rights, and to compare the difference in determinants to those for family migrant rights. It has three primary findings: 1) the economic conditions of a country do not determine labor migrant rights in cross-national perspective; 2) Public support for immigration control is the only significant policy determinant of both labor and family migrant rights; 3) there is very little difference in the determinants of labor and family migrant rights.

Perhaps the most surprising finding of the analysis here is the low magnitude in the relationship between the economic variables and the outcome of labor migrant rights. Because

refugee and family flows are technically governed by human rights, labor migration is the only real avenue of entry for which the state can brazenly consult national interests. For example, a lot of publicity has surrounded point-based systems that allow states to allow migrants only *with explicit reference to economic needs.* Labor migrant rights are an extension of labor immigration policies governing flows, and should therefore fall privy to the same economic calculations. In fact, none of the economic indicators reliably predict labor migrant rights. Of course, the focus on rights as the dependent variables of the analysis could account for this surprising result. Most literature discussing the relevance of the economy for labor migration policy is focused on policies governing entry. Because the dependent variable analyzed here only measures the rights provided to immigrants after they are already resident within the country, the statistical results cannot take account of the possible difference between the labor and family immigration policies governing entry. Once comparable data on policies governing the entrance of labor and family migrants is available, economic calculations may gain statistical significance.

Politics are the driving force behind both labor and family migrant rights. Public support for closed immigration is the most consistent explanation for policy variance across the European continent in 2005-2006. Countries with a high percentage of the population expressing support for immigration controls are more likely to have a less comprehensive package of rights. Clearly there is more to the story of restricting immigrant rights than the simple public opinion explanation suggested by the quantitative data. The cross-national data examined in tables 3.6 and 3.8 cannot speak to the political maneuverings that take place within the context of each policy proposal. The French case provides an example for how policy makers use the political context to achieve restrictive policies. These findings suggest democratic responsiveness to public desires. However, this responsiveness raises the question of whether governments should

be negotiating with public sentiment over universal human rights. By definition, human rights should be universally applied. The politicization of granting political, social and economic rights raises a big question about the sustainability of human rights law in democratic contexts.

The similarity of variance in labor and family migrant rights is theoretically surprising for several reasons. First, labor and family migrants move for very different reasons. Labor migrants move to seek employment and an improved standard of living, while family migrants move to join loved ones. Second, the costs incurred by labor and family migrants are dissimilar. Labor migration is largely a feature of supply and demand, and therefore has macroeconomic consequences. Migrant laborers must work in order to maintain their visa, and workers compete with natives for local employment and fill gaps in the economy. In other words, the costs and benefits of labor migration are *economic*. The logic of family migration does not work in the same way. Family migrants may work, but are not required to do so. They carry some economic threat (usually in the form of increased social spending on migrant families), but in general, the costs and benefits of family migration are social: family migrants make a cohesive family unit out of a singe migrant, the family settles and becomes part of a community. Some individuals view community membership as a positive development (like those who view migration as a way to compensate for population decline within Europe) while others feel threatened by culturally different migrant families. The clear societal implications should make family migration vulnerable to concerns separate from those driving labor migration. Third, states have varying degrees of autonomy over labor and family migration. Family migration is governed by human rights. Within the European Union, member states are required to tolerate family migration pertaining of legally resident third country nationals. Labor migration carries no such requirement, and allows nation states to consider national interest. All three of these reasons

suggest labor and family migration should be vulnerable to different policy constraints. However, in cross-national statistical analysis of variance across labor and family migrant rights, the appeals of bread and blood matter little: economic and humanitarian concerns are overwhelmed by politics.

Possibly a vast difference between labor and family immigration policy variance does exist, but the difference could not be captured in the available data. The data used here suggest that there is very little difference in the politics of rights provision, but cannot comment on the difference between immigration policies. This presents a fascinating new research question: Perhaps there is a difference between policies governing migrants *before* they enter the country (immigration policies) and those granting them rights *after* they are already residents (immigrant policies). This question is explored through a consideration of immigration and immigrant policies in chapter four. The difference between immigration and immigrant policy could be crosscutting, meaning that it may manifest itself in both labor and family migration policies. Once more data on labor immigration policy is collected, the crosscutting nature of the immigration/immigrant policy divide can be tested. In the mean time, it is too soon to give up on the theory that labor and family migration policies are determined by different concerns. So far, we know variance in labor and family migrant rights are explained by the politics of public opinion. The theory of difference maintains its relevance for immigration policies, and is only waiting for comparable data on the labor and family immigration policies to make a statistical test appropriate.

CHAPTER 4

Imagined vs. Real People:
Family Migration Policies Before and After Entry

The previous chapter finds little difference in the determinants of labor and family migrant rights. The similarity in the results from the statistical models could be the product of the policies considered in the data, which are limited to migrant rights (immigrant policies). Migrant rights concern resident immigrants under the protection of the nation state. In the meantime, a difference may exist between labor and family migration policies governing immigrant entry (immigration policies). While the data required to test the difference between labor and family immigration policies does not yet exist, the logic that immigration and immigrant policies are vulnerable to different concerns can be tested with empirical data on family migration policies. The purpose of this chapter is to uncover differences between the determinants of policies granting the right to migrate (immigration policies) and those governing resident migrants (immigrant policies).

States clearly maintain distinct immigration and immigrant policies. Immigration policies involve the rules governing migrant entry into a territory and include all residency requirements. Immigrant policies govern the legal rights, social opportunities, and the political and cultural participation of immigrant groups in wider society. Typically the two realms of policy are written by different legislative bodies and managed by separate ministries in the government. However, a question remains over whether these two realms of policy are motivated by distinct concerns. Theoretically, mechanisms of immigration control limit themselves to short-term cost-benefit calculations, while immigrant policies are motivated by long-term societal concerns.

However, as suggested in the previous chapter, rights provision is related to immigration control because a more comprehensive package of immigrant rights attracts migrants to a host state. Concerns over immigration control can therefore influence both immigration and immigrant. This chapter seeks to explain immigration and immigrant policy variance through asking the following: What explains variance in policies targeting migrants *before* their immigration into a host state, and those addressing immigrant groups *after* they have achieved a right to reside?

Immigration policies are implemented in reference to "imaginary people" where immigrant groups exist hypothetically. Policy decisions are made on the basis of conjecture, prediction, estimation, or generalization and may not involve concrete knowledge about specific attributes or challenges brought by an immigrant group. The absence of specifics from the decision-making process allows policymakers to be politically extreme, and to assume a worst-case scenario about the flood of immigrants invading national borders. For family migrants, the result of this negative conjecture is a more restrictive set of policies.

"Real" migrant residents are addressed by immigrant policies. In this scenario, family migrants have been through an initial screening process and have gained an initial right to reside in the host country. The immigrant policies govern the migrant's rights and privileges within society. These immigrants are "real" because their physical presence in the host state allows policy makers to identify the migrant, their demographics, socioeconomic status, and location. The social and economic impact of "real" migrant populations is relevant for domestic politics: the population is physically confronted with the migrant family, the local media publicizes immigrant human-interest stories, and migrants might have a right to vote in local elections.

The theory that a physically present population motivates restrictive political impulses finds its roots in intergroup contact theory. Allport (1954) theorizes that under certain conditions

(equal group status, common goals, intergroup cooperation and support of authorities, law, or custom), bringing together diverse groups should lead to a reduction in prejudice. Subsequent research suggests the conditions are less stringent than Allport hypothesizes, and that intergroup contact appears to have a prejudice-reducing effect nearly all the time (Pettigrew 1998b; Pettigrew and Tropp 2005). However, the opportunity for members in the different groups to form friendships is an important factor in reducing discrimination: "Such opportunity implies close interaction that would make self-disclosure and other friendship development mechanisms possible" (Pettigrew 1998b, p. 76; Allport 1954; Cook 1962). This study adds an additional assumption: any positive effects of intergroup contact require the two groups to be in the same physical space, which makes the out-group real and relevant for the in-group. If the minority groups are not "real" the necessary relationships cannot be formed between groups. As the contact occurs, people and their political representatives express more tolerant views toward the out-group. For family migrants, the result of favorable contact should be a more comprehensive package of immigrant policies granting additional rights to family migrants.

The theoretical difference between immigration vs. immigrant policy formation is based on the effect of immigrant residency and contact with the native population. For policies governing "imaginary" migrants, determinants associated with controlling the flows of immigrants into the host state should be the most important. Domestic conditions informing decisions of immigration control relate to the economy, demography, and the politics of the radical right. These conditions should determine immigration policy through defining the parameters of a cost-benefit analysis of the benefits of migration. Because resident immigrants interact with the native population, the politics of immigrant policy are not the exclusive product of a cost-benefit analysis. Instead, contact should make the humanity of the migrants evident to

policy-makers and voters, allowing humanitarian and more moderate or left-leaning politics to dominate the policy making process concerning "real" migrants.

The difference between immigration and immigrant policies highlight an important conceptual distinction within immigration policy. A failure to consider immigration policy separately from immigrant policy results in the misspecification of the policy decision-making process and causes misleading results. This chapter explores determinants of immigration policies for "imaginary people" versus immigrant policies applied to "real people". The chapter is organized as follows. The next section discusses the distinction between family immigration and immigrant policies and derives hypotheses. The subsequent section describes the data and estimation procedure. The third section explains the results finding the most important explanations of policy variance are political, where the radical anti-immigrant right has the biggest magnitude for describing family immigration policy variance and mainstream politics of the center right and public opinion explain variance in family immigrant policy. The final section concludes.

4.1 CONCEPTUAL BACKGROUND

Immigration policies

Thomas Hammar (1985) distinguishes between *immigration* policies governing immigration control and *immigrant* policies, which are integration policies or rights provisions applied after migrant entry. Immigration policies for family migrants traditionally include provisions determining which family members are eligible for a family visa, and what conditions must be reached by the sponsor migrant before being eligible to bring their family into the host state (i.e. accommodation and financial requirements). European states have recently expanded the arsenal of immigration conditions to include integration policies requiring family migrants to

demonstrate linguistic proficiency and civic knowledge before entering the host country (Joppke 2007). The new use of integration measures (also called "integration from abroad") for family migrants takes integration out of Hammar's "immigrant policy" category and associates it with immigration policy: "the novelty of civic integration policy is its obligatory character, which has notably increased over time, and this notional 'integration' policy has transmuted into a tool of migration control, helping states to restrict especially the entry of unskilled and non-adaptable family migrants" (Joppke 2007, p. 5). The emphasis on control as the objective for immigration policies corresponds with the theoretical expectations for policies dealing with "imaginary" people. Where the threat from immigrants in unknown and hypothetical, the automatic impulse is to control immigrant flows. Determinants concerned with immigration control focus on the domestic economic, demographic, and political costs of immigration. The theory surrounding policies of immigration control is largely covered in previous chapters, but is briefly revisited here.

The negative effects of migration will be felt less severely and policy makers are allowed to be more optimistic about potential benefits of migration if the economy is healthy (Borjas 1995). Alternatively, if the economy is doing poorly, immigration might lead to fears that immigrants are out-competing natives for jobs (Smith & Edmonston 1997; Coppel, Dumond & Visco 2002). Since the unemployment rate often signals economic health, where unemployment his high, family immigration policy should be more restrictive.

Because welfare states must protect themselves from outside economic pressures and restrict benefits to members, welfare states or countries with high social spending are considered to be incompatible with open movement of people. Further, the economic and social characteristics of many migrant groups lead them to draw disproportionately from the welfare

system (Freeman 1986; Geddes, 2003; Borjas, 1999; Bailey, 2005; Allard & Danzinger, 2000). The incompatibility between the welfare state and open labor suggests a negative relationship between high welfare spending and inclusive family immigration policy.

Immigration policy is also affected by demography. The European workforce is aging and fertility is low among EU nationals. The reduced number of taxpayers translates into bad news for the expansive welfare states of most EU member states. Governments might wish to encourage "replacement migration" in order to compensate for demographic change (UN Population Division, 2002; Zimmerman 1995)). Because families migrate with the clear intention to settle in the host state, family migration guarantees generations of second and third generation immigrants to support the economy, making family migration a weapon to tackle the declining work force. In countries with low fertility, family immigration policy should be more inclusive, allowing settled immigrant families to compensate for an aging population.

The size of the immigrant population determines the extent of economic and social damage caused by immigration; a large resident immigrant population is associated with perceived negative costs to society. Further, public demand for tighter immigration control increases when there is a large or a rapidly growing immigrant population (Money 2007). In countries with a large migrant population, family migration policy should be more restrictive.

The political determinants of immigration control connect to party politics. Conservative parties hold the most consistent positions on immigration and endorse restrictive policies based on of cultural conservativism, nationalism, and sometimes xenophobia (Thränhardt 1995). Conservative parties focus on immigration and xenophobia because issues of immigration obscure economic politics, seize votes from the left, and diminish support for the radical right

(Pettigrew 1998). In countries with large electoral support for conservative or right-leaning political parties, family migration policy should be more restrictive.

However, conservative parties have difficulty establishing party preference on immigration policy because of the rigors of coalition building among the major centrist parties. Political negotiations prevent governments from entering office with binding policy commitments on immigration, and parties often break campaign promises on immigration policy (Messina 1989; Freeman 1979; Katznelson 1973). As a result, the proposed immigration policies of centrist conservative parties are vague, especially when compared with the clear anti-immigrant priorities of parties on the radical right.

Anti-immigrant parties do not gain enough support to accumulate significant seats in the national parliament, which should make their policy influence minimal (Messina 1989; Freeman 1995). However, under the right circumstances, the radical right influences immigration policy directly and through provoking a policy response from other parties (Schain, 2006; Williams 2006; Norris 2005; Pettigrew 1998; Messina 1989). The radical right shifts the political discourse surrounding immigration, and support for an anti-immigrant party should correspond with restrictive family immigration policy.

Public opinion influences immigration policy through communicating a preference to elected representatives. However, the public is not usually consulted on issues of immigration policy, and any public policy influence occurs during elections, especially when immigration is a salient political issue (Hoffman-Nowotny, 1985). Lately, the European populace has responded negatively to the presence of immigrant groups in their societies (Pettigrew 1998). Where the public articulates strong preferences for immigration control, national decision-makers will be more likely to pass restrictive policies than in contexts where the public is favorable to

migration. In countries with hight public support for immigration control, family immigration policy should be more restrictive.

Immigrant policies

Immigrant policies deal with "real" individuals who already contribute to society. The migrants are in plain sight of politicians, the domestic population and the media: The consequences of an ineffective or unjust immigrant policy will be felt within the host state where the policy target is local. In large part, immigrant policies are limited to securing rights and privileges of the migrant population. For example, immigrant policies grant protection against deportation or access to certain social services like education, health care, and employment assistance. Due to the rights-focused nature of immigrant policy and the domestic constraints incurred when legislating against a local population of "real" migrants, immigrant policy should be exempt from most concerns of immigration control, and should be most susceptible to humanitarian and ideological arguments.

Ideological perspectives related to family migration policy include domestic respect for human rights and the dominant political discourse deciding the state's responsibility to human rights. Human rights protect the right to family migration. When dealing with family, politicians are bound by international law. The degree to which a state and its public are sympathetic to the general concepts and practices in human rights law should indicate their acceptance of liberal family migration principles. The principles of human rights and humanitarianism argue human beings are deserving of a certain fundamental standard of life regardless of nationality or location: the economic, social, and cultural rights included in the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights apply directly to the rights and privileges covered in immigrant family migration policies (the rights to

legal redress, employment, education, and social services, for example). In contexts with high levels of socio-political respect for human rights increase, family immigrant policy should be more inclusive.

Politics inform immigrant politics by deciding the state's responsibilities towards non-citizens. As already mentioned, conservative or right leaning parties typically endorse more restrictive concepts of citizenship or belonging and are less sympathetic to international claims on national resources. Likewise, radical right parties promote restrictive citizenship policies founded in an ethnonational concept of national identity, and are very opposed to globalization and internationalization (Howard, 2006; Kitschelt, 1995). Despite the liberalizing influence of human rights, in contexts with high support for conservative political parties, family immigrant policy should be more restrictive.

On the other side of the ideological spectrum, left-leaning parties are more likely to endorse policies of inclusion, multiculturalism, and internationalism, and to support domestic and international application of human rights (Risse Kappen 1991; Thérien and Noel 2000). Though consensus building often bogs down left parties when it comes to immigration policy, they are generally more open to considerations outside strict national interest. Countries with high support for leftist political parties should also endorse more inclusive family migration policies.

Hypotheses

Family immigration policies should function as policies of immigration control, and variance in policy is most likely explained by a cost-benefit analysis based on domestic economic, demographic, and political conditions. Alternatively, immigrant policies are more likely to be explained by humanitarian and ideological factors. These arguments, coupled with

the literature on the determinants of immigration policy lead to the following hypotheses:

- Hypothesis 1: Unemployment, welfare spending, fertility rates, the size of the immigrant population, and support for the radical anti-immigrant right are all conditions associated with immigration control, and should describe cross-national variance in immigration but not immigrant policies.
- Hypothesis 2: Support for conservative political parties should explain cross-national variance in immigration and immigrant policies.
- Hypothesis 3: Support for leftist parties and respect for human rights should describe cross-national variance in immigrant but not immigration policies.

4.2 ESTIMATION

Measuring immigration and immigrant policies

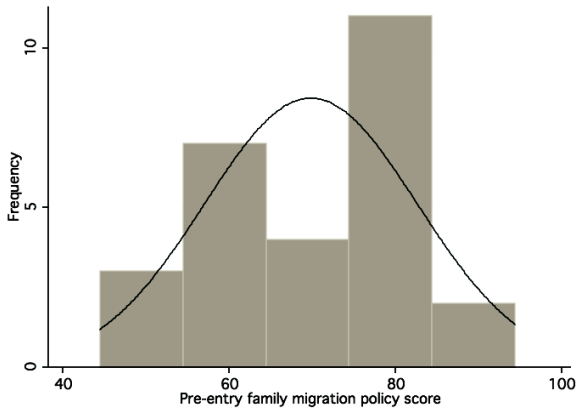
The multivariate models specified below are implemented using data from the Migrant Integration Policy Index (MIPEX) published by the Migration Policy Group and British Council (Niessen et al., 2007). The data is described in detail in chapter 2. The MIPEX indicators align with the two dimensions of family immigration and immigrant policies. The family immigration policies are detailed in table 4.1, and include indicators measuring the requirements and conditions for gaining a family reunification visa.

Table 4.1 Family Immigration Policies

- **Eligibility for status**
  - Of sponsor/legal resident
  - Of spouse/partner
  - Of minor children
  - Of dependent relations
    - In ascending line
    - Adult children
- **Conditions for acquisition of status**
  - Passing integration test
  - Imposition of integration course
  - Language assessment
  - Accommodation requirement
  - Economic resources requirement
  - Length of application procedure
  - Cost of application

The indicators measuring eligibility cover how long the sponsor must be legally resident within the country, if age or integration conditions apply to the spouse, if age or marriage conditions determine the entry of a minor child, and whether dependent relations are allowed. The conditions for the acquisition of status include the integration measures required of family migrants before they can migrate (integration tests, integration courses, and language assessments), the conditions the sponsor migrant must fulfill before becoming eligible to bring family members over (accommodation and economic requirements), and the length and cost of the family application procedure. The resulting index measures all requirements and conditions applying to immigrants before they can obtain a family migration visa for a EU country. The scores are standardized on a scale of 0 to 100 with 33 representing the lowest possible policy score and 100 the highest, or most inclusive. The scores for family immigration policy range from 44 to 94 and are illustrated in table 4.2.

Table 4.2 Family Immigration Policy Scores			
Sweden	94	Belgium	72
Portugal	86	Estonia	72
Ireland	83	Germany	72
Hungary	81	UK	72
Lithuania	81	Norway	64
Malta	81	Netherlands	64
Slovenia	81	Slovak Republic	61
Italy	78	Latvia	68
Poland	78	Switzerland	68
Czech Republic	75	Cyprus	56
Luxembourg	75	Greece	56
Spain	75	Austria	47
Finland	75	France	47
		Denmark	44
Obs.	**Mean**	**S.D.**	**Range**
27	69.86	12.79	44 -94



Family immigrant policies are detailed in table 4.3, and include indicators of how secure the family reunification visa is and which rights are given to resident family migrants.

Table 4.3 Family Immigrant Policies

Security of status

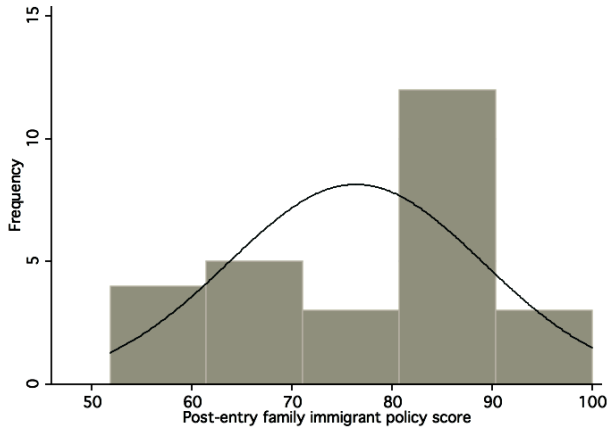
- Duration of validity of permit
- Ground for withdrawing, rejecting, refusing to renew status
- Before refusal, due account given to family circumstance (by law)
- Legal guarantees or redress in instance of refusal or withdrawal

Rights associated with status

- Right to autonomous residence for spouse/partner and children
- Right to autonomous residence for other relatives
- Access to education and training for adult family members
- Access to employment and self-employment
- Access to social security, social assistance, healthcare, and housing

The indicators of security measure how often a family reunification visa must be renewed, the grounds for refusing a visa to a family member, whether the state is legally required to consider the immigrant's special family circumstance, and the provision of legal redress if a family migrant is denied status. The indicators of rights associated with immigrant status cover two main areas: the right for family members to eventually seek autonomous residence, and the access of the family migrants to education, employment, and social welfare. The scores have been standardized on a scale of 0 to 100 with 33 representing the lowest possible policy score and 100 the highest or most inclusive. Table 4.4 illustrates the standardized range of 52 to 100 for family immigrant policy scores across European states. The specific coding breakdown of each individual policy indicator for both family immigration and immigrant policies is detailed in appendix P and Q.

Table 4.4 Family Immigrant Policy Scores			
Italy	100	France	81
Sweden	96	Malta	78
Portugal	96	Greece	78
Slovenia	85	Czech Republic	74
Spain	85	Switzerland	67
Norway	85	Denmark	67
Netherlands	85	Luxembourg	63
Finland	81	Austria	63
Lithuania	81	Cyprus	63
Poland	81	Slovak Republic	59
Belgium	81	Latvia	59
Estonia	81	Hungary	56
Germany	81	Ireland	52
UK	81		
Obs.	**Mean**	**S.D.**	**Range**
27	76.41	12.75	52-100



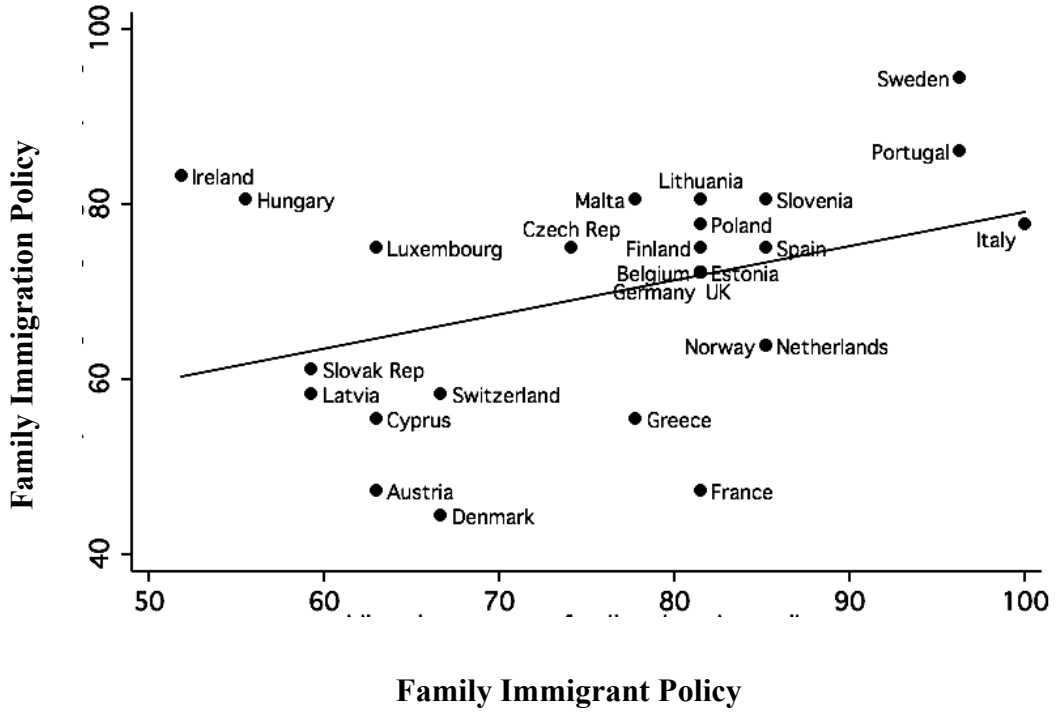
As discussed in chapter two, principal factor analysis tests whether variables can be grouped together and explained by a smaller number of variables called factors. Though most of the variables making up the family migration policy index do load on a single factor, a closer investigation of the loadings allows for a slight nuance supporting the idea that family immigration and immigrant policies are theoretically distinct. Table 4.5 illustrates the eigenvalues of the factors and the factor loadings for each component of the dependent variable indices. The policy components primarily load on two factors. Most of the immigration policy

indicators load on factor one, and most of the immigrant policies load on factor two. The only immigration policy to load on factor two is the policy measure of the conditions the sponsor needs to meet before becoming eligible to bring family members into the host state. It makes sense that this indicator would group with immigrant policies, because for the sponsor migrant, it *is* an immigrant policy. However, because this policy fits theory predicting family migration policies as a mechanism of control, it is grouped with immigration policies in the dependent variable. A few immigrant policies also load on factor one. The indicator of the duration of the validity of the permit and the grounds for rejecting family status load on the first factor, and the two indicators of the right to autonomous residence load on both the first and second factor. The correlation between these variables and the first factor of immigration policies makes sense, because they relate to providing the right to reside, just like the other immigration policies do. However, because these policies relate to legal rights for "real" immigrants already identified by natives of the host country they are included in the immigrant policy index. Though the factor analysis presents slight changes to the theoretical concepts of immigration and immigrant policies, it confirms the potential importance of theoretically distinguishing between the different bodies of policy.

Table 4.5 Factor analysis of family migration policies					
Factor	**Eigenvalue**	**Factor**	**Eigenvalue**		
1 **2** **3** **4**	4.84103 2.87560 1.69117 1.45833	**5** **6** **7** **8**	1.39306 1.17188 0.83452 0.63082		
	Factor (eigenvalue)	**Factor 1 (4.841)**	**Factor 2 (2.876)**	**Factor 3 (1.691)**	**Factor 4 (1.458)**
Eligibility for status	Eligibility of sponsor/legal resident	-0.0107	0.4773	0.1293	0.2201
	Eligibility of spouse/partner	0.3681	-0.1317	0.3129	0.1451
	Eligibility of minor children	0.4303	-0.1043	-0.1237	0.2862
	Eligibility of dependent relations in ascending line	0.8150	-0.1269	0.2100	0.3005
	Eligibility of adult children	0.7856	0.1756	0.0474	0.1787
Conditions for acquisition of status	Passing integration test	0.7110	0.2384	0.2955	0.3015
	Imposition of integration course	0.6693	-0.1956	-0.2075	-0.3975
	Language assessment	0.7135	-0.2313	-0.4136	-0.1137
	Accommodation requirement	0.4351	0.0564	0.1209	0.3117
	Economic resources requirement	0.2702	0.2697	-0.1923	0.0479
	Length of application procedure	0.3811	-0.3810	0.5263	-0.0251
	Cost of application	-0.0343	-0.3611	0.4777	-0.2232
Security of Status	Duration of validity of permit	0.6430	-0.0726	-0.2381	-0.0924
	Ground for withdrawing, rejecting, refusing to renew status	0.4941	-0.2914the	0.2680	-0.2281
	Before refusal, due account given to family circumstance (by law)	-0.1620	0.6100	-0.1931	-0.2154
	Legal guarantees or redress in instance of refusal or withdrawal	0.2320	0.2906	-0.4399	0.4503
Rights associated with status	Right to autonomous residence for spouse/partner and children	0.5333	0.6237	0.1511	-0.0292
	Right to autonomous residence for other relatives	0.5405	0.4741	0.2357	0.0629
	Access to education and training for adult family members	0.1412	0.6285	-0.0449	-0.5800
	Access to employment and self-employment	0.1619	0.3396	0.3098	-0.3403
	Access to social security, social assistance, healthcare, and housing	0.0857	0.6339	0.3471	0.0788

Figure 4.1 illustrates the correlation between the immigration and immigrant policy indices.

Figure 4.1 Correlation of Family Immigration and Immigrant Policy



Pearson's R: 0.3892

The two indices are not very highly correlated with a Pearson's R of 0.39. Further, there are cases where a country appears to be quite restrictive in one policy area and inclusive in the other. For example, Ireland appears to have very open family immigration policies (would achieve best practice if all migrants enjoyed the same favorable treatment, but very strict immigrant policy provisions (the worst in the sample). Conversely, France has very unfavorable family immigration policies (the conditions for entry are the worst in the sample), but is relatively liberal in their immigrant policy provisions. This paper seeks to address the distinct behavior across policy areas like those exhibited by Ireland and France.

The empirical models

This chapter asserts that family immigration and immigrant policies are theoretically distinguishable. Immigration policies deal with "imaginary" migrants and the hypothetical nature of the immigrants allow more extreme motivations to dominate the policy making process. In particular, immigration policies are vulnerable to efforts to control flows of imaginary migrants. Economic, political, and demographic characteristics should be the best predictors of family immigration policy. Family immigrant policies are concerned with rights conferral for "real" migrants residing in a host country. Because these policies focus on granting political and social rights to visible migrants, the policies should be determined by public ideology and humanitarian concerns. In order to prove the hypotheses arguing certain determinants should only predict immigration policy, some describe both immigration and immigrant policy, and some should only determine immigrant policy, the following model containing all determinants is run on both policy indices:

Family immigration/immigrant policy = $\alpha + \beta_1$GDP + $\beta_2$unemployment rate + $\beta_3$social spending + $\beta_4$vote share of center right party + $\beta_5$vote share of anti-immigrant party +$\beta_6$vote share of left party + $\beta_7$public support for immigration control + $\beta_8$immigrant population + $\beta_9$immigration flows + β_{10}fertility rate + β_{11} respect for human rights + *e*

GDP, unemployment, and social spending capture economic conditions in the host-state and the presence of a welfare state. The vote share won by the center right, the vote share of anti-immigrant parties and the vote share won by parties on the left measure political and ideological pressures relating to political parties. An anti-immigrant party is identified through the party classification by the Chapel Hill Expert Survey and by news sources detailing the party's use of anti-immigrant or ethno-national slogans, advertisements, or leadership.[i] Table 4.6 exhibits the data for relevant anti-immigrant party vote shares.

Table 4.6 Anti-immigrant Parties Winning Vote Shares in Last National Legislative Elections, 2006		
Country	**Radical right party**	**Vote share**
Austria	Freedom Party of Austria, Alliance for the Future of Austria (2006)	15.15
Belgium	Flemish Interest (2003)	11.6
Denmark	Danish People's Party (2005)	13.2
Finland	True Finns (2003)	1.6
France	National Front, Movement for France (2002)	12.1
Greece	Popular Orthodox Rally (2004)	2.2
Italy	National Alliance, Northern League (2006)	16.9
Latvia	For Fatherland and Freedom (2006)	6.94
Luxembourg	Alternative Democratic Reform Party (2004)	10
Netherlands	Pim Fortuyn List (2003)	5.9
Norway	Progress Party (2005)	22.1
Poland	Self Defense of the Polish Republic (2005)	11.4
Slovakia	Slovak National Party (2006)	11.73
Switzerland	Swiss People's Party (2003)	26.7

Public support for immigration control is a measure of public anti-immigration sentiment and is used as a rough measure for the popularity for immigration control. The size of the immigrant population, immigration flows and fertility rates illustrate demographic characteristics of the host state.

There are several indicators capturing national sympathy for humanitarian ideals expressed through humanitarian behavior at the individual and state level. The percentage of a state's World Values Survey population that are members of human rights organizations measures the public support for humanitarianism. Indicators of national humanitarian donations, and the size of the refugee population demonstrate governmental levels of humanitarianism.

Table 4.7 reports the sample characteristics of the independent variables necessary for the implementation of the model specified above. Where possible, measures of the independent variables have been lagged one year to allow the effect of the determinant to filter through the policymaking process and influence the outcome, though the lag does not have a noticeable effect on the results. The Pearson's R coefficients of the correlations between the independent variables are reported in appendix N.

Table 4.7 Independent Variable Sources and Summary Statistics

Variable	Source and definition	Obs. (year)	Mean	S.D.	Range
GDP	Eurostat	27 (2005)	105.03	43.62	48.6 – 254.1
Unemployment	Eurostat	26 (2005)	3.51	2.61	0.8 – 11.7
Social Spending	Eurostat; % of GDP	27 (2005)	23.25	5.81	12.4 - 35.5
Vote share of center right party	Chapel Hill Expert Survey	27 (2006)	31.79	13.62	5.3 - 64
Vote share of anti-immigrant party	Chapel Hill Expert Survey	27 (2006)	6.20	7.82	0 – 26.7
Vote share of left party	Chapel Hill Expert Survey	27 (2006)	36.31	13.93	7.04 – 59
Public support for immigration control	European values survey; % responding "strict limits" or "prohibit people from coming"	26 (1999)	54.71	15.03	24 – 84.7
Immigrant population	Eurostat; foreign citizens per capita	27 (2005)	0.07	0.09	0.001 - 0.385
Immigration flows	Eurostat; immigration flows per capita	27 (2005)	0.009	0.008	0 – 0.033
Fertility rate	Eurostat	27 (2005)	1.50	0.24	1.24 – 1.94
Member of human rights organization	European values survey; % of respondents w/ membership	26 (1999)	5.13	8.02	0.1 – 33.3
Humanitarian donations	Financial Tracking Service; donations as % of GDP	27 (2005)	13.85	19.65	0.14 – 75.66
Refugees per capita	UNHCR	27 (2005)	3	3	0.005 – 9.3
Acceptance rate of asylum seekers	UNHCR; x1000	27 (2005)	0.20	0.16	0 – 0.63

4.3 RESULTS

Family immigration policy

Table 4.8 provides the coefficient estimates with robust standard errors for the cross-sectional OLS model testing the determinants of inclusive family migration requirements.[ii] The multiple models in table 4.8 contain different specifications of the models substituting in and out highly correlated variables (GDP immigrant population, immigration flows – see appendix N).

Table 4.8 OLS Models of Family Immigration Policy with Robust Standard Errors				
DV: family immigration policy	1	2	3	4
GDP	0.275** (0.121)			0.062 (0.051)
Unemployment	0.374 (1.350)	-0.037 (1.401)	0.194 (1.386)	0.487 (1.397)
Social spending	-0.489 (0.456)	-0.375 (0.530)	-0.156 (0.598)	-0.103 (0.572)
Center right party vote share	-0.063 (0.200)	-0.018 (0.159)	-0.012 (0.226)	-0.084 (0.187)
Vote share of anti-immigrant party	-1.176** (0.328)	-0.897** (0.385)	-0.983** (0.442)	-1.146** (0.441)
Liberal party vote share	-0.240 (0.181)	-0.108 (0.168)	-0.107 (0.189)	-0.149 (0.197)
Public support for immigration control	-0.289 (0.234)	-0.267 (0.180)	-0.249 (0.230)	-0.185 (0195)
Size of immigrant population	-64.452** (27.721)	-33.874 (37.110)		
Immigration flows	-816.679 (734.114)		-106.807 (507.277)	
Fertility	-21.623 (14.083)	-3.313 (12.347)	-3.170 (14.325)	-8.795 (14.021)
Human rights organization membership	0.363 (0.478)	0.326 (0.387)	0.239 (0.368)	0.197 (0.363)
Constant	127.479 (26.814)	110.028 (26.252)	101.941 (27.075)	102.353 (25.040)
Observations	26	26	26	26
R^2	0.577	0.463	0.431	0.445
**p<0.05,*p <0.1				

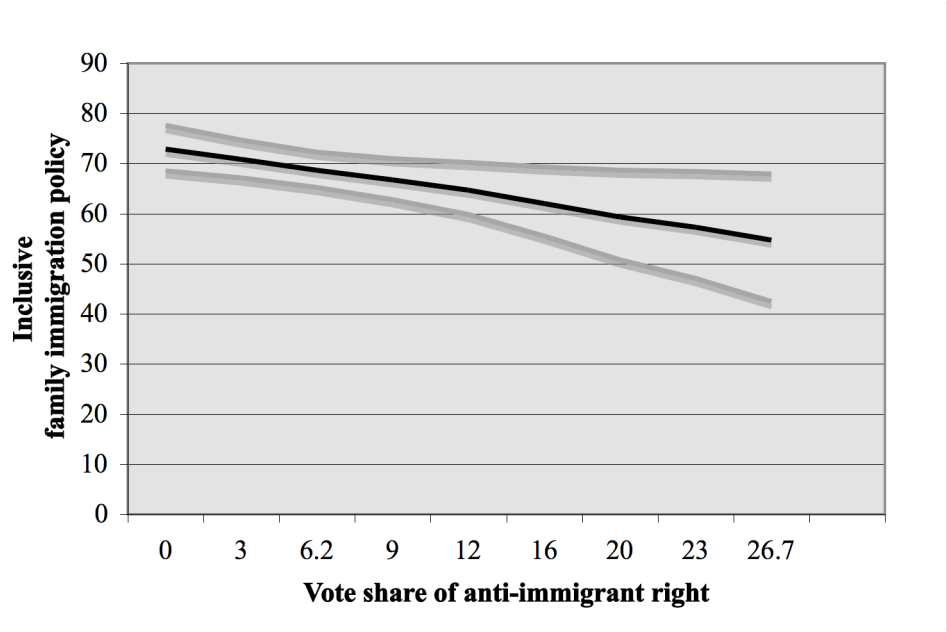
The only consistent result with high magnitude from table 4.8 is the negative relationship between vote share of the anti-immigrant parties and the outcome of inclusive family immigration policy. The size of anti-immigrant party explains policy variance, but *how* the size of the party translates into policy influence is less clear. The most obvious mechanism for how a party explains politics relates to whether the party enters a governing coalition. As previously mentioned, anti-immigrant parties rarely garner enough support to become necessary players in government (Rydgren, 2004).[iii] How do these parties influence policy? Michael Minkenberg (2001) illustrates far right influence on policy through interactions with established political parties and agenda setting, even when the radical right captures no legislative power. The results presented in table 4.8 confirm Minkenberg's findings by suggesting support for radical right parties matters for policy, regardless of whether the party enters into legislative coalition.

Interactions between mainstream and peripheral parties appear to be especially significant in determining peripheral party policy impact. In situations where mainstream parties maintain the pariah status of the anti-immigrant radical right and refuse to cooperate, the size of a radical right party will not influence policy (Downs, 2001). However, many European parties are weakening in resolve facing consistent pressure from the radical right and a crisis of the current party system (Downs, 2001; Minkenberg, 2001). For example, in Austria the radical right Freedom Party (FPÖ) achieved a place in the 2000 executive coalition, but the real effects of the party at the executive level were marginal. The FPÖ only started to influence policy after the breakup of centrist consensus within the twentieth legislative session, which resulted in the selective cooperation of the centrist ÖVP and the FPÖ on several issues (Minkenberg, 2001). The influence of the FPÖ did not depend on the formal coalition, but on the size of the party and whether it was needed to obtain a legislative majority. The Austrian case exhibits the largest

impact of the anti-immigrant radical right within the European sample. However, in other cases where the radical right has obtained sufficient power to be included in a governing coalition, their influence is consistently seen in the passage of policies dealing with "cultural change, a new *Kulturkampf* against the left, its allies and foreigners" (Minkenberg, 2001, p. 18). For example, the French case discussed in chapter two illustrates the way an anti-immigrant party can influence immigration policy without being included in government or even without a particularly large vote share (Minkenberg 2001, Messina 2007, Schain, 2002).

Figure 4.2 presents the magnitude of the empirical relationship between the radical right and family immigration policies, illustrating predicted values of family immigration policies at different levels of support for anti-immigrant parties, holding every other independent variable at its mean.

Figure 4.2 Predicted Impact of Anti-immigrant Right Vote Share on Inclusive Family Immigration Policy



In a country where anti-immigrant parties do not exist, the predicted family immigration policy score is 72.9 (see table 4.2). When the vote share of anti-immigrant parties is at the mean (6.2), the predicted policy score is slightly more restrictive at 68.7. Finally, when the vote share is at the maximum observed value of 26.7, the predicted policy score is 54.7.

Looking at actual family immigration policy scores by country in table 4.2, the policy distance represented by a country with no anti-immigrant party and one with an anti-immigrant party vote share of approximately 27% is equal to the policy distance between Spain and Austria as they are described in the 2006 MIPEX report.[iv] Spain's family migration policy profile is 66% of the way to best practice, defined as providing equal rights to nationals and foreigners. In Spain, migrants are eligible to sponsor relatives after a year of legal residence if the sponsor has a one-year residency permit. Relatives eligible for sponsorship include the spouse or registered partner, minor children, and dependent parents and grandparents. Applicants for a family visa do not have to pass an integration test or any other integration requirements, but the sponsors do meet conditions of sufficient income and accommodation for the family. In comparison, Austria is one of the most restrictive countries in the European sample, and their family migration policy profile is 34% of the way to best practice. In the EU sample Austria ranks second from the bottom for family migration policy inclusiveness, and allows legal residents to sponsor immediate family members only once the family members complete integration requirements, which can take up to five years. The integration conditions are the least favorable in the full sample.

Table 4.8 illustrates the results for the full sample of 25 EU member states in 2006. However, pooling all EU member states into the same sample may be inappropriate due to the very different historical experiences with immigration across the EU sample. A Chow test

confirms the models in table 4.8 function differently in the reduced sample of the fifteen states admitted to the European Union before 2004 (see appendix S). Table 4.9 presents the coefficient estimates with robust standard errors for a reduced sample of the first fifteen EU member states, most which are historical countries of immigration.[v] The results serve as a robustness check, testing the possibility that any relationships in model one are a product of the unconventional sample including traditional countries of immigration alongside newer countries of immigration.

Table 4.9 OLS Models of Family Immigration Policy with Robust Standard Errors, EU 15					
DV: Family immigration policy	5	6	7	8	9
GDP	0.417 (0.251)			0.221** (0.031)	
Unemployment	3.510 (1.688)	2.081 (1.213)	2.795 (1.484)	3.329** (1.212)	2.878 (1.855)
Social spending	2.565** (0.642)	3.042 (0.613)	2.766** (0.800)	3.035** (0.502)	1.286 (1.117)
Centrist conservative party vote share	-0.626** (0.193)	-0.748** (0.143)	-0.697** (0.217)	-0.717** (0.114)	-0.430** (0.158)
Vote share of anti-immigrant party	-2.843** (0.453)	-3.160** (0.342)	-2.670** (0.415)	-3.026** (0.278)	-1.961** (0.617)
Liberal party vote share	-1.927** (0.475)	-2.354** (0.278)	-1.938** (0.399)	-2.138 (0.195)	-1.135** (0.310)
Public support for immigration control	-0.879** (0.159)	-0.731** (0.137)	-0.680** (0.191)	-0.800 (0.123)	-0.786** (0.225)
Size of immigrant population	-52.350 (94.491)	87.350** (15.406)			49.423 (28.741)
Immigration flows	-626.942 (705.755)		889.864 (620.928)		
Fertility	-55.135** (8.315)	-59.011** (8.876)	-46.624** (17.184)	-56.909** (5.632)	
Human rights organization membership	0.084 (0.277)	0.436 (0.210)	0.547* (0.235)	0.272 (0.169)	0.253 (0.309)
Constant	196.142** (40.219)	240.947** (20.329)	199.833** (40.665)	207.990** (14.637)	130.945** (36.273)
Observations	15	15	15	15	15
R^2	0.975	0.949	0.870	0.961	0.789
**p<0.05,*p <0.1					

Three models are included in table 4.9 because many of the independent variables are correlated. GDP, immigrant stock and immigration flows are all highly correlated (Pearson's Rs above 0.8), and GDP is also correlated with unemployment (Pearson's R -0.5). (Fertility is highly correlated with the unemployment rate (Pearson's R = -0.5) and the vote share going to left-leaning parties (Pearson's R = -0.6). Social spending and center right vote are also highly correlated (Pearson's R = -0.54), but when either social spending or the center right vote is excluded from model six, the results do not change.

Table 4.9 confirms the primary findings of table 4.8: the size of the anti-immigrant radical right influences family immigration policy in both the full and reduced sample. Figure 4.3 illustrates the added variable plots of the relationship between the vote share of anti-immigrant parties and family immigration policy from table 4.8 model one, table 4.9 model two, and for the EU member states who joined after 2003. The figure illustrates the steeper and tighter relationship between the size of the anti-immigrant right and family migration policies in the sample of the original fifteen EU countries compared to that in the full sample. Amongst the newer EU countries admitted since 2003, the relationship is not significant.

Figure 4.3 Added Variable Plots – Vote Share of Anti-immigrant Right

Table 4.8, model two – full sample

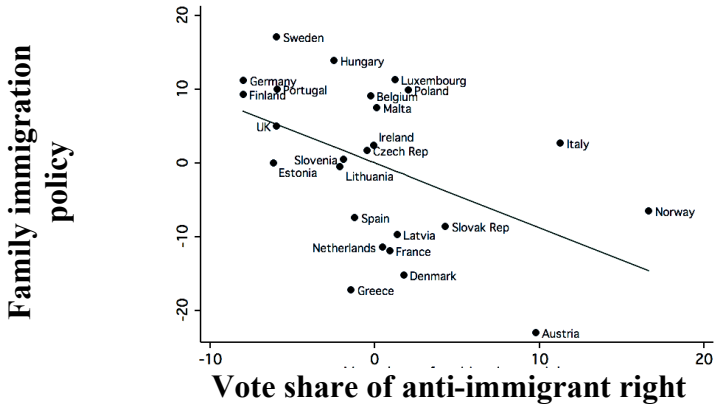
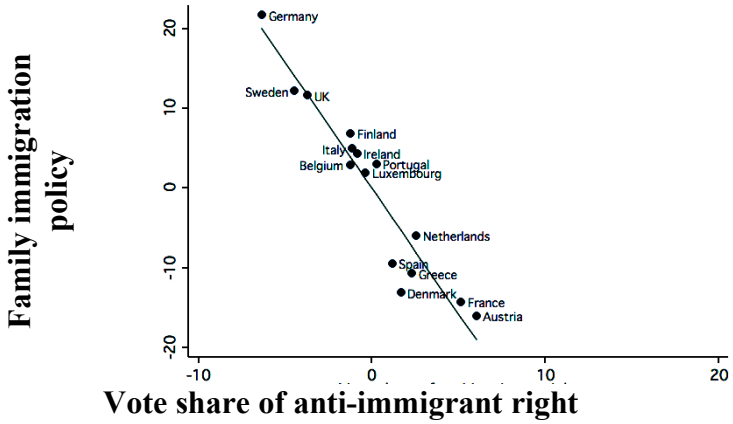


Table 4.9, model six – EU 15



New EU countries

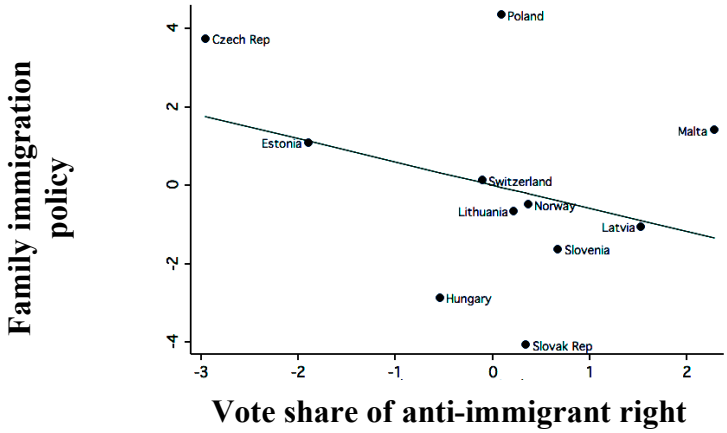


Table 4.9 exhibits additional significant relationships beyond those from table 4.8. The size of the vote share going to left-leaning parties exhibits a significant and negative relationship with immigration policy cross-nationally. This finding suggests that countries with strong left-leaning parties are more likely to pass restrictive immigration policies. In these contexts, it is likely that parties on the left or the right will take advantage of an increased electoral mandate by increasing immigration requirements. This result affirms research suggesting party convergence on immigration restrictiveness since immigration has been politicized in recent years. Parties on both sides of the ideological spectrum use immigration and nationalism to draw in voters (Schain 1990). In addition, public support for immigration control has a negative effect on family immigration policy. The European public has generally reacted negatively to the presence of new minorities, and immigration has become one of the hottest political topics.[vi] In countries where the political importance of immigration draws the attention of policy makers, it allows an anti-immigrant public to impact migration policies. This effect remains even after public positions are controlled for with the ideological positions of the parties in government. Because centrist parties typically do not enter office with binding commitments on immigration, voters cannot align their votes with a desired policy agenda (Messina, 1989; Freeman, 1979; Katznelson, 1973). Once a party obtains office, it legislates with reference to public preference and the wishes of the governing coalition. Though all the findings of model two are not supported in the full sample, they do reinforce the finding that politics and party interactions are the primary drivers of family immigration policies.

The results of tables 4.8 and 4.9 are tested for overly influential observations with Cook's distance. In the models in table 4.8, two observations are overly influential: Luxembourg and Norway. Excluding Norway from the analysis does not alter the significance of any of the

variables included in the model. However, excluding Luxembourg from the analysis causes the size of the immigrant population to gain significance across the models. In the full model, the size of the immigrant population has a restrictive effect on immigration policy. This relationship accords with theoretical expectations predicting the size of the migrant population communicates the type of costs immigrants impose on the native population. In the models in table 4.9, three observations are particularly influential: Germany, Luxembourg, and Italy. When Luxembourg is excluded from the analysis, the center right vote share loses significance, suggesting that this relationship in the reduced sample is vulnerable to outliers and is therefore unreliable.

The results in tables 4.8 and 4.9 and figures 4.2 and 4.3 suggest politics and party interactions best explain family immigration policy cross-nationally. This finding corresponds with the idea that policy makers are more vulnerable to fear mongering and broad generalizations when legislating on an absent or "imaginary" population. As an MP of the center-right Swedish Moderate Party explains: "the [radical right Swedish Democrats] expect that people are not knowledgeable, and they point at the unknown. it is the same thing that Hitler did with the Jews when he claimed that the Jews were responsible for every bad thing in the 1930s" (81, personal communication, 4/21/2009). When immigration policies are approached with fearful assumptions about the impact of imaginary immigrant populations, the issue is politicized on the fringes of the ideological spectrum, and control becomes the main policy prerogative.

Family immigrant policies

Family immigrant policies should be a product of ideological and humanitarian determinants because they deal with "real" migrants. Table 4.10 provides the OLS coefficient estimates with robust standard errors in the model intended to test the power of humanitarian explanations for policy against alternative explanations for policy change.

Table 4.10 OLS Models of Family Immigrant Policy with Robust Standard Errors				
DV: Family immigrant policy	10	11	12	
GDP	0.342** (0.077)			-0.072 (0.046)
Unemployment	0.217 (1.162)	-0.214 (1.238)	0.019 (1.494)	0.158 (1.527)
Social spending	0.703** (0.333)	0.854 (0.530)	0.659 (0.644)	0.952 (0.674)
Centrist conservative party vote share	-0.096 (0.079)	-0.078 (0.137)	-0.327 (0.228)	-0.290 (0.211)
Vote share of anti-immigrant party	-0.493** (0.195)	-0.191 (0.389)	-0.379 (0.465)	-0.389 (0.546)
Liberal party vote share	-0.232* (0.134)	-0.075 (0.139)	-0.120 (0.184)	-0.082 (0.209)
Public support for immigration control	-0.678** (0.113)	-0.612** (0.148)	-0.391** (0.175)	-0.380** (0.172)
Size of immigrant population	-36.369** (15.582)		-50.159** (25.119)	
Immigration flows	-2544.79** (460.659)	-1337.679** (415.606)		
Fertility	-22.886** (8.942)	-1.042 (12.239)	-7.003** (17.723)	-1.598 (16.918)
Human rights organization membership	-0.046 (0.136)	-0.108 (0.309)	-0.101 (0.368)	-0.211 (0.446)
Constant	132.383** (14.513)	109.960 (21.501)	114.852** (24.238)	100.697 (25.506)
Observations	26	26	26	26
R^2	0.838	0.667	0.499	0.446
**p<0.05,*p <0.1				

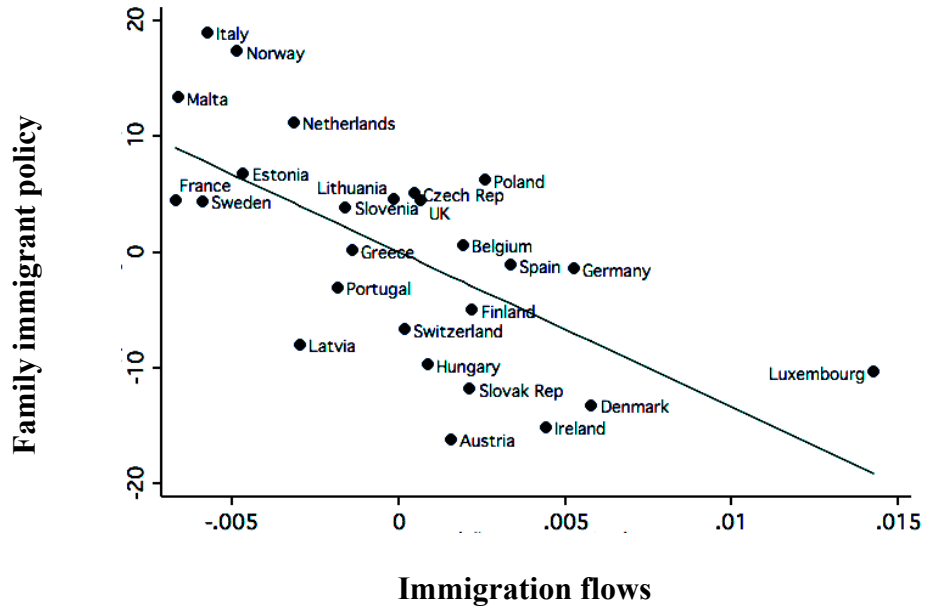
Contrary to expectations, humanitarianism does not have a significant effect on post migration policy (see Appendix U for models including three variants of humanitarianism). This finding is surprising. The focus on rights within the immigrant policy outcomes and the role of human rights law justifying and protecting family reunification should associate the policy with humanitarian explanations. The data does not support this hypothesis.

Instead, ideological factors are significant immigrant policy determinants. Public support for immigration control shares a significant and negative relationship with the policy outcome. Unlike the results in table 4.9, public opinion is the *only* significant political variable in table 4.10. In table 4.9, the mutual significance of public opinion and the anti-immigrant right suggests that xenophobia demonstrated by the public is institutionalized through political parties. In table 4.10, the same xenophobic public sentiment is significant, but not together with party politics. This is probably because immigrant policies deal with "real" migrants. Parties will hesitate to adopt clear platforms violating the rights of a visible population for fear of upsetting civil society and the public. Therefore the public is the only legitimate political motivator for restrictive immigrant policies.

In table 4.10, the size of the immigrant population demonstrates a significant relationship with post entry policy throughout all the models. However, this result is vulnerable to outliers. Cook's distance reveals four countries to be especially influential in the model: Norway, the Slovak Republic, Ireland, and Austria. When Austria is removed from the analysis, the significance of the relationship between the size of the immigrant population and the outcome of family immigrant policies disappears. No other relationships are affected.

Table 4.10 also reveals the size of immigration flows to share a significant and negative relationship with family migrant policy. This relationship is not vulnerable to outliers and is illustrated in Figure 4.4.

Figure 4.4 Added Variable Plots – Immigration flows



This finding suggests countries receiving a large share of immigrants in 2005 also tend to have more restrictive immigrant policies. This affirms the suspicion that post-entry immigrant policies are perhaps used as a tool of immigration control. Because human rights law strictly forbids overt controls on family migration, it is natural that immigrant policies would be the tool used to indirectly deter family immigration.

A chow test examining whether the model explaining immigrant policies functions differently for the original fifteen EU member states than it does for the full sample is insignificant (See Appendix T). In sum, politics drive both family immigration and immigrant policies. However, while institutionalized party politics play the most important role determining

family immigration policies, mainstream politics of public opinion are most influential in driving immigrant policy.

4.5. CONCLUSION

This analysis examines family migration policies as two discrete policy areas where immigration policies function as a mechanism of immigration control and immigrant policies deal primarily with migrant rights. Politics explains policy variance in both scenarios. However, while radical party politics play the most important role determining family immigration policies, mainstream politics of public opinion are most influential in describing immigrant policy. Size of immigration flows also uniquely describes family immigrant policy. The distinction between the determinants of immigration and immigrant policies corresponds with the theoretical expectations based on "imaginary" and "real" immigrants. Where immigrants are imaginary, policy makers make themselves vulnerable to generalizations and exaggerations relating to the unknown immigrant population and endorse xenophobic messages in a party platform. Anti-immigrant radical right parties provide the mouthpiece for fear mongering about immigrants, giving the radical parties disproportionate policy influence. Alternatively, where "real" migrants are concerned, public preference for immigration control and the size of flows describes immigrant policy. I speculate party politics are not involved in immigrant policies due to the difficulty of convincing parties to adopt a consistently restrictive policy where policy targets "real" visible people with tangible needs. In order to pass restrictive immigrant policy, political parties need a strong electoral mandate communicated through public opinion to overcome the difficulty of withdrawing rights from a visible population.

Where immigration family migration policies are concerned, policy determinants function differently based on the European sample. When all European countries are considered

together, only one policy determinant is significant: the size of the anti-immigrant right. However, when the sample is limited to the major countries of immigration (the original EU fifteen), other determinants become significant, most notably the size of left-leaning parties, and the strength of anti-immigrant public opinion. Even in the reduced sample, all the consistent policy determinants are political. The same distinction in sample is not evident when it comes to immigrant policy. This suggests that immigration policies are more politicized, especially within the major countries of immigration.

In sum, the results partially affirm the hypotheses based on the distinctive nature of family immigration and immigrant policy. Though none of the domestic economic or demographic costs seem to play a role in describing policy variance, the imperative of immigration control represented by the radical right determines immigration policy. Likewise, while humanitarianism does not appear to matter for describing immigrant policy, the more mainstream ideological position of the public does.

These findings have important implications for policy change. Because different determinants describe immigration and immigrant policies, the path to policy change must be adjusted to account for the type of policy. The radical right is the only variable associated with restrictive immigration policies. Therefore, changing immigration policy requires the neutralization of the radical right. Alternatively, immigration proponents can seek to overcome the negative impact of anti-immigrant sensationalism through publicity campaigns intended to humanize "imaginary" migrants. By convincing the public that immigrants are still people with relatable lifestyles and interests, perhaps they can move the "imaginary" immigrants closer to the conceptual category of "reality". Public opinion is the only determinant consistently associated with immigrant policy. To affect a change in resident migrant rights, the general public must be

persuaded to favor pro-immigrant policies.

The research adds to several bodies of literature. It focuses on family migration, which has not been sufficiently studied as a phenomenon separate from labor migration. The inclusion of family migration as a separate category of analysis is important since family migration is empirically distinct from all other forms of migration and constitutes the majority of migratory movement. Further, as the results here indicate, additional distinction between immigration and immigrant policies are necessary to achieve analytical clarity. A failure to consider immigration policy separately from immigrant policy results in the misspecification of the policy decision-making process and misleading results.

The research also provides further evidence for the well-established work on intergroup contact theory, but extends the theoretical framework to establish the physical presence of the outgroup as a necessary condition for the beneficial effects of contact. The work contributes to the growing body of literature on the politics of visible and ethnic minorities, which suggests the visibility of the immigrant population may be more politically important than the existence of immigrants generally. Most research on visible minorities defines "visible" as "ethnic", and theorizes and exclusionary response to migrants that are distinguishable from the national group (i.e. Salucci 2009). This research extends the mechanism and to define visible as "real" or physically present and re-theorizes by suggesting that a known threat is less politically salient than an imagined one. This is not to say that ethnic difference does not matter when it comes to forming prejudices against a domestic immigrant population, but merely suggests that there are multiple levels of minority recognition.

The results affirm the importance of politics for both family immigration and immigrant policies, reinforcing the general findings of chapters two and three. However, they add nuance

by suggesting the distinction between immigration and immigrant policies may explain some of the unexpected results, particularly the finding where labor and family migrant rights are not determined differently. The findings here suggest that the difference may exist, but only in immigration policy. Further investigation is needed once comparable data on labor immigration policy is accumulated.

The most recent changes to family migration policies have occurred within the realm of immigration policy. "Integration from abroad" programs have taken integration out of the immigrant policy realm and have made integration a task accomplished in the pre-entry phase of immigration. The new attention to integration as an immigration requirement raises the question of whether these policies maintain a difference from other immigration policies, which makes them vulnerable to concerns over societal cohesion rather than impulses of immigration control. The next chapter considers immigration policies of integration as a distinct concept to investigate the nature of the integration policy determinants.

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[i] The fundamental ideology of an anti-immigrant party included in the sample ranges from pure immigrant antipathy to immigrants to hardcore nationalism and regionalism. I am aware that the measure condenses parties other academics have been at pains to analytically categorize (i.e. Kitschelt, 1995, Betz 2002, Morris 2005, Messina 2007). I do not suggest these categorizations are not important or useful, but for the purposes of this quantitative evaluation, a careful study of the categories is beyond the scope of the project and the data.

[ii] As mentioned in chapter two, robust regression allows moderate outliers to violate the assumptions of OLS regression and be included in the analysis. With such a small number of cases, it is important to keep as many observations as possible.

[iii] For example, in 1999, radical right parties were represented in the Austrian, Belgian, Danish, Italian, Norwegian, and Swiss parliaments, but only Italy and Austria included them in government coalitions.

[iv] For country profiles see Niessen, et al., 2007.

[v] The reduced sample includes Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, The Netherlands, Portugal, Spain, Sweden, UK. Both models were

examined for the effects of multicollinearity, and where the correlation between two variables exceeds 0.5, one of the correlated pair was removed from the analysis. In the full sample, social spending and the left vote share, and fertility and unemployment and social spending were all highly correlated. In the reduced sample, high correlations exist between fertility and the left vote share, and between social spending and the center right vote and the change in immigrant population. No model variations correcting for multicollinearity resulted in a change in results.

[vi] For example, in a 2007 Eurobarometer survey of the 27 member states fifteen percent of respondents listed immigration as the one of the two most important issues facing their country.

CHAPTER 5

Know Before You Go:
The politics of integration from abroad

The previous chapters examine determinants of family migration policies. Previous chapters give all family migration policies equal attention and weight. However, not all the family migration policies receive the same attention within the political debate. Since the 2003 EU directive on family reunification was implemented, most of the attention around family migration policy change focuses on a specific area: integration policy. Historically, family migration is considered to promote the integration of resident migrant into host states. However, current debates over the alleged "failure of integration" have targeted the immigrant family as an obstacle to integration. This is because the migrant family is characterized as being a hotbed of paternalism, illiberal practices and traditions like forced or arranged marriage (Kofman, Rogoz and Lévy 2010). In response, states are reconsidering their integration strategies as they relate to family migrants.

Until recently, family immigrants in Europe may have had to demonstrate proficiency in the host country's language or take a civic integration class before becoming a citizen of a European state. Naturalization is typically only an option after 3-5 years of residence, during which time resident immigrants are not required to provide proof of integration. Ultimately, an immigrant may choose not to naturalize, in which case the immigrant will have no external incentive to integrate into the host country. With foreign nationals representing around eight percent of the European population, waiting to integrate immigrants until they make the decision to naturalize is no longer a viable option (Rogers, Tillie and Vertovec 2001). In response, the

Dutch initiated a program designed to integrate family immigrants before they enter the country. France, Germany, and most recently the United Kingdom quickly followed the Dutch example. The new "civic integration" or "integration from abroad" policies focus on family migrants and require immigrants to demonstrate a pre-determined level of proficiency in the native language and take a course or test familiarizing migrants with the culture and politics of their destination country.

The changing integration strategies are an understandable consequence of recent violent incidences attributed to poor immigrant integration: the riots in the suburbs of Paris, the discovery of homegrown terrorist cells in the UK, Spain and Germany, and a recent rise in violent nationalism across Europe. The stated purpose of the integration from abroad policies is to better integrate immigrants with an eye towards preventing violence or social unrest. Given the universal importance of integrating immigrant groups, why do some states choose to implement integration from abroad programs for family migrants while others do not?

This chapter examines the source of variance in integration strategies for family migrants. It makes important contributions towards understanding of the politics of immigration. First, it makes a theoretical argument for why integration policy should be considered as a distinct realm of policy with unique determinants. Second, it empirically tests the power of competing determinants. Third, it identifies a fundamental shift from treating immigrant integration as a immigrant policy concern to inserting it as a immigration policy requirement. Finally, it discovers that integration policies are not explained by concrete evidence of poor immigrant integration, but are instead dominated by politics and ideology. Specifically, the political success of the anti-immigrant right and public support for assimilation explain cross-national variance in the implementation of integration from abroad programs. While additional research is needed to

definitively argue that the integrative performance of immigrants does not indirectly explain policy through public opinion, the results suggest ideology is the strongest explanation for variance in policies stipulating integration from abroad.

This chapter is organized as follows. The next section derives hypotheses by distinguishing the politics of integration from the other immigration policies. The subsequent section describes the data and estimation procedure. The third section discusses results and examines the probability of implementing integration policies at different levels of political and ideological strength. The fourth section uses interview evidence to illustrate the debate surrounding the use of integration from abroad programs and analyze the implications of the findings. The final section concludes.

5.2. CONCEPTUAL BACKGROUND

Integration policy serves the obvious function of integrating immigrants. The best possible scenario for the host society and immigrant groups is for immigrants to become a fully functioning member of society. Where integration does not occur, the consequences can be severe. A failure to integrate could lead to poverty and discrimination as a consequence of unemployment or of the low-level work migrants are obliged to take without speaking the host language. Failed integration also condemns future generations of migrant groups, because when immigrant families do not speak the local language in the home, the children of immigrants have increased difficulty in school (Fertig 2003).

For the host society, failed immigrant integration is equally serious. It could result in the development of a large and impoverished lower class, ghettoization, an increased crime rate, and violence. Many nation states have suffered these consequences, the most famous example being the 2005 Parisian riots, which drew attention to the ghettoization of immigrant groups in the

outskirts of Paris and the high levels of inequality and discrimination suffered by minority groups within France (The Economist 2005a). The Parisian riots are especially interesting in light of the French Republic's heavy emphasis on assimilation where immigrants are expected to become French, indistinguishable from the native population.

Homegrown terrorism is also attributed to poor immigrant integration, and the negative consequences of failed immigrant integration are used to explain the rise of the anti-immigrant radical right and the waves of violence connected to anti-immigrant sentiment. Policy makers try to confront the negative effects of poor immigrant integration and poverty in innovative ways. Integration from abroad is a possible solution to failed integration: if a state requires evidence of integration before a migrant enters the country, the chances for of immigrant success within the host society improve without the costs of a poorly integrated resident immigrant population. A French minister explains the reasons for adopting integration conditions: "The people arriving in France must be better integrated. To often, family reunification is carried out without the family having sufficient income or accommodation. Moreover, people who arrive here are often uneducated and need French lessons and an introduction to the rights and duties in France. This helps them to fully integrate into society and helps their children cope" (10, personal communication, 10/7/08). Because integration from abroad programs are implemented to combat social problems connected to immigrant integration, concrete indicators of poor immigrant integration should be correlated with the imposition of immigration policies requiring evidence of integration.

Changing trends in the demographic structure of the domestic population reveals contexts where integration may be an important concern. Problematic demography includes a very large or rapidly growing immigrant population. If an immigrant population is large, the needs of the

population may overwhelm national resources, and especially those intended to help immigrants to integrate into society (i.e. education, health, welfare). Plus, a large population of third country nationals increases the visible effects on immigration on society, making the immigrant population more vulnerable to accusations of misconduct or political scapegoating. For example, when the riots broke out in the Parisian suburbs, the blame for civil unrest was quickly thrown at the large suburban population of predominantly Muslim immigrants as the then-interior minister Nicholas Sarkozy quickly made the jump from the riots to the need for a selective immigration policy (Moore 2005; Maddox 2005; BBC 2005). Even in 2008, ministry officials claim the "urban riots happened in part because of insufficient measures to ensure that families arriving in France are well-integrated" (10, personal communication, 10/7/08). In fact, most of the rioters were French citizens, but the size and concentration of the immigrant population made them vulnerable to accusations of violence (The Economist 2005a). In turn, the association with violent behavior makes immigrant groups appear dysfunctional and poorly integrated.

Of course, large immigrant populations might not matter for integration potential as much as the ethnic and religious makeup of an immigrant population. Some scholars have found connections between the presence of visible or ethnic minorities and discriminatory outcomes. For example, Lapo Salucci finds ethnic diversity has a negative impact on citizen satisfaction with local authorities (2009). The same mechanisms of public concern over ethnic heterogeneity also apply to integration strategy; if immigrants are distinguishable as "different", concerns over immigrant ability to integrate into the host society should be more pronounced. Where there is a large population of non-white immigrants, family migration integration conditions will likely be more restrictive.

In light of concerns over Islam's perceived intolerance of liberal democratic values, the religious make-up of the immigrant population (and particularly the size of the Islamic population) might motivate the degree and type of integration strategy. In particular, the 2006 Pew survey of "how Westerners and Muslims view each other" reveals a striking integration deficit on the part of Muslims in some European societies. In Britain, Muslims stand out as being the most negatively disposed towards the native population in the European sample, and almost half of the British Muslims surveyed describe a "conflict between being a devout Muslim and living in modern society" (Pew 2006). The Pew findings are not isolated; other surveys have reached similar results suggesting the ideological chasm between Muslims and non-Muslims is deepening (Policy Exchange 2007). Further, increasing concern over incidences of homegrown terrorism in Europe leads to an extensive debate about the European failure to integrate their Muslim immigrants. As noted by Christian Joppke "this debate is conducted in terms of a presumed failure of *states* to integrate immigrants, with the reverse hope that, by means of revamped integration policies, *states* will eventually solve the problem" (2009, pp. 454-455, italics in original). Integration from abroad requirements are presented as a possible state-based solution to failed immigrant integration. The visibility and perceived cultural threat of Muslims living in Europe suggests family migration integration conditions will be more restrictive where there are large Muslim populations.

While demographic shifts reveal contexts where the consequences of poor integration are more serious, states are also concerned with concrete examples of integration failure in the education, employment, and cultural sectors. German policy makers have been particularly struck by the findings of the 2004 OECD Programme for International Student Assessment, which suggest the German school system is failing immigrant children (40, personal

communication, 11/21/08). The report identifies Germany as the European country with the largest disparity between first and second-generation immigrants (first generation immigrants are generally immigrants born in a foreign country, and second generations immigrants are children of immigrants born in the host country), where second-generation students lag behind their native peers by one and a half proficiency levels (OECD 2004). In response, German policy makers suggest integration requirements could help guarantee future educational success by encouraging immigrant parents to speak German in the home and to interact with the education professionals. They also hope increased immigrant integration would discourage the development of immigrant enclaves associated with reduced educational and employment success and lower quality of life. As a member of Germany's Integration Commission in Berlin explains: "We have schools were 100% of the children are of a migration background…which creates unintended ghettoization. These children sometimes don't finish school, they achieve very low certificates, and they don't speak good German, even if they have been in German schools for ten years... we have children who are born in Germany, they grew up here, and we don't give them a chance to do well in school, to help them with their homework because their parents can't do it because they don't speak German" (40, personal communication, 11/2108). Based on experiences with the educational performance of second and third generation migrants, in contexts where the immigrant educational rate is low in comparison to the education rate for natives, family migration integration conditions will more likely be implemented.

Inequality in employment can likewise signal a problem with immigrant incorporation. The problem is exacerbated by the perception that immigrants are competitors in the job market, and as an increasingly large number of immigrants are unemployed, there are correspondingly more and more immigrant laborers looking for work and often willing to take lower wages than

native workers (Smith & Edmonston 1997; Coppel, Dumond & Visco 2002). After the Parisian riots, one of the most cited pieces of evidence for poor integration was the doubled unemployment rate of minority groups living in the outskirts of the city (The Economist 2005b). In fact, the Economist identifies mass unemployment as *the* motivating factor in the riots: "It is here, not in esoteric disputes over different modes of assimilation, integration, or multiculturalism, that the biggest differences between France and countries such as America and Britain are to be found. Over the past decade the British and the American economies have generated impressive growth and plenty of new jobs; the French economy has failed on both counts" (The Economist 2005b). Where immigrants are unemployed at levels disproportionate to native workers, policy makers will consider civic integration programs to make immigrants more employable even before they enter the host state.

Naturalization is heralded above other indicators as the symbol of complete integration into a host society because the immigrant aligns his interests, rights and responsibilities with those of the host society (Howard 2009). Naturalized immigrants are more likely to become socially and economically integrated than those who remain non-citizens (Hansen 1998). Though more research is needed to empirically link citizenship with improved integration, citizens are widely accepted as a member of society, have better command of the national language, feel more loyalty to country, and enjoy protections such as the right not to be deported. Naturalization rates can therefore be used as a rough measure of integration. Where naturalization rates are low, the success of integration is suspect, creating a need for revised integration strategy, perhaps through integration conditions.

Finally, the dominant ideology of integration influences the degree and type of integration expected from immigrant groups. Assimilationist nations expect immigrant groups to

achieve an element of "similarity or likeness" to the host culture (Brubaker 2001). In the most aggressive form, assimilation requires immigrants to surrender their ethnic identity in favor of the national identity of the host nation. The objective of assimilation is the preservation of a culture and national identity, including a specific body of ideas defining a nation, its members, goals, core values, territory, and relations with other nations (Ravitch 1997). True assimilation is unidirectional, requiring outsiders to change while the native population does not change at all. The only responsibility of the native group in a purely assimilative society is the acceptance of the assimilating group (Teske and Nelson 1974). Assimilation is often associated with aggressive turn-of-century programs seeking to assimilate people against their will.[i] However, assimilation can also be applied abstractly, requiring similarity only in some very important respects. Most modern European societies enforce some form of abstract assimilation, and are experiencing what Brubaker (2001) calls a "return to assimilation" through the implementation of integration-focused policies. The integration from abroad programs certainly fall under the category of assimilation, since the obligation of cultural and linguistic adjustment completely falls on the shoulders of the immigrant before they enter the country. Where a public is more accustomed to or supportive of ideas of assimilation the policies will be more focused on integrating immigrants linguistically or culturally, even before their arrival in the host state.

The integration literature leads to the following hypothesis: In contexts where the signs and symbols of immigrant integration are favorable, integration policies will more likely be implemented. However, it is possible that the policies might be the product of concerns beyond integration. Joppke suggests that by making integration a pre-entry prerogative, policy makers have "transmuted [integration policy] into a tool of migration control, helping states to restrict especially the entry of unskilled and non-adaptable family migrants" (Joppke 2007, p.5). If

controlling migration is the motive behind implementing integration from abroad programs, the policies could be determined by domestic economic, demographic, and political conditions. Chapters two and three discuss the conditions associated with controlling migration, and indicators of all the conditions associated with immigration control must be included in a model explaining integration policies as control variables.

5.2 ESTIMATION

Measuring integration policies

The objective of this chapter is to explain the variance between countries in their implementation of integration from abroad policies, to determine whether integration policies are motivated by different concerns than other policies governing migrants before they enter a host state. Integration policies are measured with an index is made up of the 2006 MIPEX indicators measuring whether migrants must take an integration test, if an integration course is necessary for migration and the requirement and difficulty of a language assessment. Table 5.1 illustrates the coding of the index components. A country receives a score of three within each policy area if they impose a mandatory or difficult integration condition, a two if they impose a voluntary or simple integration condition, and a one if there is no integration condition required. The resulting index measures the presence and restrictiveness of integration requirements for a family migrant before entry into a host country.

Table 5.1 Integration Policies for Family Migrants

Score	**3**	**2**	**1**
Passing of integration test	Yes		No
Imposition of integration course	Conditional for status	Voluntary	None
Language assessment	Written and/or high level language test	Simple, oral, multiple-choice interview or test	None

The original index ranges in value from three to nine across European states, but has been recoded by subtracting three from the index score to create an ordinal measure of integration policies ranging from zero to six. Table 5.2 lists the integration policy scores for the European states.

Table 5.2 Integration Policy Scores			
Austria	6	Greece	0
Denmark	6	Hungary	0
Norway	5	Ireland	0
France	4	Italy	0
Latvia	4	Lithuania	0
Switzerland	4	Luxembourg	0
Netherlands	3	Malta	0
Finland	2	Poland	0
Slovak Republic	2	Portugal	0
Belgium	0	Slovenia	0
Cyprus	0	Spain	0
Czech Republic	0	Sweden	0
Estonia	0	UK	0
Germany	0		
Obs.	**Mean**	**S.D.**	**Range**
27	1.33	2.09	0 - 6

To test whether the isolated integration policies are uniquely motivated, they are recoded into dichotomous dependent variables where one indicates the use of integration provision, and zero its absence. The dichotomous variables and their summary statistics are presented in table 5.3. The imposition of an integration course is not considered as an individual policy because too few countries have implemented the policy at this point.

Table 5.3 Individual Integration Policies				
Variable	**Obs. (2006)**	**Mean**	**S.D.**	**Range**
Integration test	27	0.333	0.480	0 - 1
Language assessment	27	0.222	0.424	0 - 1

The empirical model

The primary dependent variable of this analysis is an index of integration policy indicators. The makeup of the index as a count of policy provisions means the index is a count variable measuring the number of discrete events (policy). As indicated in table 5.2, the most countries have no integration policies. This gives the data a skewed distribution towards zero, which means the variable measures a "rare event". A normal distribution does not fit the distribution of a rare event well. Instead, the distribution of the data in table 5.2 is much closer to a Poisson distribution. A Poisson model fits a Poisson distribution, but it assumes that the variance in the number of events is equal to the mean (Hoffman 2004). The integration policy index violates this assumption. The integration index is "extra-dispersed", because the variance of the integration variable (4.37) is greater than the mean (1.33). The extra dispersion means an ordinary Poisson model is not appropriate for the data, and suggests the use of an over-dispersed Poisson model or a negative binomial regression model. An over-dispersed Poisson model assumes that the events measured in the dependent variable occur independently. Because the policies making up the index are not independent and often occur together for reasons that are not included in the model of policy determinants (ex. a number of policy reforms might be passed at the same time for convenience sake), a negative binomial regression model is most

appropriate for predicting the number integration measures adopted for a country's family migrants (Hoffman 2004). The literature on integration policy and policies of immigration control suggests negative binomial model with the following specification:

Probability of implementing integration policy = f(immigrant population, immigration flows, non-white foreign population per capita, Muslim population per capita, education ratio, unemployment ratio, naturalization rate, public support of assimilation, GDP, unemployment, social spending, fertility, vote chare of center right, vote share of anti-immigrant right, public support for immigration control)

The same indicators will be used to fit probit models predicting the probability of a country adopting a single integration policy represented by the dichotomous policy indicators.

This model incorporates measures of the total non-white foreign population per capita and the percentage of Muslims present within the host population to indicate the visual integration capacity of a country's immigrants. It includes measures of immigrant naturalizations per capita, the foreign/native unemployment ratio and the foreign/native education ratio to measure practical integration into the work force. Public support for assimilation is measured through aggregate agreement with the statement "For the greater good of society it is better if immigrants do not maintain their distinct customs and traditions but take over the customs of the country" among World Values Survey respondents (WVS, p. 345).

Table 5.4 reports the sample characteristics of the independent variables measuring the context and reality of immigrant integration. The Pearson's R coefficients of the correlations between the independent variables are reported in Appendix V. The sample characteristics of variables associated with a cost-benefit calculus of migration control are detailed in earlier chapters (see tables 2.3 or 4.7).

Table 5.4 Integration Independent Variable Sources and Summary Statistics					
Variable	**Source and definition**	**Obs. (2005)**	**Mean**	**S.D.**	**Range**
Non-white population per capita	Eurostat	20	0.022	0.017	0.0003 – 0.0521
Muslim percentage of population	CIA Factbook	26	3.58	4.30	0.1 - 18
Foreign vs. native education ratio	OECD stat	21	0.906	0.353	0.537 - 2.120
Foreign vs. native unemployment ratio	OECD stat	21	1.70	0.68	0.21 – 3.14
Naturalization rate	Eurostat	26	0.002	0.002	0.0001 – 0.009
Public support for assimilation	World values survey; % responding "immigrants…take over the customs of the country"	26	57.846	14.377	22.7 - 82.1

5.3 RESULTS

Predicting integration policy counts

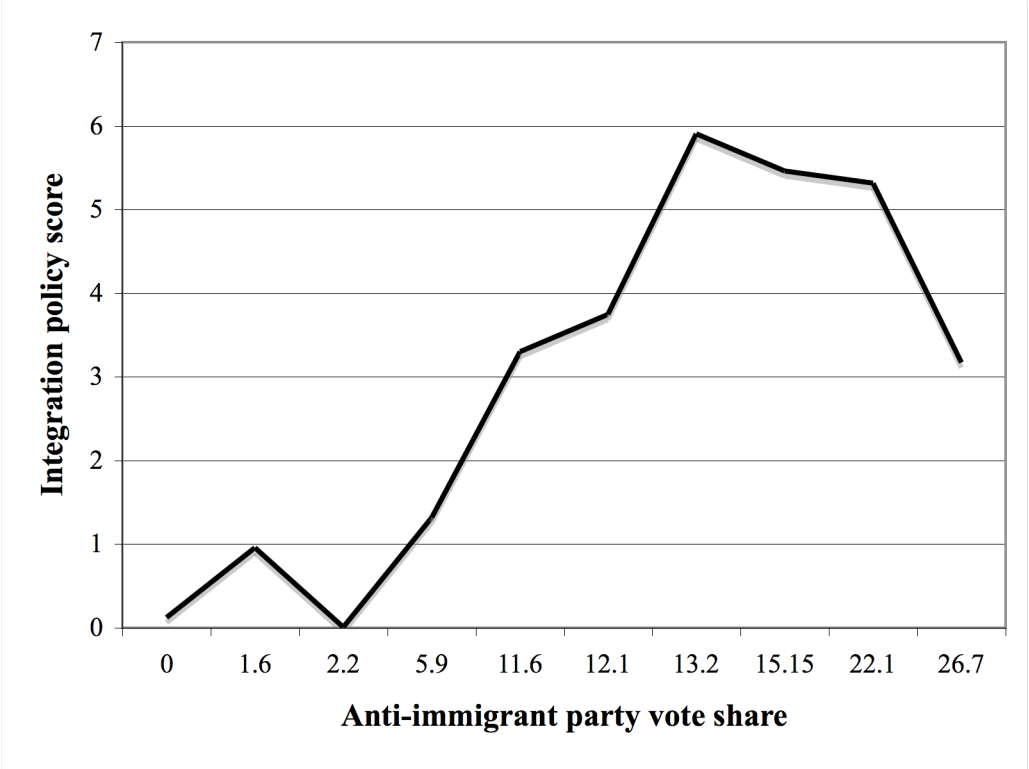
Table 5.5 provides the coefficient estimates with robust standard errors in the negative binomial model predicting the number of integration policies implemented by a country. Because the data is not complex enough for the full model, the number of explanatory variables considered simultaneously must be limited. In order to select variables to be included in the model, the policy determinants relating to immigration control are all included in a separate model, and F tests are used to determine which variables made a significant contribution to the descriptive power of the model. The only significant additions to the model predicting immigration control are the percentage of votes going to the center right, the percentage of votes

going to the anti-immigrant right, and the indicator of public support for immigration control (see Appendix U for the results of the negative binomial model testing only the indicators predicting immigration control, and for the F test statistics). Considering the findings of previous chapters, the survival of these three political indicators is unsurprising. Because the size of the immigrant population, immigration flows the unemployment ratio, and naturalization rates are highly correlated, they are considered in separate models.

Table 5.5 Negative Binomial Models of Integration Policy Score				
DV: Integration policy index	**1**	**2**	**3**	**4**
GDP			0.002 (0.006)	-0.013 (0.025)
Center right vote share	-0.042 (0.042)	-0.031 (0.037)	-0.024 (0.041)	-0.058 (0.036)
Vote share of anti-immigrant parties	0.132** (0.045)	0.140** (0.048)	0.138** (0.062)	0.192** (0.072)
Public support for immigration control	-0.011 (0.026)	-0.010 (0.025)	0.024 (0.038)	-0.104 (0.084)
Size of immigrant population	-4.297 (4.592)			
Immigration flows		-45.341 (54.034)		
Non-white population per capita	2.840 (27.313)	8.181 (24.580)		27.710 (55.145)
Muslims percentage of population	0.075 (0.186)	-0.014 (0.119)	0.070 (0.081)	-0.009 (0.304)
Immigrant/native education ratio	-1.675 (1.513)	-1.440 (1.531)	0.261 (0.012)	-5.385 (3.995)
Immigrant/native unemployment ratio			0.546 (0.652)	
Naturalization rate				-924.438 (668.181)
Public support for assimilation	0.059** (0.015)	0.070** (0.012)	0.061** (0.011)	0.106** (0.047)
Constant	-1.960 (3.951)	-3.056 (3.702)	-7.685 (6.682)	5.780 (8.300)
Observations	19	19	20	19
**p<0.05,*p <0.1				

Table 5.5 reveals two consistently significant determinants of integration policies: the vote share won by anti-immigrant parties and public support for assimilation. The positive relationship between the vote share of the radical right and the imposition of integration policies suggests legislatures pass a greater number of integration policies as anti-immigrant parties win more votes. Figure 5.1 presents the expected policy score based on the vote share won by anti-immigrant parties, while holding all other independent variables at their mean.

Figure 5.1 Predicted Integration Policy Score Based on the Anti-immigrant Party Vote Share



Clearly the effect of anti-immigrant right parties is dramatic. As the vote share increases from two to twelve percent, the expected count of integration policies increases from zero to six (the maximum possible value). According to this count estimate, countries with anti-immigrant parties capturing more than twelve percent of the vote share should exhibit the most comprehensive integration policies. Looking at the table of the vote shares won by European

anti-immigrant parties in table 5.6, we see that Austria, Denmark, France, Italy, Norway, and Switzerland all experience anti-immigrant parties winning more than twelve percent of the vote.

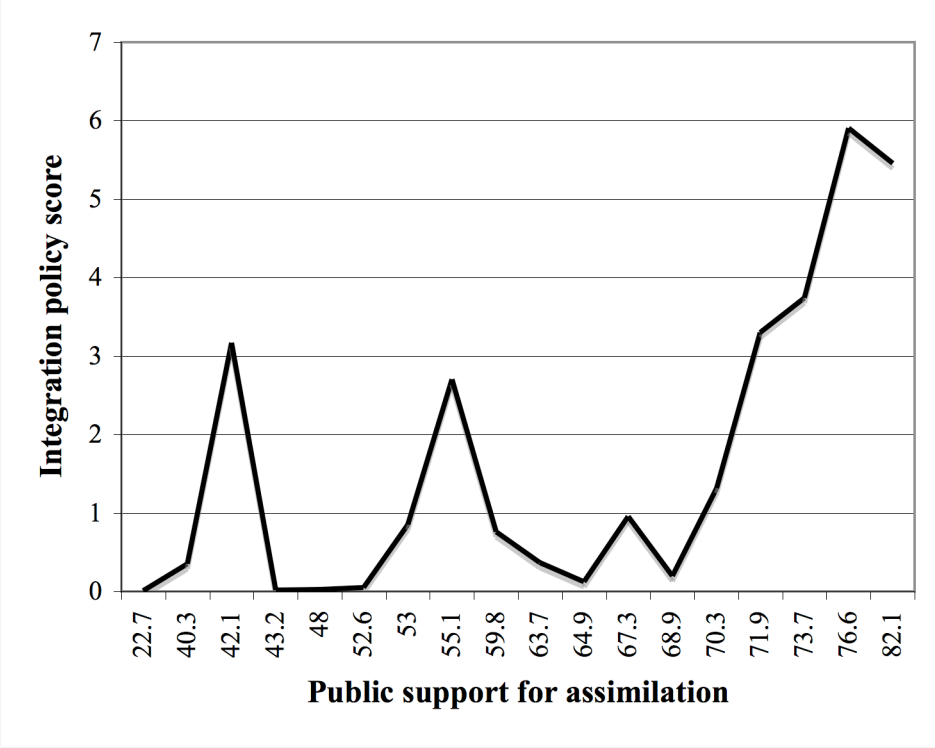
Table 5.6 Anti-immigrant Parties Winning Vote Shares in Last National Legislative Elections, 2006

Country	Radical right party	Vote share
Austria	Freedom Party of Austria, Alliance for the Future of Austria (2006)	15.15
Belgium	Flemish Interest (2003)	11.6
Denmark	Danish People's Party (2005)	13.2
Finland	True Finns (2003)	1.6
France	National Front, Movement for France (2002)	12.1
Greece	Popular Orthodox Rally (2004)	2.2
Italy	National Alliance, Northern League (2006)	16.9
Latvia	For Fatherland and Freedom (2006)	6.94
Luxembourg	Alternative Democratic Reform Party (2004)	10
Netherlands	Pim Fortuyn List (2003)	5.9
Norway	Progress Party (2005)	22.1
Poland	Self Defense of the Polish Republic (2005)	11.4
Slovakia	Slovak National Party (2006)	11.73
Switzerland	Swiss People's Party (2003)	26.7

Looking back at table 5.2 we see that five of these countries fall within the top six countries with the most comprehensive integration policies. The only country where an anti-immigrant party wins more than twelve percent but that doesn't implement any of the integration policies is Italy. However, the lack of a relationship between the anti-immigrant right and integration policies in Italy is most likely due to the difficulties of coalition-building or winning a majority vote in a legislature with sixteen political groups active on the national stage. With a few notable exceptions, the anti-immigrant right is clearly associated with the imposition of integration requirements.

Public support for assimilation also has the effect of increasing the number of integration policies implemented by a European state. The relationship is illustrated in figure 5.2. The relationship between support for assimilation and integration policies is irregular compared to the relationship between the vote share of anti-immigrant parties, and only exhibits a consistently positive effect once over sixty percent of the population expresses support for assimilation. In other words, once a super majority believes immigrants should give up their native cultures in favor of the culture in the host country, the number and difficulty of integration policies skyrocket.

Figure 5.2 Predicted Integration Policy Score Based on Public Support for Assimilation



According figure 5.2, countries with over seventy-two percent of the population supporting assimilation should also exhibit the most comprehensive integration policies. Table 5.7 illustrates the percentage of survey respondents who agree that it is better if immigrants do

not maintain their distinct customs and traditions but take over the customs of the host country, and also lists the integration policy score for the same country. Austria, Germany, Denmark, and France all have populations where over seventy-two percent of respondents support assimilation. Austria, Denmark and France also implement large packages of integration policies. The only country with a very assimilative population and no integration policies is Germany. However, immediately after the policy data was collected in 2006, the German legislature decided to implement a language requirement and additional integration policies are being considered.

Table 5.7 Support for Assimilation and Integration Policy Score

Country	Public support for assimilation	Integration policy score
Austria	82.1	6
Germany	77.8	0
Denmark	76.6	6
France	73.7	4
Belgium	71.9	0
Netherlands	70.3	3
Slovenia	69.2	0
Czech Rep	68.9	0
Finland	67.3	2
Hungary	64.9	0
Sweden	63.7	0
Lithuania	60.6	0
Slovak Rep	59.8	2
Norway	55.1	5
UK	55.1	0
Poland	53	0
Latvia	52.9	4
Portugal	52.6	0
Spain	48	0
Estonia	47.5	0
Malta	44.5	0
Ireland	43.2	0
Switzerland	42.1	4
Italy	40.3	0
Luxembourg	40.2	0
Greece	22.7	0

Because the specification in Table 5.5 is necessarily limited, the models might fall victim to omitted variable bias. To test the sensitivity of all the consistent results presented above, other indicators for domestic costs and integration were swapped into the model to provide fullest specification possible. Appendix W reveals the results for the negative binomial model including only indicators associated with the cost-benefit analysis of migration. In this restricted model, only the political indicators describe variance in integration policies. These results echo the significant determinants of family immigration policy found in chapter four. However, the public opinion indicator never gains significance in the full model including indicators of integration.

Appendix X presents the results for negative binomial models including only the indicators of integration. When the indicators of political conservativism are excluded from the model, other measures of integration do exhibit significant relationships with the dependent variable of integration policies. Most notably, the immigrant/native unemployment and education ratios are significant, though the education ratio loses its significance when both ratios are included in the same model. The relationships correspond with theoretical expectation, where a disproportionate unemployment rate among immigrants leads to the imposition of policies, while a disproportionate number of educated immigrants is associated with fewer policies. The results suggest that practical integration could be having an impact on the number of policies implemented, but once political conservativism is accounted for, the effect of immigrant integration is washed out in favor of ideological ones.

Predicting the probability of individual integration policies

The analysis in table 5.5 and figures 5.1 and 5.2 describe an index of integration policies, and don't distinguish between particular policy integration policy agendas. However, all integration policies may not be driven by the same concerns. For example, policies requiring

immigrants to demonstrate language proficiency could be especially driven by a concern about immigrant ability to function in society since language forms the basis of human interaction. Alternatively, an integration test may be largely symbolic, making it more vulnerable to political or ideological considerations. Table 5.8 contains the results of the probit models examining determinants of the individual integration policies. Because there are so few countries with the individual integration policies, the specification of the models is very limited, and variables with missing data must be avoided.

Table 5.8 Probit Models of Integration Policy

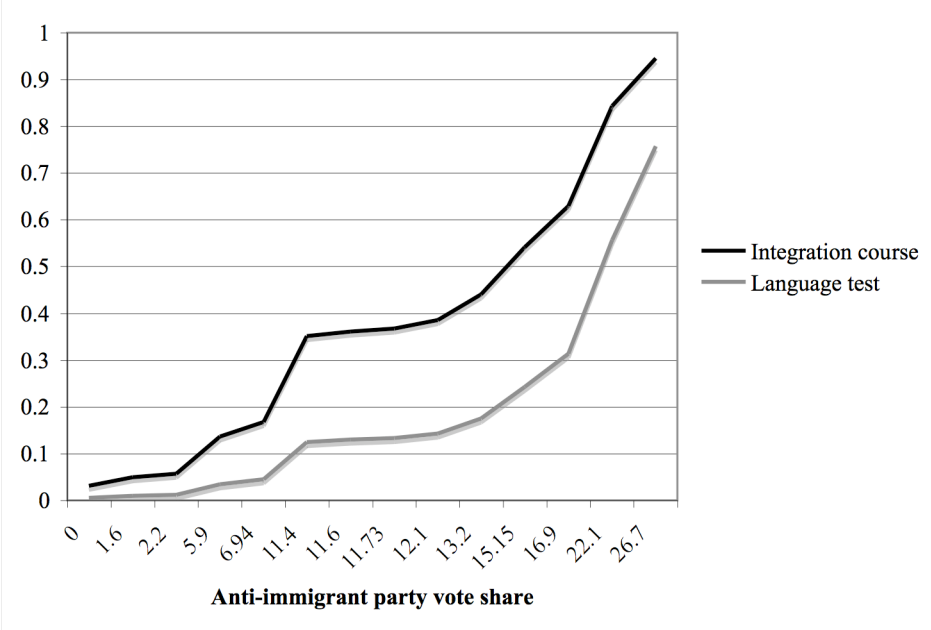
DV:	**Integration test**	**Integration test**	**Language assessment**	**Language assessment**
Center right vote share	-0.063 (0.044)	-0.063 (0.043)	-0.019 (0.039)	-0024 (0.052)
Vote share of anti-immigrant right	0.130** (0.045)	0.127** (0.044)	0.121** (0.058)	0.132* (0.078)
Public support for immigration control	0.034 (0.022)	0.036* (0.019)	0.049 (0.039)	0.061* (0.035)
Size of immigrant population	7.982 (5.437)		9.678 (7.478)	
Muslims percentage of population	0.016 (0.147)	0.025 (0.154)	0.105 (0.145)	0.193 (0.213)
Naturalization rate		277.73** (126.15)		509.405** (163.143)
Public support for assimilation	0.053 (0.034)	0.050 (0.035)	0.083** (0.033)	0.095** (00.043)
Constant	-5.399** (2.209)	-5.478** (2.343)	-10.437** (4.358)	-12.925** (5.224)
Observations	25	24	25	24
R^2	0.58	0.60	0.50	0.63

**p<0.05,*p <0.1
note: Cyprus, Luxembourg and occasionally Malta are excluded from the analysis due to missing data. GDP and immigration flows are controlled for in further iterations of the model, and did not change the results.

Table 5.8 reveals interesting nuances to the results presented in table 5.5. The vote share won by the anti immigrant right significantly increases the probability of a country implementing both integration tests and language assessments. Figure 5.3 illustrates the predicated probabilities

that a country will implement either an integration test or a language assessment, based on the vote share received by the anti-immigrant right and holding all the other policy determinants at their means.

Figure 5.3 Predicted Probabilities that a Country Will Implement an Integration Policy, Based on the Vote Share Received by the Anti-immigrant Right



The anti immigrant right has a stronger effect on the imposition of an integration course than it does on whether an immigrant's language ability is evaluated before they can enter the host state. The average anti-immigrant party vote share among the country sample is 6.3. Looking at the figure, a country where the anti-immigrant wins 6.3 percent of the vote has a fifteen percent probability of implementing an integration course. That probability increases dramatically, however, when an anti-immigrant party wins between seven percent of the vote share and fifteen percent. Once an anti-immigrant party receives fifteen percent of the vote share, the probability of adopting an integration course increases from forty percent up to ninety-five percent when the anti-immigrant party receives 26.7 percent of the vote (as in Switzerland).

The relationship between the anti-immigrant right and the imposition of a language test is slightly less dramatic. The probability that a state will impose a language test exceeds ten percent only when the anti-immigrant right captures more than eleven percent of the vote. The probability of adopting a language requirement stays stable until the vote share won by the anti-immigrant right exceeds fifteen percent, at which point it steadily climbs until there is a seventy-five percent probability that a country will implement a language test when the support for the radical right exceeds twenty-five percent.

Clearly the anti immigrant right exerts an important influence on the probability that integration policies are passed. The relationship can be explained through the simple dynamics of coalition building: the anti-immigrant right will always vote for any policy reducing the number of resident immigrants or preventing additional immigrants from migrating. As the vote share of the right increases, the radical right is better positioned to influence policy in coalition. At any rate, the radical right appears to be very important for implementing policies relating to immigrants.

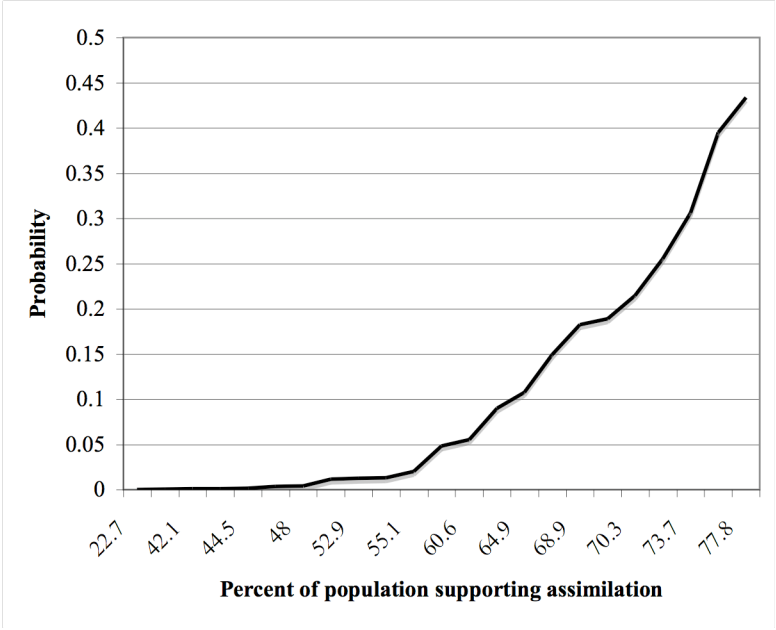
The naturalization rate also increases the probability of imposing integration test and a language assessment. The positive relationship is surprising, considering the theoretical expectation that increased integration evidenced by naturalization would reduce the need for additional integration measures. In this case, the number of naturalizations per capita probably captures much of the effect of the size of the non-European immigrant population. While the immigrant population measures all resident individuals who are not citizens in the host country, the naturalization rate only captures those individuals who chose to become a citizen of the European nation. Most likely, EU citizens with the freedom of movement and the right to work within any EU state will not feel the need to naturalize in their host state. Therefore, the majority

of naturalizations will be of immigrants from outside the European Union, allowing the naturalization rate to serve as a proxy for the size of the extra-EU immigrant population. Immigration from outside the European Union is considered to be more costly to European nation states due to economic inequality and cultural differences between the sending and host state. This would explain the positive relationship between naturalization and the integration test or language assessment: naturalization is serving as a proxy for the number of resident immigrants from outside the EU, and as the size of the immigrant stock from outside the EU grows, integration policies will be more restrictive.

Finally, public support for assimilation is the only significant indicator that distinguishes between the integration course and the language requirement. As a population expresses increasing support for assimilation, the probability that a country will implement an language assessment increases. The connection between assimilation and language is natural, since the language forms the basis of most nationalistic movements (Barbour and Carmichael 2000) and language acquisition can safely be identified as the foundation of integration. Meanwhile, assimilation does not increase the probability that a state will require migrants to complete an integration course. This could be because the course does not necessarily require the immigrant to change himself (remember, unidirectional change by the migrant is a primary feature of assimilation) – he need only attend the course. Learning a language requires the direct participation of the migrant in a way that course attendance does not.

Figure 5.4 illustrates the predicted probability that a country will implement a language requirement based on public support for assimilation.

Figure 5.4 Predicted Probability that a Country Will Implement a Language Requirement, Based on Public Support for Assimilation



The figure illustrates how the majority of the population must support assimilation for the public preference to translate into policy. Before the idea of assimilation acquires the support of fifty percent of the population, there is no empirical link between support for assimilation and the implementation of a language test. However, once half of the population supports assimilation, the relationship between assimilationism and language policy grows quickly.

In sum, the importance of the anti-immigrant right is a consistent policy motivator for all the integration policies considered here. Support for assimilation exerts a consistently significant effect on collective integration policies, but especially on the probability of a state adopting a language requirement. These results confirm the findings in previous chapters, and show that integration policies are also a product of politics.

5.4 THE POLITICS OF INTEGRATION POLICY

The relevance of politics for integration extends beyond the determinants of policy, as the integration conditions have been widely debated across the European countries. Debates over the merits of integration from abroad policies were in full swing during fieldwork conducted in France, Germany, and Sweden in 2008 and 2009. In France, a 2007 law had already implemented integration from abroad requirements. All family migrants between 16 and 64 years of age have to pass a language test that verifies their knowledge of French and migrants must sign an integration contract. Germany also implemented a language test in 2007. At the time of fieldwork, a bill requiring family immigrants to learn Swedish was being debated in the parliament (the bill has since been rejected). In all contexts, the imposition of integration requirements and especially the imposition of a language test is criticized as an underhanded restriction on the right to family migration, and therefore a violation of the human right to family life. In particular, the application of a language tests violates the principles of human rights through its discriminatory nature, the time commitment required, and costs imposed on achieving the right to live with one's family.

The language tests are considered to be the "most socially selective condition" for family migrant entry (Kraler 2010). The tests favor more educated (and in some instances, computer literate) migrants, and the tests themselves are available only in a relatively small number of embassies. Applicants from countries without an embassy and from a lower socio-economic background are at an immediate disadvantage. Even immigrants in countries with embassies face substantial barriers to family migration. For example, if a female immigrant from Turkey is attempting to join her family in Germany, she is required to demonstrate basic proficiency in German before being issued a family visa. To do this, she must obtain certification from the

Goethe Institute. Turkey is a sizeable country of 300,000 square miles. In all that space, there are three Goethe institutes: one in Ankara, one in Istanbul, and one in Ismir (www.goethe.de). All three of these cities are in the northwestern quadrant of the country. Of course, not all Turkish immigrants to Germany come from these three cities, so fulfilling the language requirement involves a trip of potentially hundreds of miles. There is a fee to take the test or the course, the cost of lodging, the cost of taking time off work, and if the family is conservative, a young woman must have an escort. Costs are dramatically increased if the woman is responsible for children and must arrange short or long-term care. Clearly, individuals of low income will be unable to afford the language test.

There is also more explicit discrimination built into the language requirements due to exemptions for certain nationalities. As the head of the Human Rights Policy Department at the German Institute for Human Rights explains "The language requirement is discriminatory because there are exceptions for Americans, Japanese, or for other people coming from countries where their migration might be an economic gain for Germany. You also have exceptions for skilled workers and their families" (38, personal communication, 11/20/08). Similar exemptions apply in the French case. The selective application of the language requirement reinforces the socio-economic bias built into the policy agenda.

Fulfilling the integration requirements takes a significant amount of time. As a lawyer working for a German non-profit defending the right to family explains, "In our experience most [immigrants] need six months to learn the language and get their certificate…For others it takes much longer. In some countries you cannot learn German without having knowledge of other languages because of the Latin-based writing. One of the Goethe Institute's terms is that it is better if you speak a little bit of English, then you can come to us and learn German. If you have

no education in your own language, or if you have only spent a few years in school, you are not literate in the alphabet. So, in Egypt for example, the Goethe Institute sent us a mailing saying 'Such a person must learn how to write in their own Arabic language, and then they have to learn a little bit of English, and then they can learn German'…After all this, then you have the certificate, and with the certificate you can ask for permission to go to Germany. Then the German authorities (the embassy and the foreign office here in Germany) look rather strictly at this person, their forms, documents, and so on. All this is after getting the certificate, and it takes an additional three to six months (43, personal communication, 12/2/08).

Proponents of integration requirements counter that the benefits of immigrant integration for society outweigh any inconveniences to the individual migrant. In France, Germany, and Sweden, policy makers go beyond discussing the advantages of integration for society, and justify the difficult burden of the integration policies with humanitarian arguments. Policy makers are particularly concerned about forced marriage in the context of immigrant families. By increasing the costs of family migration, the states are discouraging forced marriage and are protecting women's rights. Further, policy makers argue that requiring all family migrants to learn the language of the host-society will give at-risk immigrant women a voice, should they find themselves in a situation of forced marriage or abuse within the host country. In this way, they pit one human right (the right to family) against another (the rights of women), and insist that the rights of women in dire situations take precedence over the right to family, or they at least must be balanced. As an interview subject in the German Ministry of the Interior explains, "we have two reasons for this [integration] requirement. One is integration and the other is preventing forced marriages. Then you have the human right to decide about your own sexuality, to choose your marriage partner, and to be free of bodily harm. So you have these different

constitutional rights fighting with each other and we just put them in proportion. It's not that we work towards a minimum standard, we just really try to make it so that it all works out." (39, personal communication, 11/21/08).

However, the claim to be protecting women does not convince the opponents of the integration requirements. As a representative of the EKD (the political branch of the Protestant Church) explains: "This raises the issue of proportionality and commensurability in Germany. Here every measure by the state must be both proportional and commensurable. This has three levels 1) the measure must be by the smoothest means – there should not be a heavy burden 2) it must be a measure that addresses the goal – it must be suitable. 3) you must take account of the various rights affected. We say, new policy might be suitable for forced marriages because of course if you make the person speak and they come and have certain amount of words to cry out for help, of course it helps them. So, it's suitable. Also, perhaps they will stop bringing young girls because of these requirements. It could have a preventative effect. However, there are are other ways to do this. For example, you could have an integration course with the aspects of women's and family rights and this would enable people to cry out for help. The third issue is that this affects all people who are happily married, and therefore it violates the third principle and is not proportional as a whole" (51, personal communication, 12/16/08).

Finally, there are debates over the effectiveness of the integration requirements, and whether they actually improve immigrant integration. In the course of fieldwork, nearly every organization opposing the language requirement brought up the lack of evidence illustrating that these measures will actually improve immigration, and emphasized the benefit of immersion for learning a language. For example, an expert in family reunification at the Red Cross in Sweden said "there is no research to prove that these [language] policies will be good for integration, but

our experience at the Red Cross shows that that there *is* research to prove that having one's family with them is good for integration." Clearly, further research on the outcomes of integration from abroad policies is required.

In sum, the importance of the political debate does not stop once policy is passed. Integration from abroad policies and especially the language requirements have generated extensive debate across European contexts. While proponents of the policy use a future of improved immigrant integration and a policy environment discouraging forced marriage to justify barriers to open family migration, opponents argue the integration requirements are discriminatory and that the temporal and monetary costs impose an illegal violation of the right to family life.

5.5 CONCLUSION

The objective of this chapter is to examine why some states have passed integration from abroad requirements and others haven't. Based on assertions made by policy makers during fieldwork, the recently introduced integration policies are intended to help immigrants integrate and to rectify societal problems associated with poor immigrant integration. The objective of the polices lead to the expectation where countries with troubled integration experiences will be most likely to implement new integration strategies. In fact, no indicators of a problematic context for integration are consistently significant predictors of integration from abroad policies. Instead, ideological and political factors best explain integration policy variance. Specifically, public support for assimilation and the vote share received by the anti-immigrant radical right and are the most consistent predictors of integration policies. Public support for assimilation appears to play a particularly important role in predicting the probability that a state will implement a language requirement.

The relationship between assimilation and integration policy is not theoretically surprising. Assimilation expects immigrants to adapt and become like their host culture, and any policy encouraging adaptation would be encouraged by individuals having assimilationist preferences. However, the results here cannot tell us *why* the individuals favor assimilation. It's possible that the hypothesis may be confirmed through an indirect relationship where poor immigrant integration makes the native population more assimilationist, and that public opinion influences policy. More research testing the individual-level determinants of support for assimilation will reveal whether the integration conditions indirectly influence integration policy or whether support for assimilation is an indicator of other preferences like immigration control or xenophobia.

The relationship between the radical right and integration policies is less intuitive than the finding for assimilation. The agenda of anti-immigrant parties is to stop immigration altogether. Integrating immigrants is not usually a feature of the anti-immigrant party agenda. Most likely the support for anti-immigrant parties is capturing a general environment of anti-immigrant sentiment. An anti-immigrant context will favor restrictive policies for immigrants, despite whether they are policies of entry, control, or integration. Ultimately, both significant variables emphasize the importance of politics for integration policies.

Interviews conducted with individuals involved in the family migration policy debate reveal the continuing concern over integration requirements. The discriminatory nature of the policies orients them towards selective admission, while the costs imposed on immigrants is perceived as an indirect violation of the right to family life. The use of forced marriage to justify the restrictions on family migration is viewed as a political tool, and the lack of evidence suggesting the policies do anything to promote integration or discourage forced marriage makes

the effectiveness of the policy highly suspect. The opponents of the family migration policies agree with Christian Joppke (2007) when he argues "the shared feature of civic integration is that liberal goals are pursued with illiberal means, making it an instance of repressive liberalism" (p. 1). In other words, policy opponents believe the integration requirements are merely an extension of a larger agenda of immigration control. The use of integration conditions allows control-focused legislators get around the human rights law prohibiting overt control of family migration. The results of the statistical models support claims that integration policies are a mechanism of immigration control, since the radical right is exclusively control-focused. The motive of control suggests that integration polices are not distinguishable from other immigration policies, leading this chapter to confirm the general finding of this dissertation: politics and political maneuvering rule when it come to implementing family migration policies.

[i] These kinds of policies were more common in the early 1900s, referring for example to the forced assimilation of Native Americans in the US. Such policies have been widely criticized as being morally and politically problematic, and have furthermore been shown to be relatively ineffective.

CHAPTER 6

Conclusions

The objective of this research is to explain variance in family migration policies. The dissertation is structured around a deductive logic, starting with a general research question and breaking the results down into more specific and nuanced questions in the following chapters. The first empirical chapter considers a large body of family migration policies with a comprehensive policy index. Chapter three compares labor and family migrant rights. Chapter four examines the difference between policies governing migrant entry into a host state and those granting rights after a migrant is already a resident. Chapter five examines a specific area of policy: policies of "integration from abroad". The many different examinations of family migration policy come to a similar conclusion: family migration policy is exclusively driven by politics. The following chapter revisits the findings and presents the implication of the research for international and domestic politics. Academic implications are discussed as an assessment of the strengths and weaknesses of the research.

6.1. SUMMARY OF FINDINGS

The human-rights foundation of family migration ought to make family reunification policies function differently than other forms of migration. However, in chapter two the link between humanitarianism and family migration policy is not supported in the cross-national data after controlling for outliers. Instead, politics overwhelm humanitarian considerations to serve as the primary explanation of family migration policies. More specifically, contexts with a far right party in the legislature results are far more likely to have more restrictive family migration

policies. Countries with high public support for immigration control are also more likely to have restrictive policies.

The low magnitude of humanitarianism in explaining variance in family migration policy provokes the question of whether family migration is different from other forms of migration. Conservative politics are the only consistent explanation for policy variance. Conservative politics should have a restrictive influence on all migration policies because the prioritization of nationalism, citizenship, and cultural conservativism within conservative parties all results in a restrictive immigration policy preference regardless of whether the migrant comes for reasons of family or labor. Chapter three uses data on immigrant rights to explore whether variance in family immigrant policy is determined differently than variance in labor immigrant policy. It finds very little to distinguish the determinants of labor and family migrant rights. Public support for immigration control is the only consistent explanation for both types of policy. However, it is too soon to conclude all labor and family migration policies fall prey to the same concerns because the dependent variable for labor immigrant policy only measures rights. Policies governing immigrants after they enter the country (immigrant policies) may be explained by different politics and domestic determinants than policies governing immigrant entry (immigration policies).

Chapter four picks up the investigation of the difference between immigration and immigrant policies. Immigration policies govern immigrants who have not yet arrived in the host country, and all the costs and benefits associated with the group are unknown to the native population. The imagined nature of the immigrant groups should subject them to generalizations and exaggerations, making them more vulnerable to mechanisms of immigration control. Immigrant policies relate more to rights and privileges of immigrant groups already resident in

the country. These immigrants are easily identified and are real to the native population. Therefore, policies governing them should be most vulnerable to ideological concerns relating to how a country interprets their obligations to third-country nationals or to human beings in general. The results suggest that variance in pre and post entry policies are both primarily explained by political considerations, but in different ways. Politics of the anti-immigrant right dominate immigration policies, because politicians are susceptible to fear mongering and generalizations from the anti-immigrant right and public opinion when dealing with an imaginary population. Family immigrant policies are described by public opinion alone. Most likely, domestic constraints imposed by legislating on a real and identifiable population restricts the range of responses from policy makers, and therefore makes immigrant policies vulnerable to general public concerns.

However, not all immigration policies are politicized in the same way. In recent years, policies of "integration from abroad" for family migrants have been the most publicly debated family migration policies. Chapter five explores variance in the application of integration policies to try and understand why some states implement the policies while other do not. Because the policies are aimed at improving immigrant integration, they should be more likely to be implemented in contexts where immigrant groups are poorly integrated. Instead, the results of statistical analysis and interview evidence suggest that variance in pre-entry integration policies are better explained by radical politics and ideology, and function much like the other immigration policies.

In sum, the results of all chapters suggest politics overwhelm explanations of domestic conditions or humanitarianism in describing variance in family migration. The findings are especially interesting as the small number of cases in the statistical analyses predisposes the

models against results. Given the limitations in the data, any finding reveals a relationship of high magnitude. Nevertheless, the relationship between restrictive family migration policy and conservative politics in the form of radical right parties and public opinion holds across all chapters and through hundreds of iterations of the statistical models.

Based on interview evidence, individuals working within European governments are hesitant to acknowledge the influence of radical parties or potentially xenophobic public opinion. This reticence is natural, since the radical right and xenophobia are illiberal and anti-democratic. However, hesitancy to acknowledge the importance of the radical right does not make its policy effect any less real. Further, the importance of public opinion does not mean other considerations are not playing a role in national immigration policy formation. Within each country and over time, political parties and public opinion should interact with a host of political actors and domestic considerations before resulting in a final policy package. This project cannot comment on domestic rigors of policy making, but only concerns itself with explanations of policy variance from a cross-national comparative perspective. In Europe, conservative politics is the most significant determinant of rights-based migration policy.

6.2. IMPLICATIONS

The results of this dissertation offer several important implications for international and domestic politics. The implications come from the main findings of the research, but also relate to the non-findings.

The radical right

The demonstrated importance of politics for explaining variance in family migration policy is a major coup for the growing European anti-immigrant right. The results suggest the radical anti-immigrant right is very successful in influencing family migration policies. This

result contributes to the growing body of literature suggesting fringe parties can have legislative influence even without achieving a sizeable vote share in national elections. Countries with proportional representation are particularly susceptible to the radical rights because of the rigors of achieving consensus and coalition building (Kitschelt 1995).

The dissertation results validate the existence of radical right parties as political actors. However, radical right parties present a dilemma to many modern democracies because they often endorse undemocratic ideologies. The parties are publicly treated as 'pariahs' by the traditional party establishment, largely due to their rejection of the principles of human equality based on criteria like nationality, race, gender, ethnicity, socioeconomic, or personal attributes. The clear violation of equality makes the rejection of the radical right a "democratic responsibility" (Downs 2001; Bale 2003).

Despite the 'pariah' branding, mainstream parties have adopted strategies for dealing with radical parties, varying from complete isolation to legislative cooperation (Downs 2001; Bale 2003). Even with variance in strategies for dealing with the radical right, the objective of the centrist parties is the same: neutralize the far right. This objective is the result of two motivations. The first simply keeps votes away from the radical right to ensure the survival of the centrist party. The second eliminates anti-democratic elements from the elected body. For those who want to protect democratic society from undemocratic elements, the results of this project present a warning: cooperation and co-optation is not working. The radical right is not watered down, and instead it is achieving great success in explaining incidents of restrictive policy

Public opinion

Public support for immigration control is a consistently significant predictor of restrictive family migration policies. This finding provides evidence that the democratic relationship between the people and policy is in good working order, and policies tend to correspond with public sentiment. However, the democratic nature of the finding is challenged by *why* the public supports immigration control. A person might favor immigration control for a number of rational reasons. For example, an individual feeling economically threatened by the presence of immigrants would support controlling immigration flows. However, once the actual economic threat is controlled for, the public support for immigration control should likewise lose significance. This is not the case in the models controlling for economic conditions in the host country. Further, economic threat should not extend into post-entry policies, which do not concern employment or supply and demand. The consistent relationship between support for control and every immigration policy area suggests something more abiding than a logical cost-benefit analysis of migration is driving the preference for control. Immigrant antipathy is a good candidate, because a xenophobic individual will usually support any policy that stops immigration or reduces advantages given to immigrant groups. Preliminary individual-level research on the public opinion indicators suggests xenophobia does consistently and strongly contribute to a preference for immigration control. If xenophobia is the most consistent predictor of restrictive immigration and immigrant policy does not convey a hopeful message about the effects of democracy or the progress of human society. Xenophobia can only be overcome with long-term socialization and re-education.

Economics?

Perhaps the most surprising finding is the lack of a relationship between economics and family migration policy. One of the most common arguments against immigration relates to the assertion that immigrants negatively affect the economy. One would therefore expect struggling economies or countries with vulnerable economic institutions to have the most restrictive policies. However, none of the data support a consistent relationship between economics and immigration policy outcomes in comparative perspective. Policy makers are not passing restrictive policies in the economic contexts where restriction makes the most economic sense. Nevertheless, case study reveals continued use of economic arguments by politicians in relatively healthy economies. Opponents of immigration probably use economic arguments all the time, regardless of whether their country's economy is more or less vulnerable than those of neighboring countries. Using an economic argument to encourage immigration control can provide a rational excuse for a xenophobic reaction against immigrants, which would explain the continued use of economic slogans like "British jobs for British workers" while public opinion and radical parties remain the most significant policy motivator.

The implication of the non-relationship between the economy and immigration policy suggests economic changes will not alter the climate around family migration and labor and family migrant rights. Therefore, there is no point in waiting for the economic situation to change before pushing for immigration policy changes; proponents of inclusive policy should not be cowed by economic arguments. Those desiring more inclusive family migration policies should devote their attention to changing public perception, and once they do, they should push for policy change without delay or concern for economic costs.

International law?

Family immigration policy is set apart from other policies of migration, because family reunification is recognized in multiple international conventions and national constitutions as a human right. Logically, countries illustrating high levels of respect for human rights should more readily accept the sanctity of the family. However, the link between humanitarianism and family immigration policy is not supported in the data. Similarly, humanitarianism does not predict the implementation of immigrant rights for labor and family migrants. Instead, politics overwhelm humanitarianism. This is not great news for idealists who argue human rights law should override national law without reference to domestic conditions. There is a silver lining for these idealists, however. Because family migration policies respond to public opinion, human rights advocates should focus their attention on the local culture. Continued reference to logic and law will not make the same policy impact as convincing the public that human rights are important. If public opinion can be swayed in favor of human rights, international law and humanitarianism may have a chance at survival. Without it, democratic nation states will ignore human rights whenever the political survival of the politicians or political parties is at stake.

The dissertation findings also present an opportunity to legally enforce human rights law. The results identify the radical right and public opinion as the best explanations for family migration policy, and both political factors appeal to an underlying logic of immigration control: The platform of anti-immigrant parties is oriented around a policy preference for reducing the flow of foreigners into national territory, and the indicator of public opinion expresses an overwhelming preference for severely restricted or stopped immigration flows. In sum, restrictive family migration policy is motivated by a desire to control immigration flows, making these policies purposefully indirect mechanisms of family migration control. The focus on

immigration control offers hope for the eventual enforcement of international law. In both Germany and France, the constitutional courts overturned immigration policies attempting to stop family migration because they went against constitutional protections of the right to family life. Logically then, the current policies should fall under previous precedent declaring attempts to control family migration flows as illegal. Based on this logic, the current policies and especially the family immigration policies should be legally invalidated. This research provides the empirical basis for opening a legal argument against restrictive family migration policies.

6.3. ASSESSMENT

Strengths

This dissertation provides robust findings and serious implications for domestic and international politics, it also contributes to the existing literature in four ways: 1) it examines family migration, which has not been widely distinguished as a unique subject of study, 2) it groups existing theories of immigration policy into an evaluative framework of humanitarian, economic, political, and demographic policy motivators, 3) it uses multivariate analysis to examine general trends across cases (a relatively unique approach compared to the heavy reliance on case analysis and narrative in the immigration policy literature), and 4) it uses fresh data to examine policy provisions in quantitative models. Until recently, there were no sources of comparative policy data relating to family migration policy. The Migration Research Group and British Council have taken the first steps towards implementing a regular survey for policy evaluation with MIPEX, and this study is one of the first academic works to empirically test the validity of the index and make use of the index.

Weaknesses

Though the findings reveal important cross-national European trends when it comes to family migration policy formation, two caveats are in order. The first caveat relates to the cross-sectional nature of the models and the relatively small number of cases, which focus on a snapshot of time from 2005-2006 within the European Union. Though the independent variables are lagged in an effort to allow policy pressures to filter through the policy system, the data do not allow the statistical models to illustrate the important determinants of policy formation over time. Issue framing, timing, elections, or crisis points might be particularly important in policy making, especially as politics are shown to be the most important explanation for cross-national variance in family migration policy. The insignificant determinants in cross-sectional models of 2006 policy might become significant in a study of policy development taking temporal factors into account. Study over time might also reveal further nuance in the political mechanisms of family migration policy making.

This dissertation lays the groundwork for focused case study over time because it illustrates the most important factors in policy making and identifies the desirable characteristics for case selection in a quasi-experimental design. Up to this point, research on immigration has been dominated by case studies selected with personal or political bias. This research quantifies the research inquiry and makes it less vulnerable to bias by pointing out important but perhaps unexpected contexts for inquiry. For example, Poland and Switzerland should be used to better demonstrate the causal story of how labor and family migrant policy agendas differ because these cases are important outliers: In Poland, labor migrant rights are restrictive and family migrant rights are inclusive, and in Switzerland family migrant rights are restrictive while labor

migrant rights are more inclusive (see Figure 3.1). Similarly, France and Ireland are outliers in the examination of the difference between family immigration and immigrant policy (see Figure 4.1). Both cases should be examined through qualitative case study to illustrate the mechanisms of why and how family immigration and immigrant policy differ. Within each of these cases, the statistical models suggest particular focus on the political environment surrounding the politics of immigration. Without the statistical analysis, the importance of these cases would be unrecognized, and the case study would not have the appropriate direction.

A second caveat concerns the national level of analysis. Many important policy dynamics occur at a sub-national level, and especially within cities (Garbaye, 2005; Ireland, 2008; Rogers, Tillie & Vertovec 2001). The policy importance of many demographic variables might depend on the immediate environment where immigrant or Muslim populations are disproportionately large. For example, certain districts in Berlin, Germany are completely populated by third country nationals, and in France, immigrants are especially concentrated in the suburban rings around Paris. The concentration of minorities in these areas leads to policy initiatives at the municipal level to confront problems associated with integration, ghettoization, etc. At the national level, these important factors are washed out. The findings presented here do not suggest the alternative theories are incorrect, but merely assert that in a cross national sample, political characteristics pull the most weight in describing family migration policy outcomes.

This dissertation focuses on Europe. However, the results and implications extend to other developed democratic nation states. In Europe, immigration and immigrant integration are politically salient issues. In other contexts where the topic of legal immigration is not widely debated, the relationship between fringe parties, public opinion and an immigration policy outcome might not show up. However, the same mechanisms leading from political parties and

public opinion to policy should apply with any similarly important political issue. If a special topic is important enough to threaten the established party system through the rise of a fringe party or through massive public discontent, policy co-optation by the centrist parties should occur, resulting in some surprising policy outcomes. In sum, in contexts where an issue reaches the same level of political saliency as immigration has in Europe and where the institutions allow radical elements to gain an electoral foothold, political extremism and public opinion should exert similarly restrictive policy effects.

Bibliography

Allard. S.W. and S. Danziger. (2000). Welfare Magnets: Myth or Reality?. *The Journal of Politics,* 62, 350-368

Allport, G.W. (1954.1979). *The Nature of Prejudice.* Cambridge, MA: Persus Books.

Bailey, M. A. (2005). Welfare and the Multifaceted Decision to Move. *American Political Science Review,* 99, 125-135

Baldwin-Edwards M. and M. Schain. (1994). *The Politics of Immigration in Western Europe.* Portland, OR: Frank Cass.

Bale, T. (2003). Cinderella and Her Ugly Sisters: The Mainstream and Extreme Right in Europe's Bipolarising Party Systems. *West European Politics,* 26:3, 67-90.

Barbour, S. and C. Carmichael. (2000). *Language and Nationalism in Europe.* Oxford: Oxford University Press.

BBC. (Nov. 2, 2005). French Muslims face job description. *BBC News.* [Online]. Available: http://news.bbc.co.uk/2/hi/europe/4399748.stm

BBC. (Nov. 14, 2005). Timeline: French Riots. *BBC News.* [Online]. Available: http://news.bbc.co.uk/2/hi/europe/4413964.stm.

BBC. (Jan. 30 2009). Refinery Strikes Spread Across UK. *BBC News.* [Online]. Available: http://news.bbc.co.uk/2/hi/uk_news/7859968.stm.

Borjas, G. J. (1994). The Economics of Immigration. *Journal of Economic Literature,* 32:4, 1667-1717.

Borjas, G. J. (1995). The Economic Benefits from Immigration. *The Journal of Economic Perspectives,* 9:2, 3-22.

Borjas, G. J., R. B. Freeman, L. Katz. (1996). Searching for the Effect of Immigration on the Labor Market. *The American Economic Review,* 86:2, 246-251.

Borjas, G. J. (1999). The Economic Analysis of Immigration. *The Handbook of Labor Economics,* 3:1, 1697-1760.

Boswell, C. (2000). European Values and the Asylum Crisis. *International Affairs,* 76:3, p.537-557.

Bremner, C. (2007, April 20). Le Pen predicts he'll have last laugh. *The Times Online.* [online]. Available: http://www.timesonline.co.uk/tol/news/world/europe/article1680255.ece

Brochman, G. (1999). Controlling Immigration in Europe, in G. Brochman and T. Hammar eds., *Mechanisms of Immigration Control: A Comparative Analysis of European Regulation Policies.* Oxford: Berg.

Brubaker, R. (2001). The return of assimilation? Changing perspectives on immigration and its sequels in France, Germany, and the United States. *Ethnic and Racial Studies,* 24:4, 531-548.
Butler, D. and G. Butler. (1986). *British Political Facts 1980-1985.* London:Macmillan.

Castles, S and G. Kosack. (1973). *Immigrant Workers and the Class Structure in Western Europe*. London: Oxford University Press.

Castles, F. and R. McKinlay. (1979). Does Politics Matter? as described by G.K. Roberts. 1997. Nomination: Comparative Politics Matters. *European Journal of Political Research,* 31, 99-107.

Castles S, H. Booth, T. Wallace. (1984). *Here for good: Western Europe's new ethnic minorities.* London: England, Pluto Press.

Castles, S., and M. J. Miller. (2003). New Ethnic Minorities and Society. In Stephen Castles and Mark J. Miller (Eds.), *The Age of Migration 3rd ed*. (pp. 220-254). Hampshire: Palgrave MacMillan,

Cholewinski, R. (2002). Family reunification and conditions placed on family members: Dismantling a fundamental human right. *European Journal of Migration and Law* 4, 271-90.

Citrin, J., D. P. Green, et al. (1997). "Public Opinion Toward Immigration Reform: The Role of Economic Motivations." The Journal of Politics **59**(3): 858-881.

Citrin, J., B. Reingold, et al. (1990a). "American Identity and the Politics of Ethnic Change." The Journal of Politics **52**(4): 1124-1154.

Citrin, J., B. Reingold, et al. (1990b). "The "Official English" Movement and the Symbolic Politics of Language in the United States." The Western Political Quarterly **43**(3): 535-559.

Clüver, C. A. (2005). Great Decision Analysis: Migration and the French Elections *Foreign Policy Association.* [online]. Available: http://www.fpa.org/topics_info2414/topics_info_show.htm?doc_id=473747

Cook, S. W. (1969). Motives in a conceptual analysis of attitude-related behavior. In J. Brigham and T. Weissbach)(eds.), *Racial attitudes in America: Analyses and finshings of social psychology* (pp. 250-260). New York: Harper & Row.

Coppel, J., J. C. Dumont, and I. Visco. 2001. Trends in Immigration and Economic Consequences. *OECD Economics Department Working Papers,* No. 284, OECD Publishing. 341–72.

Council of the European Union. Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification. [Online]. Available: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003L0086:EN:NOT

Cranston, M. (1973). *What Are Human Rights?* London: The Bodley Head Ltd.

Davis, J. A. (1975). "Communism, Conformity, Cohorts, and Categories: American Tolerance in 1954 and 1972-73." The American Journal of Sociology **81**(3): 491-513.

DeClair, E. G. (1999). *Politics on the Fringe, The People, Politics, and Organization of the French National Front.* Durham: Duke University Press.

De Wenden, C. W. (1994).Immigrants as Political Actors in France. *West European Politics,* 17:2, 91-109.

Downs, A. (1957). *An Economic Theory of Democracy.* New York: Harper.

Downs, W. M. (2001). Pariahs in their Midst: Belgian and Norwedian Parties React to Extremist Threats. *West European Politics,* 24:3, 23 – 42.

Dustmann, C., F. Fabbri, and I. Preston. (2005). The Impact of Immigration on the British Labour Market. *The Economic Journal,* 115:507, 324-341.

The Economist. (2008, September 12). Should Sarkozy thank Le Pen? *The Economist*. [Online]. Available: http://www.economist.com/blogs/certainideasofeurope/2008/09/should_sarkozy_thank_le_pen

The Economist (Nov. 11, 2005a). France's Failure. *The Economist,* 11-12

The Economist. (Nov. 11, 2005b). An Underclass Rebellion. *The Economist,* 24-26.

Europa. (Oct. 23, 2007). Making Europe more attractive to highly skilled migrants and increasing the protection of lawfully residing and working migrants. [Online]. Available: http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1575

European Commission. (2007). Eurobarometer 68, Public Opinion in the European Union. [Online]. Available: *http://ec.europa.eu/public_opinion/archives/eb/eb68/eb68_first_en.pdf*

Farndale, N. (2009, May 16). A 'perfect storm for the BNP to make gains in the European elections? *The Telegraph.* [Online]. Available: http://www.telegraph.co.uk/news/newstopics/politics/5335779/A-perfect-storm-for-the-BNP-to-make-gains-in-the-European-elections.html

Feld, S. (2000). Active Population Growth and Immigration Hypotheses in Western Europe. *European Journal of Population,* 16:1, 3-39.

Fertig, M. (2003). Who's to Blame? The Determinants of German Students' Achievement in the PISA 2000 Study, IZA Discussion Paper No. 739; RWI Discussion Paper No. 4. Available at SSRN: http://ssrn.com/abstract=392040

Freeman, G. P. (1979). *Immigrant Labor and Racial Conflict in Industrial Societies, The French and British Experience, 1945-1975.* Princeton: Princeton University Press.

Freeman, G. P. (1986). Migration and the Political Economy of the Welfare State. *Annals of the American Academy of Political and Social Science,* 485, 51-63.

Freeman, G. P. (1995). Modes of Immigration Politics in Liberal Democratic States. *International Migration Review,* 29:4. 881-902.

Garbaye, R. (2005). *Getting Into Local Power: The Politics of Ethnic Minorities in British and French Cities.* Oxford*:* Blackwell Publishing, Ltd.

Geddes, A. (2003). *The Politics of Migration and Immigration in Europe.* London: Sage Publications.

Goodman, S. W. (2009, September). Integration Before Entry?: Immigration Control through Language and Country Knowledge Requirements. Paper presented at the American Political Science Association annual conference, Toronto, Ontario.

Guiraudon, V. & G. Lahav. 2000. A Reappraisal of the State Soverignty Debate. The Case of Migration Control. *Comparative Political Studies,* 33:2. 163-195.

Hainmueller J. and M. Hiscox. (2010). Attitudes toward Highly Skilled and Low-skilled Immigration: Evidence from a Survey Experiment. *American Political Science Review,* 104:1, 61-84

Hammar, T., (Ed). (1985). *European Immigration Policy: A comparative study.* Cambridge; New York: Cambridge University Press.

Hansen, R. (1998). A European Citizenship or a Europe of Citizens? Third Country Nationals in the EU. *Journal of Ethnic and Migration Studies,* 24:4, 751-768.

Hicks, A., D. H. Swank, and M. Ambuhl. (2006). Welfare Expansion Revisited: policy routines and their mediation by party, class, and crisis, 1957-1982. *European Journal of Political Research,* 17:4, 401-430.

Hoffman, J. P. (2004). *Generalized Linear Models, An Applied Approach.* Boston: Pearson Education, Inc.

Hoffman-Nowotny, H.J. (1985). Switzerland. In T. Hammar (Ed.) *European Immigration Policy: A Comparative Study* (pp. 206-236). London: Cambridge University Press.

Hollifield, J. (1992). *Immigrants, Markeys and States: The Political Economy of Post-War Europe,* Cambridge (MA): Harvard University Press.

Hollifield, J. (2004). The Emerging Migration State. *International Migration Review*, 38:3, 885-912.

Howard, M. (2009). *The Politics of Citizenship in Europe.* Cambridge University Press: New York.

Ireland, P. (2008). Comparing Responses to Ethnic Segregation in Urban Europe. *Urban Studies,* 45:7, 1333-1358.

Jandl, M. (2004). The Estimation of Illegal Migration in Europe. *Migration Studies,* 51:153, 141-155.

Joppke, C. (2009). Limits of Integration Policy: Britain and Her Muslims. *Journal of Ethnic and Migration Studies,* 35:3, 453-472.

Joppke, C. (2007). Beyond National Models: Civic Integration Policies for Immigrants in Western Europe. *West European Politics* 30:1, 1-22.

Katseli, L. T. (December 2004). Immigrants and EU Labor Markets. *Migration Information Source.* [Online]. Available: http://www.migrationinformation.org/feature/display.cfm?ID=274.

Kaztnelson, I. (1973). *Black Men, White Cities: Race Politics and Migration in the United States, 1900-30 and Britain, 1948-68.* London: Oxford University Press.

Kessler, A., and G. Freeman. (2005). Public Opinion in the EU on Immigration from Outside the Community. *Journal of Common Market Studies,* 43:4, 825-850.

Kirby, E. J. (2007, April 16). Le Pen urges halt to immigration. *BBC News* [Online]. Available: http://news.bbc.co.uk/2/hi/6558949.stm

Kitschelt, H. (1995). *The Radical Right in Western Europe.* The University of Michigan Press: Ann Arbor.

Kofman, E. (2004). Family-related migration: A critical review of European studies. *Journal of Ethnic and Migration Studies* 30:2, 243-62.

Kofman, E. M. Rogoz, and F. Lévy. (2010). *Family Migration Policies in France.* International Centre for Migration Policy Development. [Online]. Available: http://research.icmpd.org/fileadmin/Research-Website/Project_material/NODE/FR_Policy_Report.pdf

Kraler, A. (2010). *Civic Stratification, Gender and Family Migration Policies in Europe.* International Centre for Migration Policy Development. [Online]. Available: http://research.icmpd.org/fileadmin/Research-Website/Test_content/FINAL_Report_Family_Migration_Policies_Online_FINAL.pdf.

Lahav, G. (1997). International versus national constraints in family-reunification migration policy. *Global Governance* 3, 349-72.

Lahav, G. (2002). Ideological and Party Constraints on Immigration Attitudes in Europe. *Journal of Common Market Studies,* 35: 3, 377-406.

Layton-Henry, Z. and D. Studlar. (1985). The Political Participation of Black and Asian Britons:Integration or Alienation? *Parliamentary Affairs,* 38 3: 307-318.

Lochak, D. and C. Fouteau. (2008). *Immigrés sous contrôle.* Paris: Le Cavlier Bleu Editions.

Maddox, B. (Nov. 4, 2005). Sarkozy touches nerve over 'unFrench' future. *The Times*. [Online]. Available: http://www.timesonline.co.uk/tol/news/world/europe/article586324.ece.

Messina, A. (1989). *Race and Party Competition in Britain.* Oxford: Clarendon Press.

Messina, A. (1990). Political Impediments to the Resumption of Labour Migration to Western Europe. *West European Politics,*13, 31-46.

Messina, A. (2007). *The Logics and Politics of Post-WWII Migration to Western Europe.* Cambridge: Cambridge University Press.

Miller, M. and P. Martin. (1982). *Administering Foreign Worker Programs*. Lexington: Lexington Books.

Minkenberg, M. (2001). The Radical Right in Public Office: Agenda Setting and Policy Effects. *West European Politics*, 24:4, 1-21.

Mirza, M., A. Senthilkumaran, Z. Ja'far. (2007). Living Apart Together: British Muslims and the Paradox of Multiculturalism. London: Policy Exchange.

Money J. (2007). No Vacancy: The Political Geography of Immigration Control in Advanced Industrial Countries. *International Organization,* 51:4, 685-720.

Moore, M. (Nov. 30, 2005). France Weighs Immigration Controls After Riots. *The Washington Post*. [Online]. Available: http://www.washingtonpost.com/wp-dyn/content/article/2005/11/29/AR2005112900295.html.

Niessen, J., T. Huddleston, L. Citron, A. Geddes and D. Jacobs (2007). *Migrant Integration Policy Index*. Brussels, Belgium: British Council Brussels, Foreign Policy Centre, Migration Policy Group.

Norris, P. A. (2005) *Radical Right: Voters and Parties in the Electoral Market.* Cambridge: Cambridge University Press.

Organization for Economic Co-operation and Development (2004). Learning for Tomorrow's World, First Results from PISA 2003. OECD. [Online]. Available: http://www.oecd.org/dataoecd/1/60/34002216.pdf

Parkinson, J. (2007, November 16). What does 'British jobs' pledge mean? *BBC News.* [Online]. Available: http://news.bbc.co.uk/2/hi/uk_news/politics/7097837.stm

Pettigrew, T. F. (1998a). Reactions Towards the New Minorities of Western Europe. *Annual Review of Sociology*, 24, 77-103.

Pettigrew, T. F. (1998b). Intergroup Contact Theory. *Annual Review of Psychology,* 49, 65-85.

Pettigrew, T. F. and L. R. Tropp. (2005). Allports' Intergroup Contact Hypothesis: Its History and Influence. In Dovido, J., P. Glick and L. A. Rudman, (Eds.), *On the Nature of Prejudice Fifty Years After Allport* (pp. 262-277*).* Malden, MA: Blackwell Publishing.

Pew Research Center. (2006). The Great Divide: How Westerners and Muslims View Each Other. Washington DC: The Pew Global Attitudes Project.

Policy Exchange (2007) Living Apart Together: British Muslims and the Paradox of Multiculturalism. London: Policy Exchange.

Ravitch, N. (1997). Your People, My People; Your God, My God: French and American Troubles Over Citizenship. *The French Review*, 70:4, 515-527.

Risse-Kappen, T. (1991). Public Opinion, Domestic Structure, and Foreign Policy in Liberal Democracies. *World Politics,* 43:4, 479-512.

Rogers A., J. N. Tillie & S. Vertovec. (2001). *Multicultural Policies and Modes of Citizenship in European Cities.* Farnham: Ashgate.

Rydgren, J. (2004). *The Populist Challenge: Political Protest and Ethno-Nationalism Mobilization in France.* New York: Berghahn Books.

Sahlins, P. (2006). Civil Unrest in the French Suburbs, November 2005. *SSRC.* [Online]. Available: http://riotsfrance.ssrc.org/.

Sallucci, L. (2009) Chapter 2: Migration, Ethnicity and Satisfaction with Municipalities in the UK (PhD diss, University of Colorado).

Samuel, H. (2010, March 15). “Far0Right National Front performs well in French regional elections”. *The Telegraph*. [Online]. Available: http://www.telegraph.co.uk/news/worldnews/europe/france/7448051/Far-Right-National-Front-performs-well-in-French-regional-elections.html.

Schain, M. A. 1988. Immigration and Changes in the French Party System. *European Journal of Political Research,* Vol. 16, 597-621.

Schain, M. A. (2002). The Impact of the French National Front on the French Political System. In Martin Schain, Aristide Zolberg, and Patrick Hossay (Eds.), *Shadows over Europe: The Development and Impact of the Extreme Right in Western Europe* (pp. 223-244). New York: Palgrave Macmillan.

Schain, Martin A. (2006) The Extreme Right and Immigration Policy Making: Measuring Direct and Indirect Effects. *West European Politics*, 29:2, 270-89.

Simon, J., S. Moore and R. Sullivan. (1993). The Effect of Immigration on Aggregate Native Unemployment: An across-city estimation. *Journal of Labor Research,* 14:3, 299-316.

Smith, J. P. and B. Edmonston. (1997). *The new Americans: economic, demographic, ad fiscal effects of immigration.* Washington DC: National Academy Press.

Storeslettem, K. (2000). Sustaining Fiscal Policy Through Immigration. *Journal of Political Economy, 108:2, 300-323.*

Teske, R. and B. Nelson. (1974). Acculturation and assimilation: a clarification. *American Ethnilogist*, 1:2, 351-367.

Thérien, J and A. Noel. (2000). Political Parties and Foreign Aid. *The American Political Science Review,* 94:1, 151-162.

Thränhardt, D. (1995). Political Uses of Xenophobia in England, France, and Germany. *Party Politics,* 1, 323-345.

UK Border Agency. (2010). *Working in the UK*. [Online]. Available: http://www.ukba.homeoffice.gov.uk/workingintheuk/

UN Population Division. (2001). *Replacement migration: Is it a solution to declining and ageing populations?* United Nations Publication.

Vogel, D. (2000). Migration Control in Germany and the United States. *International Migration Review,* 34, 2: 390-422.

Williams, M. H. (2006). *The Impact of Radical Right-Wing Parties in West European Democracies*. New York: Palgrave MacMillan.

Winter-Ebmer R. and J. Zweimüller, J. Do immigrants displace young native workers: The Austrian experience. *Journal of Population Economics,* 12:2, 327-340.

Zimmerman, Klaus F. (1995). "Tackling the European Migration Problem". *The Journal of Economic Perspectives,* 9:2, 45-62.

Appendix A Size of foreign population in select European countries, 1985, 1990, 1995, 2000-2008 (thousands)

	1985	1990	1995	2000	2001	2002	2003	2004	2005	2006	2007	2008
Austria	..	..	677.061	701.768	728.769	745.19	752.676	772.88	795.169	802.682	832.331	867.837
% of total population	..	..	*8.41%*	*8.65%*	*9.06%*	*9.22%*	*9.27%*	*9.46%*	*9.67%*	*9.71%*	*10.03%*	*10.41%*
Belgium	846.482	904.528	909.769	861.685	846.734	850.077	860.287	870.862	900.473	932.161	971.448	..
% of total population	*8.59%*	*9.07%*	*8.97%*	*8.41%*	*8.23%*	*8.23%*	*8.29%*	*8.36%*	*8.59*	*8.84*	*9.14*	..
Czech Republic	..	..	158.617	200.951	210.794	231.608	240.421	254.294	278.312	321.456	392.315	437.565
% of total population	..	..	*1.54%*	*1.96%*	*2.06%*	*2.27%*	*2.36%*	*2.49%*	*2.72%*	*3.13%*	*3.80%*	*4.20%*
Denmark	116.951	160.641	222.746	258.629	266.729	265.424	271.211	267.604	270.051	278.096	298.49	320.188
% of total population	*2.29%*	*3.12%*	*4.26%*	*4.84%*	*4.98%*	*4.94%*	*5.03%*	*4.95%*	*4.99%*	*5.12%*	*5.47%*	*5.83*
Finland	17.034	26.6	68.566	91.074	98.577	103.682	107.003	108.346	113.852	121.739	132.708	143.256
% of total population	*0.35%*	*0.53%*	*1.34%*	*1.76%*	*1.90%*	*1.99%*	*2.05%*	*2.07%*	*2.17%*	*2.31%*	*2.51%*	*2.70%*
France	..	3596.602	..	..	..	..	..	..	..	3541.82	..	..
% of total population	..	*6.34%*	..	..	..	..	..	..	..	*5.75%*	..	..
Germany	4378.9	5342.532	7173.9	7296.8	7318.628	7335.593	7334.753	6738.681	6755.821	6755.811	6744.879	6727.619
% of total population	*7.18%*	*8.45%*	*8.78%*	*8.88%*	*8.90%*	*8.90%*	*8.89%*	*8.17%*	*8.19%*	*8.20%*	*8.20%*	*8.19%*

Source: OECD.Stat, stats.oecd.org

Appendix A Size of foreign population in select European countries, 1985, 1990, 1995, 2000-2008 (thousands) continued												
	1985	**1990**	**1995**	**2000**	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**	**2008**
Greece	..	..	..	304.617	355.758	436.781	472.835	533.36	553.061	570.57	643.066	733.598
% of total population	..	..	..	*2.79%*	*3.25%*	*3.98%*	*4.29%*	*4.82%*	*4.98%*	*5.12%*	*5.75%*	..
Hungary	..	..	139.887	110.028	116.429	115.888	130.109	142.153	154.43	166.03	174.697	184.358
% of total population	..	..	*1.35%*	*1.08%*	*1.14%*	*1.14%*	*1.28%*	*1.41%*	*1.53%*	*1.65%*	*1.74%*	..
Ireland	..	..	..	..	..	219.296	..	..	..	413.223	..	..
% of total population	..	..	..	..	..	*5.60%*	..	..	..	*9.76%*	..	..
Italy	423.004	781.138	729.159	1379.749	1448.392	1549.373	1990.159	2402.157	2670.514	2938.922	3432.651	3891.295
% of total population	*0.75%*	*1.38%*	*1.28%*	*2.41%*	*2.52%*	*2.70%*	*3.46%*	*4.17%*	*4.59%*	*5.03%*	*5.83%*	*6.56%*
Luxembourg	97.9	113.05	138.05	164.7	166.72	170.7	177.759	183.705	191.328	198.259	205.889	215.509
% of total population	*26.70%*	*29.41%*	*33.44%*	*37.75%*	*37.76%*	*38.26%*	*39.50%*	*40.37%*	*41.48%*	*42.26%*	*43.24%*	*44.55%*
Netherlands	552.5	692.4	725.4	667.802	690.393	699.954	702.185	699.351	691.357	681.932	688.375	719.494
% of total population	*3.81%*	*4.63%*	*4.69%*	*4.19%*	*4.30%*	*4.33%*	*4.33%*	*4.30%*	*4.24%*	*4.17%*	*4.20%*	*4.37%*
Norway	101.5	143.299	160.837	184.337	185.863	197.668	204.731	213.303	222.277	238.305	266.26	302.977
% of total population	*2.44%*	*3.38%*	*3.69%*	*4.10%*	*4.12%*	*4.36%*	*4.49%*	*4.65%*	*4.81%*	*5.11%*	*5.65%*	*6.35%*
Source: OECD.Stat, stats.oecd.org												

Appendix A Size of foreign population in select European countries, 1985, 1990, 1995, 2000-2008 (thousands)

	1985	1990	1995	2000	2001	2002	2003	2004	2005	2006	2007	2008
Poland	..	..	..	..	..	49.221	..	..	..	54.883	57.548	60.431
% of total population	..	..	..	..	..	*0.13%*	..	..	..	*0.14%*	*0.15%*	*0.15%*
Portugal	..	107.767	168.316	207.607	360.815	423.788	444.641	469.138	432.022	437.124	446.333	443.102
% of total population	..	*1.09%*	*1.71%*	*2.03%*	*3.50%*	*4.08%*	*4.26%*	*4.46%*	*4.09%*	*4.13%*	*4.21%*	*4.17%*
Slovak Republic	..	..	21.873	28.801	29.418	29.491	29.196	22.251	25.563	32.13	40.904	52.545
% of total population	..	..	*0.41%*	*0.53%*	*0.55%*	*0.55%*	*0.54%*	*0.41%*	*0.47%*	*0.60%*	*0.76%*	*0.97%*
Spain	..	..	..	1370.657	1977.946	2664.168	3034.326	3730.61	4144.166	4519.554	5268.762	5598.691
% of total population	..	..	..	*3.40%*	*4.86%*	*6.45%*	*7.22%*	*8.74%*	*9.55%*	*10.26%*	*11.74%*	*12.28%*
Sweden	388.641	483.704	531.797	472.35	471.344	469.801	452.76	457.771	457.494	485.946	518.249	555.385
% of total population	*4.65%*	*5.65%*	*6.02%*	*5.32%*	*5.30%*	*5.26%*	*5.05%*	*5.09%*	*5.07%*	*5.35%*	*5.67%*	*6.02%*
Switzerland	939.7	1100.262	1330.574	1384.382	1419.095	1447.312	1471.033	1495.008	1511.937	1523.586	1570.965	1638.949
% of total population	*14.52%*	*16.39%*	*18.90%*	*19.27%*	*19.64%*	*19.87%*	*20.04%*	*20.23%*	*20.33%*	*20.36%*	*20.80%*	*21.43%*
United Kingdom	1731	1723	1948	2342	2587	2584	2742	2857	3035	3392	3824	4196
% of total population	*3.06%*	*3.01%*	*3.36%*	*3.98%*	*4.38%*	*4.36%*	*4.60%*	*4.77%*	*5.04%*	*5.60%*	*6.27%*	*6.83%*

Source: OECD.Stat, stats.oecd.org

Appendix B. Interview directory				
Interview No.	**Country**	**Position**	**Organization/Institution**	**Date**
1	France	expert	Centre National de la Recherche Scientifique	9/3/08
2	France	civil society	GISTI - Groupe d'information et de soutien des immigres	9/9/08
3	France	expert	Centre Nationale de la Recherche Scientifique	9/11/08
4	France	expert	Science Po	9/16/08
5	France	government	Institut National d'Etudes Demographiques	9/22/08
6	France	government	ASSFAM - Association Service Social Familial Migrants	9/30/08
7	France	government	Ministère de l'interieur	10/1/08
8	France	policy expert	Siences Po	10/2/08
9	France	government	Direction de la Recherche, des Etudes, de l'Evaluation et de la Statistique, Min of Health	10/6/08
10	France	government	Ministère de l'immigration, de l'intégration, de l'identité nationale et du développement solidaire	10/7/08
11	France	government	l'ascé: L'agence nationale pour la cohesion social et l'egalite des chance	10/8/08
12	France	government	l'ascé: l'agence nationale pour la cohesion social et l'egalite des chance	10/8/08
13	France	civil society	Femmes de la Terre	10/8/08
14	France	civil society	CIMADE	10/9/08
15	France	policy expert	Centre National de la Recherche Scientifique	10/10/08
16	France	civil society	SSAE - Soutien, Solidarite et Action en faveur des immigres	10/13/08
17	France	civil society	Secour Catholique	10/14/08
18	France	civil society	LICRA:Ligue Internationale Contre le Racisme et l'Antisémitisme	10/20/08
19	France	civil society	CNAFAL: Conseil National des Associations Familiales Laïques	10/21/08
20	France	government	ANAEM: L'Agence Nationale de l'Accueil des Etrangers et des Migrations	10/21/08

Appendix B. Interview directory, continued				
Interview No.	**Country**	**Position**	**Organization/Institution**	**Date**
21	France	expert	La Sorbonne	10/21/08
22	France	government	Ministère du travail, des relations sociales, de la famille, et de la solidatire	10/22/08
23	France	government	Ministère de l'immigration, de l'intégration, de l'identité nationale et du développement solidaire	10/22/08
24	France	policy expert	The American Uniersity of Paris	10/22/08
25	France	civil society	GISTI - Groupe d'information et de soutien des immigres	10/28/08
26	France	government	Commission des Recours des Réfugiés	10/30/08
27	France	civil society	ATMF: Association des Travailleurs mahgrebins de France	10/30/08
28	France	government	l'ascé: l'agence nationale pour la cohesion social et l'egalite des chance	10/30/08
29	France	government	Ministère de l'immigration, de l'intégration, de l'identité nationale et du développement solidaire	10/31/08
30	France	civil society	DIEM: Droit Immigration Magrehb Europe	10/31/08
31	France	civil society	SOS Racisme	10/31/08
32	France	civil society	ACORT: L'Assemblée Citoyenne des Originaires de Turquie	11/3/08
33	Germany	civil society	Caritas	11/5/08
34	Germany	civil society	Pro Köln	11/9/08
35	Germany	expert	WZB: Social Science Research Center Berlin	11/10/08
36	Germany	expert	Osnabrück University	11/17/08
37	Germany	expert	Institut für Politikwissenschaft	11/19/08
38	Germany	civil society	The German Institute for Human Rights	11/20/08
39	Germany	government	Ministry of the interior - MI3 foreigners law division	11/21/08
40	Germany	government	Integration Commission	11/21/08

Appendix B. Interview directory, continued				
Interview No.	**Country**	**Position**	**Organization/Institution**	**Date**
41	Germany	civil society	ARiC Berlin	11/21/08
42	Germany	government	Hamburg Ministry of Social and Family Affairs, Health and Consumers Protection	11/24/08
43	Germany	civil society	IAF: Der Verband binationaler Familien und Partnerschaften, Verein für bi-nationale Paare	12/2/08
44	Germany	government	Federal Institute for Population Research - Min of Interior	12/3/08
45	Germany	government	Stabsabteilung für Integrationspolitik	12/4/08
46	Germany	civil society	German-Turkish Forum	12/5/08
47	Germany	civil society	Öffentlichkeit Gegen Gewalt (Köln) E.V.	12/9/08
48	Germany	government	Institut für Arbeitsmarkt-und Berufsforschung	12/10/08
49	Germany	government	Federal Ministry for Migration and Refugees	12/10/08
50	Germany	civil society	Papatya	12/15/08
51	Germany	civil society	EKD: Evangelical Church in Germany	12/16/08
52	Germany	expert	German Institute for International and Security Affairs	12/17/08
53	Germany	civil society	Diakonie	12/17/08
54	Germany	government	Green party	12/18/08
55	Germany	expert	WZB: Social Science Research Center Berlin	2/18/09
56	Germany	expert	Institute for Migration Research and Intercultural Studies	2/19/09
57	Germany	government	Commission on Migration to Germany	2/24/09
58	Germany	government	Green Party	2/27/09
59	Sweden	civil society	The Raoul Wallenberg Institute of Human Rights and Humanitarian Law	3/17/09
60	Sweden	expert	University of Lund	3/18/09

Appendix B. Interview directory, continued				
Interview No.	**Country**	**Position**	**Organization/Institution**	**Date**
61	Sweden	government	Minister for Migration and Asylum Policy, Ministry of Justice	3/25/09
62	Sweden	civil society	Immigrant-institutet	3/23/09
63	Sweden	government	Ministry of Justice	3/25/09
64	Sweden	civil society	FARR	25-Mar
65	Sweden	government	Swedish Migration Board	3/30/09
66	Sweden	government	Ministry of Justice	3/31/09
67	Sweden	government	Ministry of Justice	3/31/09
68	Sweden	government	Ministry of Justice	3/31/09
69	Sweden	expert	Växjö universitet	4/2/09
70	Sweden	civil society	Social Mission	4/6/09
71	Sweden	civil society	Global Migration and Gender Network	4/7/09
72	Sweden	expert	Stockholm University	4/8/09
73	Sweden	civil society	Svenska kyrkan	4/10/09
74	Sweden	civil society	Temaasyl	4/10/09
75	Sweden	civil society	LO: Swedish Trade Union Confederation	4/15/09
76	Sweden	government	Green party	4/16/09
77	Sweden	civil society	Caritas	4/17/09
78	Sweden	civil society	Red Cross, Sweden	4/18/09
79	Sweden	civil society	Mångkulturellt centrum	4/19/09
80	Sweden	government	Left party	4/20/09

Appendix B. Interview directory, continued				
Interview No.	**Country**	**Position**	**Organization/Institution**	**Date**
81	Sweden	government	Conservative moderate party	4/21/09
82	UK	expert	King's College	5/5/09
83	UK	expert	London School of Economics, migration advisory committee	5/5/09
84	UK	civil society	Institute for Race Relations	5/6/09
85	UK	expert	University of Sheffield	5/12/09
86	UK	civil society	Institute for Race Relations	5/13/09
87	UK	expert	University of Edinburgh	5/21/09
88	UK	expert	The Centre on Migration, Policy and Society	5/21/09
89	UK	civil society	Equal Rights Trust	6/2/09
90	UK	government	Home Office	6/3/09
91	UK	government	Home Office	6/10/09
92	EU	government	European Parliament, France	3/3/09
93	EU	government	European Parliament, Germany	3/3/09
94	EU	expert	Institute of European Studies	3/6/09
95	EU	EU government	Immigration Unit, European Commission	3/9/09
96	EU	expert	University of Kent at Brussels,	3/10/09
97	EU	expert	Migration Policy Group	3/10/09

Appendix C. Family migration policies for third country nationals			
Score	**1**	**2**	**3**
Eligibility			
Eligibility for sponsor/legal resident	≥ 2 years of legal residence and/or holding a permit for ≥ 2 years	> 1 year of legal residence and/or holding a permit for > 1 year	≤ 1 year of legal residence and/or holding a residence permit for ≤ 1 year
Eligibility for the sponsor's spouse and registered partner	Age limits (minimum or maximum age) and/or integration or other conditions apply	Spouse only	Both. No conditions apply
Eligibility for minor children	Application must be lodged before the age of 15 of minor or other conditions apply	Children must be unmarried	No conditions apply
Eligibility for dependent relatives in the ascending line	Not allowed	Certain conditions (other than dependency) apply	Allowed
Eligibility for dependent adult children	Not allowed	Certain conditions (other than dependency) apply	Allowed
Conditions for Acquisition of status			
Integration Measures			
Passing of integration test	Yes		
Imposition of integration course	Conditional for status	Voluntary	None
Language assessment	Written and/or high level language test (ex. A2, B1, B2, C1, C2)	Simple, oral, multiple-choice interview or test (takes into account abilities of individual TCN)	None
Content of integration assessment	With cultural aspects (culture, customs, traditions)	With social aspects (knowledge of legal/political system, citizenship rights, basic norms/values)	None
Other conditions			
Accommodation requirement	Further requirements	Appropriate accommodation meeting health and safety standards	None
Economic resources requirement	Stable and sufficient resources for sponsor and dependents	Employment related criteria	None
Length of application procedure	> 9 months or no regulation on maximum length	> 6 ≤ 9 months	≤ 6 months
Costs of application and/or issue of permit or renewal	Any higher costs or prerequisites at high indirect costs (for ex. Medical records, degrees and their translation)	Administrative fee as charged for issue of identity card	None

Appendix C. Family migration policies for third country nationals (continued)			
Score	**1**	**2**	**3**
Security of status			
Duration of validity of permit	< 1 year renewable permit or new application necessary	≥ 1 year renewable permit but not equal to sponsor's	Equal to sponsor's residence permit and renewable
Grounds for rejecting, withdrawing or refusing to renew status:	Grounds include: a. Public policy or security major threat.b. Proven fraud in the acquisition of permit (inexistent relationship or misleading information). c. Break-up of family relationship (before three years)	Grounds include the break-up of a family relationship (before three years)	No other than a. Public policy or security major threat or b. Proven fraud in the acquisition of permit (inexistent relationship or misleading information).
Before refusal or withdrawal, due account is taken of (regulated by law) :	No elements	Any but not all of the following: a. Solidity of sponsor's family relationship b. Duration of sponsor's residence c. Existing links with MS and (non-existing links with country of origin)	All of the following: a. Solidity of sponsor's family relationship b. Duration of sponsor's residence c. Existing links with MS and (non-existing links with country of origin)
Legal guarantees and redress in case of refusal or withdrawal	One or both reasoned decision and right to appeal are not guaranteed	At least reasoned decision and right to appeal	Status confers a reasoned decision, a right to appeal and representation before an independent administrative authority and/or court
Rights associated with status			
Right to autonomous residence permit for partners and children reaching age of majority	After ≤ 3 years	After > 3 ≤ 5 years	After > 5 years or upon certain conditions
Right to autonomous residence permit for other family members having joined the sponsor	After ≤ 3 years	After > 3 years or upon certain conditions	None
Access to education and training for adult family members	In the same way as the sponsor	Other conditions apply	None
Access to employment and self-employment	In the same way as the sponsor	Other conditions apply	None
Access to social security and social assistance, healthcare and housing	In the same way as the sponsor	Other conditions apply	None

Appendix D. Correlation table of MIPEX components				
	Eligibility for status	Conditions for acquisition of status	Security of Status	Rights associated with status
Eligibility for status	1			
Conditions for acquisition of status	0.5014	1		
Security of Status	0.3106	0.1800	1	
Rights associated with status	0.4124	0.1110	0.3151	1

Appendix E. Factor analysis of dependent variable index components					
Factor	**Eigenvalue**	**Factor**	**Eigenvalue**		
1 **2** **3** **4**	4.84103 2.87560 1.69117 1.45833	**5** **6** **7** **8**	1.39306 1.17188 0.83452 0.63082		
	Factor (eigenvalue)	**Factor 1 (4.841)**	**Factor 2 (2.876)**	**Factor 3 (1.691)**	**Factor 4 (1.458)**
Eligibility for status	Eligibility of sponsor/legal resident	-0.0107	0.4773	0.1293	0.2201
	Eligibility of spouse/partner	0.3681	-0.1317	0.3129	0.1451
	Eligibility of minor children	0.4303	-0.1043	-0.1237	0.2862
	Eligibility of dependent relations in ascending line	0.8150	-0.1269	0.2100	0.3005
	Eligibility of adult children	0.7856	0.1756	0.0474	0.1787
Conditions for acquisition of status	Passing integration test	0.7110	0.2384	0.2955	0.3015
	Imposition of integration course	0.6693	-0.1956	-0.2075	-0.3975
	Language assessment	0.7135	-0.2313	-0.4136	-0.1137
	Accommodation requirement	0.4351	0.0564	0.1209	0.3117
	Economic resources requirement	0.2702	0.2697	-0.1923	0.0479
	Length of application procedure	0.3811	-0.3810	0.5263	-0.0251
	Cost of application	-0.0343	-0.3611	0.4777	-0.2232
Security of Status	Duration of validity of permit	0.6430	-0.0726	-0.2381	-0.0924
	Ground for withdrawing, rejecting, refusing to renew status	0.4941	-0.2914the	0.2680	-0.2281
	Before refusal, due account given to family circumstance (by law)	-0.1620	0.6100	-0.1931	-0.2154
	Legal guarantees or redress in instance of refusal or withdrawal	0.2320	0.2906	-0.4399	0.4503
Rights associated with status	Right to autonomous residence for spouse/partner and children	0.5333	0.6237	0.1511	-0.0292
	Right to autonomous residence for other relatives	0.5405	0.4741	0.2357	0.0629
	Access to education and training for adult family members	0.1412	0.6285	-0.0449	-0.5800
	Access to employment and self-employment	0.1619	0.3396	0.3098	-0.3403
	Access to social security, social assistance, healthcare, and housing	0.0857	0.6339	0.3471	0.0788

Appendix F. Factor analysis of dependent variable index components by theoretical grouping					
		Principal factor and eigenvalues		Factor loadings	
				1	2
Eligibility for status	Eligibility of sponsor/legal resident	Factor1	1.67616	-0.0115	0.2987
	Eligibility of spouse/partner	Factor2	0.37879	0.3200	0.4493
	Eligibility of minor children	Factor3	-0.00584	0.5150	-0.2936
	Eligibility of dependent relations in ascending line	Factor4	-0.10893	0.8581	0.0314
	Eligibility of adult children	Factor5	-0.25153	0.7563	-0.0212
Conditions for acquisition of status	Passing integration test	Factor1	2.11468	0.8010	-0.0389
	Imposition of integration course	Factor2	0.37804	0.7825	0.0013
	Language assessment	Factor3	0.25393	0.7933	-0.0032
	Accommodation requirement	Factor4	0.03086	0.2939	-0.0142
	Economic resources requirement	Factor5	-0.00405	0.2261	-0.2833
	Length of application procedure	Factor6	-0.16637	0.2884	0.2980
	Cost of application	Factor7	-0.29442	-0.1041	0.4552
Security of Status	Duration of validity of permit	Factor1	0.63611	0.5718	0.0388
	Ground for withdrawing, rejecting, refusing to renew status	Factor2	0.34516	0.5234	-0.1711
	Before refusal, due account given to family circumstance (by law)	Factor3	-0.17399	-0.0150	0.4005
	Legal guarantees or redress in instance of refusal or withdrawal	Factor4	-0.26508	0.1870	0.3924
Rights associated with status	Right to autonomous residence for spouse/partner and children	Factor1	2.06708	0.8663	-0.1994
	Right to autonomous residence for other relatives	Factor2	0.54367	0.7821	-0.4005
	Access to education and training for adult family members	Factor3	0.22151	0.5180	0.3890
	Access to employment and self-employment	Factor4	-0.13255	0.4725	0.2505
	Access to social security, social assistance, healthcare, and housing	Factor5	-0.21673	0.4619	0.3597

Appendix G. Chow Test for difference between family immigration and immigrant policies	
DV: Family migration policy	1
Human rights organization membership	0.356 (0.473)
Unemployment	0.542 (1.226)
Social spending	0.545 (0.511)
Fertility	-7.735 (12.636)
Immigrant population	-37.489 (32.462)
Center right party vote share	-0.337 (0.179)
Legislative presence of anti-immigrant party	-6.728 (5.830)
Public support for immigration control	-0.341 (0.167)
Family immigration policy	-14.019 (36.230)
Human rights organization membership* Family immigration policy	0.411 (0.668)
Unemployment* Family immigration policy	0.472 (1.734)
Social spending* Family immigration policy	-0.908 (0.722)
Fertility* Family immigration policy	7.426 (17.870)
Immigrant population* Family immigration policy	30.636 (45.908)
Center right party vote share* Family immigration policy	0.240 (0.236)
Legislative presence of anti-immigrant party* Family immigration policy	-12.096 (8.245)
Public support for immigration control* Family immigration policy	0.190 (0.236)
Constant	108.876 (25.619)
Observations	50
F-test, Prob. > F	0.11
**p<0.05,*p <0.1	

Appendix H. Pearson's R Correlation Coefficients for Independent Variables in Chapter 2

	1	2	3	4	5	6	7	8	9	10	11	12
1. Human rights organization membership	1											
2. Humanitarian donations per capita	0.435	1										
3. Refugees per capita	0.500	0.657	1									
4. GDP	0.430	0.830	0.561	1								
5. Unemployment	-0.273	-0.504	-0.505	-0.588	1							
6. Social spending	0.458	0.206	0.564	0.446	-0.382	1						
7. Fertility	0.283	0.509	0.517	0.587	-0.567	0.484	1					
8. Immigrant population	0.323	0.487	0.103	0.544	-0.234	-0.093	0.080	1				
9. Immigration flows	0.348	0.580	0.244	0.815	-0.456	0.230	0.264	0.581	1			
10. Center right party vote share	-0.249	-0.107	-0.200	-0.009	-0.061	-0.304	-0.221	0.025	0.227	1		
11. Legislative presence of anti-immigrant party	0.333	0.241	0.108	0.294	0.157	0.280	0.209	0.250	0.075	-0.457	1	
12. Public support for immigration control	-0.300	-0.229	-0.029	-0.389	0.349	-0.236	-0.102	-0.280	-0.544	0.053	0.133	1

Appendix I. Humanitarian variants on OLS models of family migration policies	
DV: Family migration policy	2
Human rights organization membership	0.604* (0.329)
Religiosity	0.121 (0.098)
Unemployment	0.670 (1.264)
Social spending	0.108 (0.289)
Fertility	-3.122 (10.613)
Size of the immigrant population	-10.505 (20.652)
Center right party vote share	-0.251* (0.134)
Legislative presence of anti-immigrant party	-15.215** (5.419)
Public support for immigration control	-0.195 (0.136)
Constant	94.036 (18.790)
Observations	25
R-squared	0.61
Note: Cyprus and Switzerland are excluded from the model due to missing religiosity data **p<0.05,*p <0.1	

Appendix J. Economic variants on OLS models of family migration policies			
DV: Family migration policy	1	2	3
Human rights organization membership	0.597* (0.290)	0.453 (0.300)	0.608 (0.355)
Unemployment	0.977 (1.336)		
Social spending	-0.068 (0.320)		-0.101 (0.429)
GDP growth		-0.617 (0.681)	
Industrial productivity	-0.068 (0.411)	0.151 (0.487)	-0.059 (0.502)
Public opinion: negative perception of national economy			5.085 (20.935)
Fertility	.183 (12.038)	-9.448 (9.130)	-5.569 (12.914)
Immigrant population	-22.283 (21.674)	-15.888 (16.17)	-24.790 (22.439)
Center right party vote share	-0.179 (0.157)	-0.210 (0.157)	-0.212 (0.167)
Legislative presence of anti-immigrant party	-13.390** (5.147)	-12.219** (3.895)	-12.552** (4.987)
Public support for immigration control	-0.276* (0.146)	-0.208 (0.141)	-0.230 (0.150)
Constant	103.872 (52.923)	98.885 (51.822)	114.86 (61.010)
Observations	23	23	22
R-squared	0.61	0.59	0.59
Note: Models one, two and three exclude Ireland, Malta, Switzerland, and Cyprus due to missing data, and model three also excludes Norway. **p<0.05,*p <0.1			

Appendix K. Political variants on OLS models of family migration policies		
DV: Family migration policy	1	2
Human rights organization membership	0.088 (0.340)	0.165 (0.260)
Unemployment	0.522 (1.347)	0.122 (1.245)
Social spending	0.042 (0.408)	-0.103 (0.355)
Fertility	0.674 (13.043)	-2.480 (10.031)
Immigrant population	-29.719 (27.673)	-41.199* (23.804)
Center right party vote share	-0.196 (0.133)	-0.134 (0.118)
Legislative presence of anti-immigrant party	-12.460** (5.414)	
Anti-immigrant party vote share		-0.637* (0.371)
Left party vote share	-0.053 (0.143)	
Public support for immigration control	-0.260* (0.134)	-0.317 (0.126)
Constant	100.169** (23.314)	106.904 (17.683)
Observations	26	26
R-squared	0.527	0.481

Appendix L. Rights for Labor Migrants			
Score	**1**	**2**	**3**
Immigrants able to accept employment	After one year or less legal employment	After more than one year, but less than or equal to three years of legal employment	No, or after more than three years legal employment
Immigrants able to take up self-employment	Only considers viability of business plan	Other limiting conditions (like linguistic ability)	Certain sectors and activities solely for nationals/EU nationals
Recognition of qualifications	Same procedures for EEA nationals	Different procedure than for EEA nationals	No recognition of titles or possible down-grading of qualifications
Measures taken to integrate immigrants into labor market	National policy targets to reduce unemployment of third country nationals and policy targets to promote vocational training	Either measures (or others) but not all	No elements
State facilitation of recognition of extra-EU skills and qualifications	National guidelines on fair procedures, timelines, and fees for assessments by professional, governmental and non-governmental organizations and existence of state agencies/information centers that promote the recognition of skills and qualificatios or provision of information on conversion courses and on procedures for assessment of skills and qualifications	Existence of state agencies/information centers that promote the recognition of skills and qualificatios or provision of information on conversion courses and on procedures for assessment of skills and qualifications	none
Equality of access to vocational training and study grants	No distinction made between EU and non-EU nationals in terms of education, vocational training, and study grants	Equal treatment only after more than one but less than three years of legal employment	Third country nationals do not have equal access, have equal access only after three years, or other limiting conditions exist.
Renewal of work permits	Possible for all permits (except seasonal permits)	Certain permits are not renewable (in addition to seasonal permits)	Work permits are in principle not renewable
Termination of work permit leads to revocation of work/residence permit	Not necessarily. After more than three years of employment further elements are considered (like length of residence, workers social security, etc) or more flexible criteria	Not necessarily. After more than five years of legal employment further elements are considered	In all cases
Right to become and member and participate in unions and work-related bodies	Equal access with nationals	Restricted access to elected positions	Other restrictions apply
Changes in working status/permit	Allowed after less than one year of legal employment	Allowed after more than one or less than three years of legal employment	Not allowed of allowed after more than three years legal employment

Appendix M. Family immigrant policy scores			
Score	**1**	**2**	**3**
Security of status			
Duration of validity of permit	< 1 year renewable permit or new application necessary	≥ 1 year renewable permit but not equal to sponsor's	Equal to sponsor's residence permit and renewable
Grounds for rejecting, withdrawing or refusing to renew status:	Grounds include: a. Public policy or security major threat. b. Proven fraud in the acquisition of permit (inexistent relationship or misleading information). c. Break-up of family relationship (before three years)	Grounds include the break-up of a family relationship (before three years)	No other than a. Public policy or security major threat or b. Proven fraud in the acquisition of permit (inexistent relationship or misleading information).
Before refusal or withdrawal, due account is taken of (regulated by law) :	No elements	Any but not all of the following: a. Solidity of sponsor's family relationship b. Duration of sponsor's residence c. Existing links with MS and (non-existing links with country of origin)	All of the following: a. Solidity of sponsor's family relationship b. Duration of sponsor's residence c. Existing links with MS and (non-existing links with country of origin)
Legal guarantees and redress in case of refusal or withdrawal	One or both reasoned decision and right to appeal are not guaranteed	At least reasoned decision and right to appeal	Status confers a reasoned decision, a right to appeal and representation before an independent administrative authority and/or court
Rights associated with status			
Right to autonomous residence permit for partners and children reaching age of majority	After ≤ 3 years	After > 3 ≤ 5 years	After > 5 years or upon certain conditions
Right to autonomous residence permit for other family members having joined the sponsor	After ≤ 3 years	After > 3 years or upon certain conditions	None
Access to education and training for adult family members	In the same way as the sponsor	Other conditions apply	None
Access to employment and self-employment	In the same way as the sponsor	Other conditions apply	None
Access to social security and social assistance, healthcare and housing	In the same way as the sponsor	Other conditions apply	None

Appendix N. Pearson's R Correlation Coefficients for Independent Variables

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1. GDP	1															
2. Native higher education	0.04	1														
3. Unemployment	-0.63	0.26	1													
4. GDP growth	0.03	0.42	0.23	1												
5. Social spending	0.17	-0.22	-0.46	-0.78	1											
6. Construction labor	0.12	0.16	-0.18	0.07	0.14	1										
7. Industry labor	0.12	-0.02	-0.42	-0.26	0.45	-0.06	1									
8. Immigrant education	-0.25	0.82	0.47	0.48	-0.39	-0.002	-0.27	1								
9. Center right party vote share	0.05	0.07	-0.04	0.48	-0.42	0.02	0.25	0.17	1							
10. Vote share of anti-immigrant right	0.26	0.34	0.09	-0.17	0.13	-0.39	-0.02	0.14	-0.32	1						
11. Public support for immigration control	-0.35	0.50	0.36	0.14	-0.12	0.02	0.43	0.34	0.02	0.12	1					
12. Human rights organization membership	0.42	-0.06	-0.38	-0.14	0.38	0.12	0.18	-0.18	-0.19	0.01	-0.22	1				
13. Humanitarian donations per capita	0.87	0.21	-0.52	0.18	0.05	0.08	0.002	-0.03	-0.13	0.29	-0.23	0.42	1			
14. Refugees per capita	0.51	0.23	-0.53	-0.29	0.53	0.31	0.39	-0.03	-0.22	0.16	0.01	0.47	0.60	1		
15. Immigrant population	0.82	0.04	-0.32	0.13	0.01	0.18	-0.04	-0.10	0.17	0.10	-0.34	0.23	0.64	0.15	1	
16. Immigration flows	0.79	-0.11	-0.48	0.31	-0.16	0.18	-0.07	-0.22	0.38	-0.04	-0.50	0.16	0.59	0.13	0.81	1

Appendix O. Chow Test for difference between labor and family migrant rights	
DV: Policy scores (family and labor rights indices)	1
Unemployment	1.127 (1.976)
Social spending	-0.729 (1.321)
GDP growth	-2.925 (2.906)
Construction labor	-0.275 (0.538)
Industry labor	2.550 (2.310)
Fertility	-4.044 (19.122)
Size of the immigrant population	-30.080 (44.651)
Center right vote share	-0.434 (0.264)
Anti-immigrant party vote share	-0.385 (0.564)
Left vote share	-0.041 (0.313)
Public support for immigration control	-0.564 (0.327)
Human rights organization membership	0.270 (0.635)
Labor rights index	496.892 (336.135)
Unemployment* Labor rights index	-3.827 (2.794)
Social spending* Labor rights index	-2.075 (1.868)
GDP growth* Labor rights index	0.917 (4.110)
Construction labor* Labor rights index	-0.488 (0.760)
Industry labor* Labor rights index	-3.955 (3.267)
Fertility* Labor rights index	0.347 (27.042)
Size of the immigrant population* Labor rights index	-73.111 (63.146)
Center right vote share* Labor rights index	0.037 (0.372)
Anti-immigrant party vote share* Labor rights index	0.210 (0.798)
Left vote share* Labor rights index	-0.029 (0.443)
Public support for immigration control* Labor rights index	-0.123 (0.463)
Human rights organization membership* Labor rights index	1.579 (0.897)
Constant	-73.188 (237.683)
Observations	50
F-test, Prob. > F	1.75, 0.1128
**p<0.05,*p <0.1	

Appendix P. Family immigration policy scores			
Score	**1**	**2**	**3**
Eligibility			
Eligibility for sponsor/legal resident	≥ 2 years of legal residence and/or holding a permit for ≥ 2 years	> 1 year of legal residence and/or holding a permit for > 1 year	≤ 1 year of legal residence and/or holding a residence permit for ≤ 1 year
Eligibility for the sponsor's spouse and registered partner	Age limits and/or integration or other conditions apply	Spouse only	Both. No conditions apply
Eligibility for minor children	Application must be lodged before the age of 15 of minor or other conditions apply	Children must be unmarried	No conditions apply
Eligibility for dependent relatives in the ascending line	Not allowed	Certain conditions (other than dependency) apply	Allowed
Eligibility for dependent adult children	Not allowed	Certain conditions (other than dependency) apply	Allowed
Conditions for Acquisition of status			
Passing of integration test	Yes		No
Imposition of integration course	Conditional for status	Voluntary	None
Language assessment	Written and/or high level language test	Simple, oral, multiple choice interview or test	None
Content of integration assessment	With cultural aspects	With social/political aspects	None
Accommodation requirement	Further requirements	Appropriate accommodation meeting health and safety standards	None
Economic resources requirement	Stable and sufficient resources for sponsor and dependents	Employment related criteria	None
Length of application procedure	> 9 months or no regulation on maximum length	> 6 ≤ 9 months	≤ 6 months
Costs of application and/or issue of permit or renewal	Any higher costs or prerequisites at high indirect costs	Administrative fee as charged for issue of identity card	None

Appendix Q. Family immigrant policy scores			
Score	**1**	**2**	**3**
Security of status			
Duration of validity of permit	< 1 year renewable permit or new application necessary	≥ 1 year renewable permit but not equal to sponsor's	Equal to sponsor's residence permit and renewable
Grounds for rejecting, withdrawing or refusing to renew status:	Grounds include: a. Public policy or security major threat. b. Proven fraud in the acquisition of permit (inexistent relationship or misleading information). c. Break-up of family relationship (before three years)	Grounds include the break-up of a family relationship (before three years)	No other than a. Public policy or security major threat or b. Proven fraud in the acquisition of permit (inexistent relationship or misleading information).
Before refusal or withdrawal, due account is taken of (regulated by law) :	No elements	Any but not all of the following: a. Solidity of sponsor's family relationship b. Duration of sponsor's residence c. Existing links with MS and (non-existing links with country of origin)	All of the following: a. Solidity of sponsor's family relationship b. Duration of sponsor's residence c. Existing links with MS and (non-existing links with country of origin)
Legal guarantees and redress in case of refusal or withdrawal	One or both reasoned decision and right to appeal are not guaranteed	At least reasoned decision and right to appeal	Status confers a reasoned decision, a right to appeal and representation before an independent administrative authority and/or court
Rights associated with status			
Right to autonomous residence permit for partners and children reaching age of majority	After ≤ 3 years	After > 3 ≤ 5 years	After > 5 years or upon certain conditions
Right to autonomous residence permit for other family members having joined the sponsor	After ≤ 3 years	After > 3 years or upon certain conditions	None
Access to education and training for adult family members	In the same way as the sponsor	Other conditions apply	None
Access to employment and self-employment	In the same way as the sponsor	Other conditions apply	None
Access to social security and social assistance, healthcare and housing	In the same way as the sponsor	Other conditions apply	None

Appendix R. OLS Models of Family Immigration Policy with Variants of Humanitarianism, Robust Standard Errors				
DV: family immigration policy	1	2	3	4
Unemployment	-0.046 (1.422)	0.702 (1.276)	0.261 (1.465)	0.784 (1.494)
Social spending	-0.372 (0.537)	0.200 (0.418)	-0.362 (0.522)	-0.053 (0.665)
Center right party vote share	-0.016 (0.163)	-0.062 (0.162)	-0.028 (0.163)	0.041 (0.182)
Vote share of anti-immigrant party	-0.877** (0.417)	-1.259** (0.349)	-0.935** (0.407)	-1.025* (0.537)
Liberal party vote share	-0.113 (0.172)	-0.283 (0.186)	-0.150 (0.184)	-0.104 (0.191)
Public support for immigration control	-0.266 (0.184)	-0.264 (0.178)	-0.323 (0.212)	-0.303 (0.216)
Size of immigrant population	-33.664 (36.937)	-57.874** (18.362)	-30.769 (37.198)	-29.186 (30.853)
Fertility	-4.129 (14.463)	-17.580 (13.409)	-4.336 (14.289)	-1.784 (15.082)
Human rights organization membership	0.376 (0.602)			
Humanitarian donations per capita		0.418** (0.121)		
Refugees per capita			821.568 (1055.32)	135.862 (17.700)
Percentage of positive asylum decisions				20.862 (17.700)
Percentage of positive asylum decisions *Refugees per capita				937.087 (6382.14)
Constant	111.041 (28.031)	122.79** (25.904)	114.345 (31.325)	93.831 (34.988)
Observations	25	25	25	25
R^2	0.44	0.60	0.45	0.50
**p<0.05,*p <0.1				

Appendix S. Chow Test for difference in EU 15 with family immigration policies	
DV: Family immigration policies	1
Human rights organization membership	-27.676 (21.032)
Unemployment	-7.648 (5.289)
Social spending	0.085 (1.744)
Fertility	61.201 (39.182)
Size of the immigrant population	-192.894* (95.979)
Center right vote share	0.192 (0.726)
Electorally viable anti-immigrant party	3.536 (3.304)
Left vote share	-0.554 (0.322)
Public support for immigration control	0.070 (0.362)
EU 15	195.17** (51.640)
Human rights organization membership* EU 15	28.112 (21.033)
Unemployment* EU 15	9.731 (5.436)
Social spending* EU 15	2.958 (1.913)
Fertility* EU 15	-120.212** (41.929)
Size of the immigrant population* EU 15	280.244** (99.059)
Center right vote share* EU 15	-0.941 (0.742)
Electorally viable anti-immigrant party* EU 15	-6.696* (3.335)
Left vote share* EU 15	-1.800** (0.503)
Public support for immigration control* EU 15	-0.801** (0.388)
Constant	45.773 (40.253)
Observations	25
F-test, Prob. > F	0.0278
**p<0.05,*p <0.1	

Appendix T. Chow Test for difference in EU 15 with family immigrant policies	
DV: Family immigrant policies	1
Human rights organization membership	-68.473 (40.396)
Unemployment	-16.414 (10.158)
Social spending	0.610 (3.351)
Fertility	140.489 (75.258)
Size of the immigrant population	-323.876 (184.350)
Center right vote share	-0.093 (1.394)
Electorally viable anti-immigrant party	9.549 (6.346)
Left vote share	-0.738 (0.618)
Public support for immigration control	-1.140 (0.695)
EU 15	63.113 (99.186)
Human rights organization membership* EU 15	68.981 (40.399)
Unemployment* EU 15	20.103 (10.441)
Social spending* EU 15	2.024 (3.675)
Fertility* EU 15	-176.227* (80.533)
Size of the immigrant population* EU 15	319.89 (190.27)
Center right vote share* EU 15	-0.401 (1.426)
Electorally viable anti-immigrant party* EU 15	-10.708 (6.405)
Left vote share* EU 15	-0.238 (0.967)
Public support for immigration control* EU 15	0.672 (0.745)
Constant	75.530 (77.315)
Observations	25
F-test, Prob. > F	0.4821
**p<0.05,*p <0.1	

Appendix U. OLS Models of Family Immigrant Policy with Variants of Humanitarian, Robust Standard Errors			
DV: Family immigrant policy	1	2	3
Unemployment	-0.214 (1.238)	0.185 (1.536)	0.320 (1.607)
Social spending	0.854 (0.530)	0.687 (0.532)	0.515 (0.630)
Centrist conservative party vote share	-0.078 (0.137)	-0.328 (0.228)	-0.319 (0.222)
Vote share of anti-immigrant party	-0.191 (0.389)	-0.470 (0.437)	-0.453 (0.418)
Liberal party vote share	-0.075 (0.139)	-0.145 (0.159)	-0.143 (0.165)
Public support for immigration control	-0.612** (0.148)	-0.381** (0.172)	-0.416** (0.163)
Size of immigrant population	-50.159** (25.119)	-57.626* (30.178)	-54.201** (25.969)
Fertility	-7.003** (17.723)	-9.675 (17.396)	-8.539 (17.421)
Human rights organization membership	-0.101 (0.368)		
Humanitarian donations per capita		0.075 (0.154)	
Refugees per capita			652.11 (869.770)
Constant	114.852** (24.238)	117.604** (25.354)	119.840** (26.183)
Observations	26	26	26
R^2	0.499	0.502	0.510
**p<0.05,*p <0.1			

Appendix V. Pearson's R Correlation coefficients for Integration Variables										
	1	2	3	4	5	6	7	8	9	10
1. Center right vote share	1									
2. Anti-immigrant right vote share	-0.3257	1								
3. Support for immigration control	0.0447	0.0558	1							
4. Immigrant population	0.0476	0.4778	-0.4453	1						
5. Non-white population	-0.2270	0.0411	0.2478	0.2881	1					
6. Muslim population	0.2289	0.1527	0.2478	0.1374	0.4493	1				
7. Naturalizations per capita	-0.1532	0.4551	-0.2583	0.7027	0.4458	0.3491	1			
8. Immigrant/native education	-0.0521	-0.4687	-0.5552	-0.1941	0.1365	-0.3508	-0.4869	1		
9. Immigrant/native unemployment	-0.3316	0.4224	-0.4669	0.7012	0.5081	0.0920	0.7602	-0.2531	1	
10. Public support for assimilation	-0.3200	0.0327	0.3674	-0.2358	0.1414	0.4050	0.3060	-0.4076	0.1377	1

Appendix W. Negative Binomial Model of integration policy score with indicators of control, including f tests			
DV: Integration policy index	**1**	**2**	**3**
GDP	-0.021 (0.013)		
Unemployment		-0.123 (0.140)	-0.245 (0.144)
Social spending	-0.033 (0.118)	-0.015 (0.103)	-0.017 (0.152)
Fertility	2.841 (1.977)	0.290 (2.132)	-0.476 (2.954)
Center right vote share	-0.028* (0.015)	-0.038* (0.023)	-0.036** (0.019)
Vote share of anti-immigrant right	0.192** (0.068)	0.152** (0.078)	0.189* (0.107)
Left vote share	0.069 (0.044)	0.044 (0.039)	0.041 (0.063)
Public support for immigration control	0.028 (0.021)	0.068** (0.026)	0.047** (0.024)
Size of immigrant population		3.203 (4.715)	
Immigration flows			-101.651 (80.180)
Constant	-6.437 (2.909)	-5.660 (3.979)	-2.111 (4.710)
Observations	26	26	26
**p<0.05,*p <0.1			

F tests
GDP = 0, Prob >chi2 = 0.1186 (model 1)
Unemployment = 0, Prob >chi2 = 0.3802 (model 2)
Social spending = 0, Prob>chi2 = 0.8840 (model 2)
Fertility = 0, Prob>chi2 = 0.8917 (model 2)
Center right vote share = 0, Prob>chi2 = 0.0948 (model 2)
Vote share of anti-immigration right = 0, Prob>chi2 = 0.0500 (model 2)
Left vote share = 0, Prob>chi2 = 0.2638 (model 2)
Public support for immigration control = 0, Prob>chi2 = 0.0083 (model 2)
Size of immigrant population = 0, Prob>chi2 = 0.4969 (model 2)
Immigration flows = 0, Prob>chi2 = 0.2049 (model 3)

Appendix X. Negative binomial model of integration policy score, integration indicators				
	DV: Integration policy index	**1**	**2**	**3**
Immigrant integration	Size of immigrant population	2.880 (4.339)	-0.033 (0.094)	28.317 (19.277)
	Non-white population per capita	28.915 (20.729)		
	Muslims percentage of population	-0.189 (0.114)		-0.181* (0.108)
	Immigrant/native education ratio	-7.085** (3.564)	-5.295** (2.553)	-7.687** (3.752)
	Immigrant/native unemployment ratio		0.556 (0.597)	
	Naturalization rate			40.772 (179.86)
	Public support for assimilation	0.066** (0.024)	0.047 (0.018)	0.064** (0.025)
	Constant	1.392 (2.368)	0.521 (3.160)	2.075 (2.190)
	Observations	19	20	19
**p<0.05,*p <0.1				