

How to Understand Immigration Policy

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IMMIGRATION POLICY IS AN INCREASINGLY important part of economic growth and development around the world because nearly all industrialized states face a set of common challenges relating to the sustainability of their economic growth and welfare states. These challenges include declining birth rates, aging populations, and workforces that have become more educated even as the low-skilled job sector, especially in services such as care of the elderly, cleaning, and food preparation, has grown. At the same time, the increasing rate of technological innovation has put a premium on skilled workers, especially scientists and engineers.

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Despite these common challenges, immigration policy varies considerably across these countries and is also a focus of occasionally heated political conflict. The nature of policy variation and the sources of conflict regarding immigration are less clear than today's demographic challenges. However, the policy variation and the many conflicts surrounding immigration can be made intelligible when we see that they are based on conflicting perspectives or policy paradigms. These perspectives supply logic for understanding the immigration policies by defining their goals, modes, and priorities.¹

This article will show how we can understand both the variations and the conflicts regarding immigration policy by identifying the ways states mix together three different perspectives: the economic growth perspective, the rights liberalism perspective, and the traditional communities perspective. These perspectives will then be used to help understand policy variations and conflicts over time,

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between regions of the world, and between different targets of policies, namely the low- and high-skilled migrants.

The point here is not that economic interests do not matter—they matter a great deal, and the interests of businesses and workers are key factors here. The high stakes associated with these economic interests help us to understand some of the sentiments involved in these contentious debates. But economic interests alone do not provide an understanding of the different policies or the emotions involved with immigration. Many of the most contentious policies also involve cultural interests as well as claims that have a legal character—claims of rights. This is because stakeholders in global immigration debates approach policy issues from very different perspectives. Stakeholders have varying priorities and interests, and as a result, they are often unable to communicate effectively or achieve resolution.

THREE PERSPECTIVES ON IMMIGRATION POLICY

In the vein of Max Weber's ideal types, we can categorize the forms of logic that characterize contemporary immigration policies into three main perspectives. Weber used ideal types as conceptual tools to understand real world social complexity even though the ideal types did not exist in the real world in pure form.² The same is true for the immigration policy perspectives discussed here. Although these perspectives do not exist in the real world, the particular logic that each embodies often appears in contemporary debates. The following list of perspectives is not meant to be exhaustive; for example, some countries formulate immigration policy with a geopolitics perspective, focused on improving international relations, but this perspective declined in prominence at the end of the Cold War. The economic growth perspective, the rights liberalism perspective, and the traditional communities perspective, however, are the most common and pronounced in the immigration policies of industrialized countries today.

ECONOMIC UTILITARIAN PERSPECTIVE

A common perspective in recent decades of immigration policy, economic utilitarianism asserts that policy should be geared toward economic growth so as to provide the greatest good for the greatest number of people. This perspective is embodied by the sentiment, "Our immigration policy is not providing the workers our economy needs." Its key feature is a focus on the big economic picture, and it includes little explicit concern for anything else.

The economic utilitarian perspective appears in two primary modes. The

first mode, as expressed in the sample quotation above, centers on maximizing profits by supplying a large and flexible labor force for employers and pushes policy toward ever more open borders. This mode is found most prominently in the West with policies that push to bring in skilled workers.

The second mode, often observed in East Asia, focuses more on the potential costs of immigration and pushes policy toward admitting only the workers that employers need so that the state minimizes expenses on unemployed workers and nonworking dependents. In both cases the goal is the same: immigration serves the needs of the economy, specifically the needs of employers, and thus benefits society as a whole.

RIGHTS LIBERALISM PERSPECTIVE

The rights liberalism perspective emphasizes both migrants and citizens as rights-bearing individuals. This perspective also appears in two modes. The mode that is more commonly found in the West focuses prominently on migrants. In these cases, the rights in question may be human rights, as encouraged in European Union documents, or rights written into constitutions or statutes that focus on the importance of dignity and access to welfare and to family life. Policies based on this mode of rights liberalism push for open borders in order to facilitate free movement and family reunification—regardless of whether or not the economy benefits—as well as expanded welfare provisions and multiculturalism.

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The second mode focuses on the rights of citizens in the host states and is found in most industrialized states on matters related to unskilled immigration. Policies based on this paradigm take into consideration the economic opportunities of citizens and seek to ensure that citizens are not being crowded out of jobs or having their wages impacted by migrant flows. This frame of thinking can make immigration restriction seem like a rational policy, though in more recent years it has pushed policymakers toward more focused efforts, such as requiring that employers first seek citizens for jobs or ensuring more rights for migrants so as to reduce incentives for employers to hire a foreign workforce.

A hallmark of the rights liberalism perspective is the importance of individuals: though the significance of rights violations can be emphasized with high numbers of victims, it is still the case from this perspective that even a single egregious violation of an individual's rights matters and should not be sacrificed for the broader social good. Nongovernmental organizations and labor unions often argue from the rights liberalism perspective, and journalists use it in a muted way when they profile a migrant who has suffered family separation or unfair deportation.³

For example, journalists in the United States have reported on the plight of individual families for years—especially children, who are otherwise law abiding but in the country without authorization and who sometimes face dramatic, traumatizing, predawn raids that turn their lives upside down. These stories typically feature sympathetic comments from representatives of immigrant rights NGOs who emphasize the injustice of the situation.⁴

TRADITIONAL COMMUNITY PERSPECTIVE

Like the economic utilitarian perspective, the traditional community perspective focuses on the collective good but frames the concept of collective good very differently. In this case, working for the collective good means protecting the existing culture, social relations, social order, and rule of law from any changes that might be caused by immigration. The traditional community perspective pushes policy toward immigration restriction or exclusion as well as policies that encourage the cultural assimilation of immigrants. Though in practice this perspective can appear racist—and has been explicitly racist in some cases—policy driven by the traditional community perspective may also simply be focused on preserving what exists rather than excluding any particular others, but nevertheless stave off change in ways that minimize diversity within the state (perhaps the most prominent example is Israel's policy of preferring immigrants who are Jewish).⁵ In North America and Europe, this perspective is often voiced by less advantaged members of society who lack great wealth but greatly prize their local communities and the cultural similarity that binds them.

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UNDERSTANDING POLICY VARIATION ACROSS TIME: THE DECLINE OF THE TRADITIONAL COMMUNITY PERSPECTIVE IN THE UNITED STATES

The history of immigration policy in the United States can be understood as the rise and decline of the traditional community perspective. The traditional community perspective was apparent in the earliest years of the American republic, as evidenced by Benjamin Franklin's worry that immigrants from central Europe were so numerous that early America risked being Germanized.⁶ There was little attempt to regulate any unwanted influx until the late 1800s, however, when the United States experienced a surge of Asian migrants. In response Congress passed the Chinese Exclusion Act in 1882.⁷ In the early 1920s Congress acted again, this time limiting the immigration of Catholic and Jewish immigrants then coming in massive numbers from eastern and southern Europe. Rather than outright exclusion, these laws tied migration quotas for people from these

parts of Europe to their population levels in the United States before the influx and drastically reduced the opportunities for persons from these countries to migrate. While economic interests may have motivated some of these acts of immigration restriction, the policies' focus on race and religion highlights the concern for traditional community preservation.⁸

This traditional communities perspective defined U.S. immigration policy for the next 40 years. National security concerns during World War II contributed to the end of the Chinese Exclusion Act, and the demise of other outright bans of Asian immigrants soon followed as the United States and Soviet Union competed for the developing world's allegiance during the Cold War.⁹ Despite these changes, U.S. policy maintained its discriminatory treatment of immigrants from Asian countries as well as immigrants from eastern and southern Europe by maintaining quotas for these nationalities that were far smaller than for nationalities not seen as disruptive to the traditional community. For example, China, then a nation of about 400 million, was allowed a quota of 105 people.¹⁰ Nonetheless, the end of total exclusion did mark the emergence of the rights liberalism perspective in U.S. immigration policy as global aspirations of human rights began to shape international discourse and define new expectations of nondiscrimination in the United States and elsewhere.

By the 1960s these forces merged with nondiscrimination norms created by the civil rights movement and institutionalized in the Civil Rights Act of 1964 and the Voting Rights Act of 1965. It is no coincidence that the Hart-Celler Immigration and Nationality Act—the law that finally ended the dominance of the traditional community perspective in U.S. immigration law by abolishing all racial and national discrimination—was passed by Congress in 1965.¹¹

Over the years rights liberalism has emerged as the guiding perspective behind the Hart-Celler Act's focus on family reunification, although some question whether this was the case when the law was written. The law established relatives of current U.S. citizens and legal residents as by far the largest visa category without preferences for any particular nationality, race, religion, or even utility to the U.S. economy. At the time of the law's passage, however, some saw reason to think that this was still a traditional community-based immigration policy. Mike Masaoka, then the head of the Japanese American Citizens League, complained in a letter to Congress that "74 percent of the authorized annual numerical ceiling from Old World countries shall be made available to members and close relatives of American citizen and resident alien families," while "[o]nly 26 percent is available for professionals, for skilled and unskilled labor in short supply, and for 'conditional entries' or refugees." Essentially, the

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new law would allow the national demographic mix to “remain approximately as it is—and has been—because of past restrictions and exclusions of those of Asian ancestry.”¹² Other arguments in the legislative record, however, as well as interviews with some of the key players, suggest that some members of Congress knew this approach would change American demographics forever.¹³ In any case, it is certain that family reunification rights are now firmly entrenched in the law.¹⁴

UNDERSTANDING POLICY VARIATION ACROSS SPACE: EUROPEAN AND EAST ASIAN IMMIGRATION POLICIES

Perhaps the most distinctive immigration policy variation among industrialized countries concerns the differing approaches that European and East Asian states have taken toward the immigration of low-skilled workers. Each approach can be seen as a mix of perspectives. Both regions started with the same economic utilitarian perspective, which posits that when the economy needs low-skilled workers in order to grow, these workers should be provided from abroad. However, only those who are needed for work should come—they should be temporary and should return home when no longer needed. European states, however, quickly added a rights liberalism perspective that provided rights for low-skilled workers, including the right for workers to bring their spouses and children into the country. Low-skilled workers in many East Asian countries still lack these rights. Put simply, despite the self-flagellation that occurs in Europe over harsh treatment of low-skilled, immigrant workers, many European states have been far more welcoming than East Asian states due to the persistence of rights liberalism that is relatively lacking in much of East Asia’s immigration policy.¹⁵

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Contemporary migration to European states began after World War II. An acute labor shortage in northern and western European states—including Belgium, France, Germany, Netherlands, and Switzerland—led to the widespread adoption of temporary work agreements with governments in the sending states, mostly in southern Europe though Turkey was also a prominent labor source. While initially these agreements did not always include legal avenues for temporary workers to bring family members, some did. For example, in Sweden, “[t]he fundamental right of family reunion was never questioned and was accepted without a special political decision.”¹⁶ Other states receiving economic migrants quickly adopted similar policies without controversy.¹⁷ Guest workers often used these opportunities, especially when the original guest worker

programs ended.¹⁸ For example, 80,000 guest worker dependents arrived in the Netherlands between 1974 and 1977.¹⁹

In some cases lawmakers in Europe established a rights liberalism perspective in their immigration laws because they simply took migrant rights for granted, as the case of Sweden suggests, or because some advocates argued it was the right thing to do. The Netherlands restricted family reunification in the first five years of labor migration, from 1955 to 1960, but members of the Catholic Party, dominant in Parliament, established these rights for migrant workers. Catholic Party members argued that family separation was “extremely painful” and sought a “human and not strictly economic solution.”²⁰

In other cases it was economic interests that established rights liberalism in immigration laws. For example, in the 1960s German employers sought to retain the migrant workers they had because rotating foreigners was expensive and disruptive. These employers saw family reunification as a way to achieve that goal.²¹ Some German employers even sought to hire migrants’ wives because doing so ensured that the migrant would stay in the country and delivered workers more quickly than anonymous recruitment. In addition, some believed that a stable family life would improve the productivity of the workers.²²

Since those days, however, some European states have pushed to restrict family migration of low-skilled persons, and seasonal migrants are no longer allowed to bring family members.²³ Although avenues for family reunification are now harder to access, some still remain. The European Union considers family life to be a right and, though the guest worker programs of the 1960s are now gone, low-skilled refugees, asylees, and their families have continued to contribute to the making of a multicultural Europe.²⁴

In contrast to European states, the most developed states in East Asia do not provide family reunification opportunities to low-skilled migrant workers. While Japan, Singapore, South Korea, and Taiwan all have different schemes for foreigners to supply low-skilled labor in their respective labor markets, they do have one characteristic in common: the laws in those countries formally bar low-skilled migrants from bringing spouses or dependents.

Instead of using the rights liberalism perspective, East Asia’s low-skilled immigrant policies marry a cost-conscious economic utilitarianism with traditional community approaches—a far more harmonious mix than those seen in Europe, which include a rights liberalism perspective. Japan does not distribute low-skilled worker visas at all, instead relying on a variety of other means to supply workers without disrupting Japanese society. These include a trainee program that ostensibly provides skills for foreigners who are not classified as workers by

the law; generous work allowances for those on student visas, mostly Chinese; and a heavy reliance on ethnic Japanese from South America, or *nikkeijin*, who presumably minimize the disruption of the traditional community.²⁵

South Korea for many years had an employee trainee system similar to that of Japan, and both employee trainees and foreigners on the newer work permit system—which abolished the legally vulnerable category of trainees—have not been allowed to bring family members.²⁶ South Korea also established special visas for ethnic Koreans to work in Korea, relying in particular on Korean Chinese, or *joseonjok*, to provide a large percentage of the low-skilled, foreign workers in the country.²⁷

Taiwan and Singapore, both with arguably less traditional community to preserve, nevertheless have similarly resisted the encroachment of a rights liberalism framework on their foreign worker policies. Both countries have work permit systems that predate that of Korea and do not allow spouses or dependent children to join low-skilled workers. Singapore is the most restrictive because the state—known for the openness of its economy—prohibits marriage between those on temporary work permits and Singaporean nationals.²⁸ Singapore also deports migrants with temporary work visas if they become pregnant.²⁹

While East Asian states have been trending toward greater openness and the inclusion of more rights for immigrants—such as South Korea’s replacement of its exploitative migrant “trainee” program with the worker permit program mentioned above—there is still a stark contrast between European and East Asian immigration policies.³⁰ East Asian states tend to be much more restrictive toward low-skilled asylees and refugees, who are often viewed as raiding the public coffers and disrupting the traditional community. Even with the new openness toward marital migration in East Asia—which overwhelmingly consists of low-skilled women from China and Southeast Asia marrying bachelor citizens—migrants lack opportunities to bring family members with them and are often absorbed into local households instead.³¹

UNDERSTANDING POLICY VARIATION: THE DIFFERENCE BETWEEN LOW- AND HIGH-SKILLED MIGRATION FLOWS

While a great deal of variation exists among migration policies throughout the world, there are very few states that do not distinguish migrants based on some measure of their skill, usually understood as either having or not having postsecondary degrees or credentials. In practice these policies mostly target IT workers, engineers, and scientists. The perspective that shapes the goals and

modes of high-skilled migration is mostly economic utilitarianism. In Western states, however, there is no dominant perspective on low-skilled migration, and this helps us to understand the conflict that immigration creates in North America and Europe. These conflicts over immigration generally focus on the immigration of low-skilled workers.

Consider first the policies that regulate the immigration of high-skilled workers. In recent years, the dominant discourse about high-skilled immigration has been one of competition: the rivalry among industrialized states to attract these migrants. This competition exists because most policies in industrialized countries are based in some part on the economic utilitarian perspective: the more high-skilled workers, the better.

Canada is one of the innovators in this area. While the U.S. immigration system has continued to give priority to rights liberalism, especially the rights of migrants, Canada has given explicit priority to skilled migrants since the 1960s through a point system that evaluates migrants based on a variety of factors, but especially on education level.³² Rights liberalism was apparent with Canada's generous provisions for family reunification, refugees, and asylees, but the point system, which has been adjusted to better fit high-tech economies in the 1990s and 2000s, gives most preference to those with postsecondary education as well as English and French language ability.³³

Many states in Europe have their own policies to attract high-skilled workers, and a 2007 survey of European government officials found that all of the countries surveyed—Czech Republic, France, Germany, Ireland, Netherlands, and the United Kingdom—believed that levels of skilled migration should be raised in their countries.³⁴ Support for high-skilled migrants is widespread enough that the European Union created its own program, the Blue Card, to make it easier for skilled migrants to move around and work in Europe.³⁵

The language of competition for acquiring high-skilled migrants is not hard to find. A European Union website refers to the Blue Card as “Europe’s answer to the U.S. Green Card.”³⁶ The former president of France, Nicolas Sarkozy, once complained that “the most qualified migrants, the most dynamic and competent ones head to the American continent, while immigrants with little or no skills come to Europe.”³⁷ A comment from a German immigration official became the title of a German Marshall Fund report on the migration of the highly skilled: there is a global “battle for the brains.”³⁸ Even Japan, which restricts immigration more than most states, has shown a willingness to use immigration policy to attract high-skilled migrants, though it has not found great success in doing so.³⁹

To be sure, perspectives other than economic utilitarianism mitigate the pursuit of high-skilled migrants in industrialized countries. Although much of the discourse in the United States follows that of Europe having a “the more, the better (for all of us)” logic, we can see the pattern of a rights liberalism perspective in the U.S. H-1B temporary visa program for skilled workers. The United States has provisions in place to protect the rights and opportunities of U.S. workers, including some requirements that employers sponsoring foreign workers must first seek U.S. workers to fill jobs and pay market wages, as well as disincentives in the form of fees, for employers to sponsor a visa. At the same time, many critics complain that there are plenty of skilled workers in the United States and that the program is geared toward profit maximization for employers. Meanwhile more bills are being debated in Washington to increase the supply of skilled migrants, such as the STAPLE Act, which would metaphorically staple a green card to the diploma of foreign university students graduating with degrees in science, engineering, and related fields.⁴⁰

In contrast, the politics of low-skilled migration are far more complex and conflicted mainly because many citizens with no direct economic stake in the policies see themselves as stakeholders, viewing immigration through a traditional community perspective. Furthermore, the policies and the political debates are fraught with conflict from all three of the perspectives discussed in this article. A recent study by Jens Hainmueller and Michael J. Hiscox found one clear indicator of a difference between low- and high-skilled migration: the different public attitudes toward each type. Generally the public prefers high-skilled migrants over low-skilled migrants, regardless of whether or not they may face economic competition from them, and both high- and low-skilled citizens are equally opposed to low-skilled migrants. While the authors note some role for economic self-interest here, they also point out that their results are consistent with the line of research showing that opposition to immigration is related to cultural factors.⁴¹

In other words, the traditional community perspective plays a role in the politics, if not always in the policies, of low-skilled migration in most parts of the world. We see it in East Asia in the reliance of Japan and South Korea on coethnic return migrants rather than on “more foreign foreigners.” This solution has worked well in South Korea because the Joseonjok have retained much Korean culture, including language, prior to arriving in Korea.⁴² We see the traditional community perspective in Europe manifest most prominently in backlash against Muslim immigrants, which is not only based on security concerns but also on the perceived vulnerability of the traditional cultures in Europe. This backlash

may focus intensely on matters as presumably innocuous as articles of clothing, such as the controversy regarding the wearing of burqas by Muslim women in France.⁴³ Consider also the vote of the citizens in Switzerland, who decided they did not want to see any more minarets on their landscape.⁴⁴ These issues have catalyzed the growth of anti-immigrant elements in right-wing political parties in Europe.⁴⁵ In the United States the traditional community concerns are currently focused on policy toward undocumented immigrants, whom many see as a challenge to traditional rule of law.⁴⁶

Policies regarding low-skilled migrants are especially contentious in Europe and North America. On the one hand, business interests demand access to foreign labor and argue that this access will benefit all of society through greater productivity and lower prices. But others who articulate a prominent rights liberalism perspective match these voices. Increasing numbers of NGOs fight on multiple fronts to protect the dignity and opportunities of migrants and their descendants on matters such as keeping open opportunities for continued migration and easing integration through nondiscrimination laws, special educational programs, and other means.⁴⁷ Especially contentious are policies of multiculturalism, which have their supporters but also can be popular targets of criticism before a wide audience, such as when German Chancellor Angela Merkel stated in 2010 that multicultural policies to manage immigration had “failed, utterly failed.”⁴⁸

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Rights liberalism can also focus on the rights of citizens in policy debates relating to low-skilled immigrants in North America and Europe. The advocates who fight for these rights focus not on culture but on access to jobs and maintenance of wages. This perspective was on prominent display in the United States in 2013 during negotiations for a comprehensive immigration reform bill. Legislators, labor unions, and business leaders worked out the details of a bill that would protect some jobs from immigrant competition and ensure that immigrants were treated fairly—because unions saw immigrant rights as necessary for guaranteeing citizen rights. As Tom Snyder, immigration campaign manager for the American Federation of Labor and Congress of Industrial Organizations, explained to the *New York Times*, “The labor movement has been united in making sure aspiring Americans get a road map to citizenship and that any future flow program doesn’t reduce wages for any local workers.”⁴⁹

CONCLUSION


For many years social scientists have analyzed the ways that cultural models

or policy paradigms have shaped the assumptions of policy making, and thus the political interests that drive policy development. Immigration policy is no different from other policies in that these different perspectives shape it. It may be unique, however, in the particular mix of perspectives and in the emotions they engender regarding low-skilled migrants.

These emotional debates surrounding immigration may serve as a kind of warning: the advanced economies of the world may be heading toward a

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crossroads. The industrialized world has never before to this extent seen shrinking workforces and aging societies in need of taxpayers to support them. These economic and demographic developments are not going away and

their compelling narratives will give increased leverage to economic utilitarian perspectives. Although part of the solution to these problems may be labor-saving technological innovation and delayed retirement, increased immigration at all skill levels will likely be part of the mix.⁵⁰ To the extent that this is the case, we may see increased leverage for rights liberalism that emphasizes the rights of migrants and new challenges for those voicing the traditional community perspective. 

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NOTES

1. The concept of policy paradigms or cultural models of policymaking was first elaborated by Peter Hall and Frank Dobbin. See: Peter Hall, "Policy Paradigm, Social Learning, and the State: The Case of Economic Policymaking in Britain," *Comparative Politics* 25 (1993): 275–96; Dobbin, *Forging Industrial Policy* (New York: Cambridge University Press, 1994).

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3. To be sure, labor union advocacy of migrant rights may be as much about their own rights as that of the migrants; ensuring equal rights for migrants reduces employer incentives for hiring migrants because they cannot use them as cheap or exploitable labor. For example, see: Julie R. Watts, *Immigration Policy and the Challenge of Globalization: Unions and Employers in an Unlikely Alliance* (Ithaca, NY: ILR Press, 2002).

4. For example, see: Nina Bernstein, "Caught between Parents and the Law," *New York Times*, February 17, 2005.

5. Christian Joppke, *Selecting by Origin: Ethnic Migration and the Liberal State* (Cambridge, MA: Harvard University Press, 2005).

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11. *Ibid.*
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13. Gabriel Chin, “The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965,” *North Carolina Law Review* 75 (1996): 273–345.
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17. Dong-Hoon Seol and John D. Skrentny, “Why Is There So Little Migrant Settlement in East Asia?” *International Migration Review* 43 (2009): 578–620.
18. Paul Adams, “Family Policy and Labor Migration in East and West Germany,” *Social Service Review* 63, no. 2 (1989): 245–63.
19. Brendan Mullan, “The Regulation of International Migration: The U.S. and Western Europe in Historical Comparative Perspective,” in *Regulation of Migration: International Experiences*, ed. Anita Böcker (Amsterdam: Het Spinhuis Publishers, 1998), 27–44.
20. Saskia Bonjour, “The Power and Morals of Policy Makers: Reassessing the Control Gap Debate,” *International Migration Review* 45 (2011): 89–122.
21. Carmen González-Enríquez, “Spain, the Cheap Model: Irregularity and Regularisation as Immigration Management Policies,” *European Journal of Migration and Law* 11 (2009): 139–57.
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23. Martin Ruhs, “Openness, Skills and Rights: An Empirical Analysis of Labour Immigration Programmes in 46 High- and Middle-Income Countries,” Working Paper No. 88, Centre on Migration, Policy and Society (University of Oxford, 2011).
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25. *Ibid.*
26. Dong-Hoon Seol and John D. Skrentny, “South Korea: Importing Undocumented Workers,” in *Controlling Immigration: A Global Perspective*, ed. Wayne A. Cornelius, Takeyuki Tsuda, Philip L. Martin, and James F. Hollifield (Stanford: Stanford University Press, 2004), 475–513.
27. Dong-Hoon Seol and John D. Skrentny, “Ethnic Return Migration and Hierarchical Nationhood: Korean Chinese Foreign Workers in South Korea,” *Ethnicities* 9 (2009): 147–74.
28. *Ibid.*
29. *Ibid.*
30. On these trends in Japan, see: Kristin Surak, “Convergence in Foreigners’ Rights and Citizenship Policies? A Look at Japan,” *International Migration Review* 42 (2008): 550–76.
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32. Jeroen Doomernik, Rey Koslowski, and Dietrich Thränhardt, *The Battle for the Brains: Why Immigration Policy is not Enough to Attract the Highly Skilled* (Washington, D.C.: German Marshall Fund Paper Series, 2009).
33. *Ibid.*
34. *Ibid.*, 6.
35. “Home Page,” EU Blue Card Network.
36. *Ibid.*

37. Doomernik, Koslowski, and Thränhardt, *Battle for the Brains*, 3.

38. Ibid.

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47. On business working with nongovernmental organizations, see: Adam Luedtke, "Uncovering European Union Immigration Legislation: Policy Dynamics and Outcomes," *International Migration* 49 (2011): 1–27; Givens, "Immigrant Integration in Europe"; Graham, Collision Course; Gary P. Freeman, "Modes of Immigration Politics in Liberal Democratic States," *International Migration Review* 29 (1995): 881–902.

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