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Managing labour migration in Europe: ideas knowledge and policy change

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Abstract

Since the late 1990s many European countries have embraced the concept of managing labour migration for their national economic benefit. The last 10 years have seen dramatic changes in patterns and flows of migration into and within Europe, where overall numbers have risen markedly. The UK and Spain - one 'old' and one 'new' country of migration - are examples of this trend, where new policies have led to a complete overhaul of systems of migration management since 2000. This paper is concerned with why such changes took place and why they occurred when they did. It develops an approach that focuses on the role of ideas and knowledge in the policy process. It is based on research including interviews with key actors in the policy communities of both the UK and Spain. It demonstrates how new ideas about immigration and its effects came to be adopted in the policy process and compares this approach with established accounts of immigration policy that emphasize the role of interests and institutional effects.

1. Introduction

The importation of foreign labour into national labour markets has generally been seen as a function of economics and the interplay of interests in the political arena (Freeman 1995; Freeman 2006), but this does not always help explain the timing or direction of policy change. The cases of the UK and Spain post-2000 are good examples of this. In the former case, the 'managed migration' narrative arrived dramatically around the turn of the century after decades where 'zero immigration' was seen as a legitimate objective. Spain, while experiencing a very different kind of politics for much of the 20th century, saw a rapid transformation from sending to receiving state and the politicisation of the issue post-2000. In both cases the institutional re-ordering of the location and orientation of policy functions has been dramatic. The puzzle for scholars of immigration policy is to explain why these countries switched their approach when they did, and what this might mean for models of immigration politics in liberal democracies more generally.

1.1. The approach

There have long been discussion of 'gaps' in immigration policy research – particularly between aims/objectives and outcomes/outputs. Research exploring the extent and the reasons for such gaps has furnished us with a host of valuable information, particularly about the various limits on states' capacity to control the international movement of persons (Hollifield 1992; Guiraudon 1998; Joppke 1998). However, while this might have answered many questions about the difficulties in controlling immigration it has

provided us with precious little understanding about why policymakers pursue such policies in the first place. This is a gap that is underscored by a general lack of understanding of political sociology of immigration policymaking (Sciortino 2000), and that exists despite the wealth of evidence pointing to policies having powerful effects (even if many of them are unintended), particularly on immigrants themselves.

Part of the reason for this has been a tendency to resort to 'declaratory' accounts, for example linking immigration policies with neo-marxist ideas about capital relations, or racism, or ignorance/irrationality on the part of the public or policymakers. These all reify the policy process and overlook the observation that politicians 'puzzle' as well as 'power' (Heclo 1974). In addition, the very nature of immigration provides tempting material for political scientists to instrumentally import broader contemporary dilemmas i.e. state-sovereignty in an era of globalisation, or European integration – thus ignoring the ideational basis of migration controls themselves.

Those that have taken ideas more seriously have shown the importance of the symbolic politics of nationhood (Brubaker 1992), embedded liberal principles (Hollifield 2000; Guiraudon 2000a), institutionalism - path dependencies (Hansen 2002), and the operation of epistemic networks and advocacy coalitions (Balch 2009; Balch 2010). Thinking about policy from this point of view is not just interesting for those looking at immigration policy but also anyone involved in the policy process more generally and the ways in which ideas, knowledge production, and communication affect policy development. Additionally, the 'battle of ideas' over immigration includes a huge range of

professionals engaged in policy-relevant work i.e. policymakers and government officials, those working in think-tanks and research organisations, government research organisations, the NGO sector, charities etc.

1.2. Choice of case studies

It has been noted that there is a general lack of comparative work on immigration policies (Wimmer and Schiller 2002) but there is another issue – namely that most work that has been carried out tends to compare like with like. In the European context this means the 'old' versus 'new' typology (Britain with France or Germany; Spain with Italy or Greece). Yet since the turn of the century there has been a great deal of convergence among labour-importing countries (Cornelius and Tsuda 2004) rendering such typologies anachronistic.

The research which this paper draws upon looked at the UK and Spain as case studies.[1] This was partly because while they have very different backgrounds and migration histories they have become among the main importers of foreign labour in the EU. They are also both large countries in European terms – significant in both the EU and global arenas, the increases in inward migration have been dramatic in both cases since the late 1990s. Among the interesting differences between the two are their political structure (one more liberal, the other more corporatist) and political history (one of the longest

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[1] This work is explored in greater depth in a forthcoming book: Balch, A. (2010). Managing Labour Migration in Europe: Ideas, Knowledge and Policy Change. Manchester, Manchester University Press.

running democracies and one of the younger), not to mention the legislative framework over immigration (Spain only enacting its first law on the issue in the 1980s, the UK with a much longer history of political debate over the subject).

1.3. Some definitions

First, in terms of the scope of this paper, the subject is labour migration rather than immigration policy more generally. This is for pragmatic reasons but also because out of the various different types of regulation of international movement, labour migration can be seen to constitute the 'front door' (and irregular labour migration the 'back door') of a country's immigration regime (Fitzgerald 1996). It is also the category of immigration (in comparison with others such as family reunification and refugees) that is less constrained by international factors and agreements

Second, in terms of the approach, some conceptual clarification is obviously necessary when discussing 'ideas' and 'knowledge'. In the context of political science, it might surprise the non-expert that ideas have not always been seen as particularly important explanatory variables. As Sikkink observed, some might find it strange that 'scholars, whose entire existence is centred on the production and understanding of ideas, should grant ideas so little significance for explaining political life' (Sikkink 1991: 3).

One simple reason for this apparent paradox is that political science for much of the second half of the 20th century was driven by behavioural approaches and theories around

rational-choice (thus favouring methodological individualism) – a trend particularly noticeable in the US. However, there are also serious and longstanding concerns about exactly what ideas are in politics. Ideas are slippery and difficult things to pin down, and as history repeatedly teaches us – politicians do not always mean what they say! An enduring (although in my opinion not always fruitful) question dominating ideas-based approaches has therefore become: when do ideas play a role in change, and when are they simply a 'cover' for other underlying interests? Other related questions include how some ideas come to be adopted instead of others, and how they change over time?

One thing is certain: those that seek to illustrate the role of ideas in politics are always vulnerable to accusations of innocence or naivety – particularly in political circles. However since the 1990s ideas have begun to be taken more seriously within political science, and a number of authors have sought to show when, why and how ideas exert an influence on politics. These have generally sought to complement institutionalist or interest-based accounts, rather than supersede them entirely. The main driving force behind these approaches is that accounts that look only at interests or institutional variables can fall short in terms of providing coherent explanatory accounts of policy change – both in terms of timing or direction.

So what are ideas in politics, and how do they relate to interests? A definition needs to be wide enough to encompass the different kinds of ideas that help us to understand and act upon the environment around us. One way is to think of ideas as cognitive schema or frames that help actors to interpret the world and guide their behaviour. They can range

from broad sets of ideas, or ideologies, perhaps linked to a particular social group, to normative principles that shape/limit actors' behaviour, to more prosaic ideas about how things work (i.e. notions of cause-effect). Some ideas might be more fluid than others and more vulnerable to change.

Taking 'immigration' as an example, although the term is widely accepted and understood (its legal definition perhaps less so), the actual idea of 'immigration' has not *always* existed. Indeed, historical analysis would show that it has developed and evolved alongside associated and interlinked ideas about the nation-state and how it processes the international movement of persons. On top of this there are a whole host of less firmly embedded ideas more open to re-interpretation including arguments about the meaning of the phenomena itself and epiphenomena (e.g. policy related effects) for governments and different parts of society, i.e. how these things relate to broader questions about economics, human rights or security.

The art of politics is to persuade other people of the appropriateness of one particular ideational framework over another, in terms of how to understand the world and act or intervene in it. An ideational approach therefore argues that events are never fully 'exogenous' because it is only through actors' subjective understandings that meaning can be ascribed to material change. I depart from a radically relativist position in the sense that I accept that inter-subjective understandings of the material world are possible. Rather than reducing the importance of events, this approach requires that we are cautious about assuming the meaning of events, and the implications for the balance of

interests. The point is that, as Kingdon (1995) demonstrated, in order to understand which idea or ideas prevail at a given time, there are a number of factors to consider – not least the exigencies of the political system and predictable and less predictable events (such as elections, business cycles etc). And as others have pointed out (Sabatier 1988; Haas 1992; Hajer 1993) the likelihood of an idea becoming adopted is also dependent upon social networks, the position of actors within the political system, their credibility, and the 'fit' between new ideas and existing understandings/patterns of interest etc.

Turning to knowledge, an ideational approach questions the existence of any 'value-free' information about social issues (or anything else for that matter), so knowledge needs to be properly defined in any framework regarding ideas. This is especially important considering the observation that expertise appears to play an increasingly central role in the policy sphere: the world of think tanks, policy institutes and assorted organisations seeking to impact on the policy process has constantly expanded (Stone and Denham 2004) (although in some places more than others). I consider knowledge and expertise (itself dependent upon notions regarding epistemic credibility) as standardised/codified/professionalised information that necessarily incorporates and transmits ideas about the world and how it works. In other words, knowledge from this perspective can be a very important source of support for existing ideas, or as a means of re-defining or re-framing an issue with new ideas.

Returning to the central question this paper seeks to address – i.e. explaining policy change - ideas (and knowledge) can thus play a potentially significant role in

reconfiguring or recasting the way that actors understand or interpret their own interests, those of others, and the appropriateness or otherwise of institutional and organisational design. Of course a central problem that emerges is the sheer multitude of ideas that exist about social phenomena – and the myriad ways in which they link with other phenomena. These might be discussed in political and public debates, or even included in new policy programmes, but most inevitably will not. Added to this, knowledge is constantly being produced which itself contains new or old interpretations - i.e. ideas - about things. This brings us to the (rather considerable) tasks faced by ideational approaches: to explain the adoption of certain ideas over others, why, how and when this happens, and with what effects.

2. Ideas and models of the policy process

In order to move from the descriptive to the analytical, we thus need to consider ideational typologies so that we can think more systematically about different kinds of ideas. The usual approach is conceptualise an ideational structure or hierarchy incorporating at least three distinct levels. The deepest of these is the ontological level, where ideas form the basis for understanding the issue and the range of legitimate actions. The next level involves ideas about what kind of actions/instruments should be adopted – e.g. quotas, points systems, lotteries, legalisation, employer sanctions and so on. Finally, the third level involves ideas about when and how (and the extent to which) these instruments should be implemented and enforced. A paradigm shift, when policy is re-framed, relates to the deep level of ideas – i.e. values concerning the role of

immigration in the context of wider societal issues – such as economics, security and human rights.

In the book I compare four different theories of the policy process, which each have different things to say about the role of ideas in the policy process. In this working paper I propose to compare just two: Freeman's (1995) model of immigration policy, which since has been one of the dominant explanatory frameworks, and the epistemic communities hypothesis (ECH) (Haas 1992), which proposes a role for expertise in changing ideas about policy issues. The first framework is built on a classical interpretation of policy types and the operation of interest-groups in the policy process, drawing from Wilson (1980). The second until recently was more associated with technical policy areas and particularly environmental policy, that have a high level of technical content (and international resonance) (Haas 1992, 2000).

2.1. Freeman's model

It probably makes sense to start with Gary Freeman, who wrote a much referenced article titled: "Modes of Immigration Politics in Liberal Democratic States" (Freeman, 1995). In the case of labour migration, Freeman suggested that the benefits are concentrated on certain business interests, and the costs are diffused among the general public. This therefore places labour migration policy in the 'client' mode of politics, where the level of conflict within the political process will be low, and the prediction in terms of the kind of policy will be 'expansive'.

This logic flows from the observation that under these conditions it is business which has the resources to organise and lobby government for policy change, while the general public is less-well organised and therefore less likely to be able to influence the policy process

Table 1: Freeman's model			
Cost/Benefit Distribution	**Mode of politics**	**Level of conflict**	**Immigration policy predicted**
Concentrated benefits, concentrated costs	Interest group	High	No prediction (periodic change? Horse-trading?)
Concentrated benefits, diffuse costs	Clientele	Low	Expansive
Diffuse benefits, concentrated costs	Entrepreneurial	High	Restrictive
Diffuse benefits, diffuse costs	Majoritarian	Low	No prediction (bureaucratic dominance? Incremental change?)

Source: Freeman (2003), adapted from Wilson (1980)

The strengths of the framework are that it explains why labour migration continues to be sanctioned by governments in the face of apparent public opposition, and it attempts to cover all developed liberal democracies. The main problems are that it is heavily dependent on perceptions of costs/benefits – i.e. ideas about who will win, and who will lose under real and hypothetical immigration scenarios. It is also based on US experience where 'lobbying' by big business is relatively unfettered in comparison with some EU

states. There is little room for institutional/path dependent variables, and no room for ideas, ideologies and how these affect immigration policies differently.

2.2. The Epistemic Communities Hypothesis (ECH)

The ECH focuses on experts as potentially sources of new policy ideas, and constructs a framework for explaining the ways that these ideas are introduced to the policy process. Ideas are seen as providing the cognitive maps that allow actors to recognise interests and make choices. Certain types of knowledge or information, called 'consensual knowledge' can 'carry' these ideas.

Haas (1992) claimed that in order for expertise to play a role in policy change there is a three-phase process of uncertainty-interpretation-institutionalisation. The likelihood of a turn to epistemic communities is increased if there is significant uncertainty over the policy area. The impact of this uncertainty might be brought home to policymakers by a shock, crisis, or even information generated by epistemic communities themselves revealing the gap between aims/objectives and outputs/outcomes of policy. Immigration becomes a candidate for such interventions precisely because of these kinds of gaps which were mentioned earlier.

Uncertainty plays an important role because it also implies that policymakers find it more difficult to identify interests clearly, and it places pressure on current institutional arrangements – both points that facilitate change. The state of uncertainty provides a push

factor for policymakers to seek information from epistemic communities, who in turn provide knowledge about the phenomena. This knowledge inevitably incorporates the epistemic community's interpretation of the issue and in this way involves a transmission of ideas, as previously outlined. The third and final stage of the ECH is an institutionalisation of this interpretation in policy practice and institutional arrangements. This refers to the extent to which the new ideas provided by the epistemic community result in a concrete change in policy. This will usually mean a re-structuring of arrangements, but also an institutionalisation of knowledge in the policy process – e.g. expert 'committees' permanently involved in the policy process.

3. The contemporary governance of labour migration in Europe

The next sections present some empirical data, focusing on how policy over labour migration has changed in two countries – the UK and Spain – in the context of the EU. In the book there is more detail about the actual context of immigration in terms of patterns and flows, but in the end that is not central to the argument. However, as this presentation is taking place in the US, quite a distance from the case studies, it might be useful to give a brief overview of the context of labour migration in Europe:

Eurostat data (CEC 2008a) shows that since the late 1990s there has been a massive increase in immigration to Europe – with rates tripling by the early years of the 21st century. However, the signs that this explosion in migration was coming to an end was noted by the EU around 2007. In 2008 the UK registered falls for the first time in the

numbers of citizens from A8 countries registering to work and in the number of work permits issued. In Spain, a country where between 1998 and 2008 the foreign population rose six-fold, the first statistical sign of a reduction in the increase in migration appeared in late 2007. In 2008 inflows levelled off before there was the first actual fall in the number of foreigners registered for residence permits (around 50,000 lower).

In some senses the economic crisis which gathered pace after 2007 means that the era of immigration growth from the late 1990s to the late 2000s could be a 'blip' in an otherwise fairly restrictive European mode of governance that began in the 1970s. However, the prediction by Eurostat (CEC 2008a) that demand for extra-EU migration will increase in the long-term means that it more likely the recession which is anomalous in an otherwise inexorable rise in immigration levels. In any case, the pause in year-on-year growth in immigration to Europe certainly presents an opportunity to bring into sharper focus the re-ordering of politics and institutional organisation of immigration.

This period was not only characterised by changing flows but also re-framing of the ways in which states understand, organise and regulate labour migration. The OECD has noted that many countries had instigated major institutional and structural reforms in the way that countries deliver policy (OECD 2009). The story of policy change in the UK and Spain is very significant because they are two of the European countries where most of the recent newcomers have settled and where the impact has been greatest. Since the late 1990s the intensity of change in policy – and changes in the way that policymakers think

about migration - in these two countries illustrates how European governments have come to look upon and think about immigration in the 21st century.

3.1. The UK

Since 1993, when outflows were slightly higher than inflows, the UK has experienced an uninterrupted series of years with net inflows (see Figure 1).

Figure 1
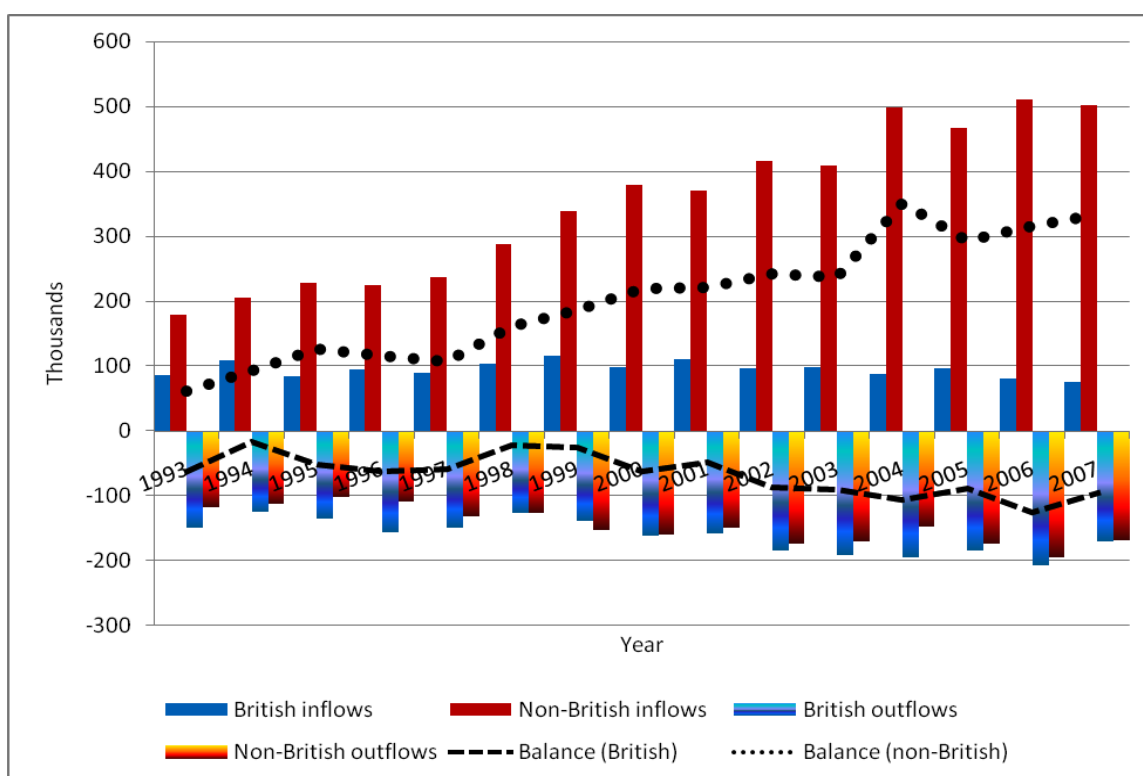
Inward migration has increased while migration out of the country also increased, but at a slower rate. This means that net losses in the 1970s (171,000 between 1975-1979) have

therefore turned into net gains. A closer look at the number of work permits issued each year (see Figure 2) clearly shows a point around 1970 when numbers fell dramatically, and a similarly impressive turnaround in the late 1990s, when they increased.

Figure 2

Data for work permits from 1995-2008 also shows that there has been a marked change in the most important nationalities coming to Britain: in 1995 US citizens made up the most important proportion (around a third) of work permits and first permissions, with Japan, India and then Australia and New Zealand all under 10%; by 2000 the number of migrants from India had nearly equalled those from the US (20% and 19% respectively) in a much larger total. The transformation is complete by 2008, with migrant workers from India 41.5% of the total, and those from the US just 13.7%.

3.1.1. Policy background

Immigration has historically proven to be electorally significant in the UK, and MPs have been inclined to vote in favour of restrictive legislation due to perceived racism in their constituencies (Crossman 1977). This idea has been backed up by polling evidence – e.g. 1970 British Election Study found 80% of voters were hostile to more immigration.

In 1968 the Conservative MP Enoch Powell famously said 'black' immigration would lead to 'rivers of blood' which led to his removal from the Conservative front bench but helped his party to be regarded as the one which was 'tougher' on immigration. Fellow Conservative Margaret Thatcher tapped into the same fears suggesting that Britain might be 'swamped' by immigration before her election victory in 1979.

In policy terms, the restrictive paradigm which was in place during the post-war period and up until the late 1990s was underpinned by a powerful 'equation' relating to community cohesion. In 1960, the Conservative Home Secretary spelt it out as follows: 'good race relations are heavily dependent on strict immigration control.' It was given a more liberal slant in the words of Labour MP Roy Hattersley in 1964: 'Integration without control is impossible, but control without integration is indefensible.' Economic orthodoxy in the government was that immigration was not economically beneficial for the UK, a conclusion that was at least partially based on confusion between 'ethnic minorities' and 'immigrants' (Spencer 1994a).

3.1.2. Policy change in the UK: 1998-2008

When New Labour won the election in 1997 there were hopes among the wider policy community of change over immigration policy, initially these were fanned by the abandonment of the 'Primary Purpose rule'.[2] However, Home Secretary Jack Straw's pre-election 'cigarette paper' analogy was closer to the mark – the new government was committed to the previous government's spending plans and was keen to show it was just as tough on immigration.

The announcement in 2000 of a new policy framework under the banner of 'managed migration' was therefore a significant paradigm shift. It was publicized in a 'landmark' speech delivered by Home Office minister Barbara Roche in November 2000. The new policy focus was to be more open and responsive to evidence and expertise on migration in general. The overall aim of policy was formulated in purely economic terms. It was based on research carried out by the PIU (Policy and Innovation Unit).[3] This research concluded, inter alia, that in the financial year 1999/2000, the net fiscal contribution of immigrants in the UK was £2.6 billion. The PIU work was linked to a 'strategic challenges' project led by a team close to Prime minister which aimed to look at issues of long-term political difficulty and inject new knowledge into the policy process. This approach chimed with broader discourse from New Labour about evidence-based policymaking (EBMP).

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[2] Relating to the responsibility for couples to prove that immigration to the UK was not the 'primary purpose' of marriage.
[3] Portes, J., S. Glover, et al. (2001). Migration: an economic and social analysis. RDS 67. London, Home Office.

The Hattersley equation was replaced by the Blunkett equation (Home Secretary in 2002), which goes something like: 'more 'good' immigration = less 'bad' immigration'. The logic being that opening up new routes for legal labour migration would reduce both irregular flows and asylum seeking. The new approach led to a bifurcation into legislation on asylum (The 2004 Treatment of Claimants Act) and more research-based work on immigration. The latter ended up with the 'five-year plan' which recommended a complete shake-up of IND (Immigration and Nationality Directorate) and the labour migration system – using points-based (Australian-style) framework.

Specific events were seized upon by media and politicians alike to increase pressure on the new policy framework, particularly the Morecambe Bay tragedy, and the unexpected effects of the enlargement of the EU (2004). The new 'managed migration' policy inspired opposition groups to form a coalition around certain newspapers (Daily Mail, Daily Express), think tanks (Migrationwatch) and the Conservative party to oppose new framework. Significantly this campaign chose not to challenge the core economic values, just how the system operates and the veracity and accuracy of the research – thus creating a very technocratic policy debate over numbers of migrants and their economic effects on the UK (Boswell 2009).

The decision to allow free access to new member state nationals in the 2004 enlargement was taken very much through the lens of 'managed migration', but the later withdrawal of labour market access by other EU countries (particularly Germany) contributed to an unanticipated level of inward migration to the UK. By 2006 the managed migration

agenda, increasing inflows, and institutional strain on the Immigration and Nationality Directorate (which had been set up to keep people out, not let more people in) led to a kind of organizational meltdown. Parliamentary scrutiny (the Home Affairs Select Committee), data regarding citizens from the new member states, and a series of scandals all helped to reveal significant organizational weakness/failures.

Instead of a reversal of policy, however, this led to a retrenchment and an acceleration of the institutional change that had been demanded by the architects of the managed migration agenda from the beginning. The five year plan was brought forward resulting in massive institutional change, from 2006-2008. This involved heavy losses for senior management, the disbanding of the IND (which has since become the UK Border Agency) and the creation of new structures, including MAC (Migration Advisory Committee) and MIF (Migration Impacts Forum), where experts were expected to play a greater role in the policymaking process. These final developments made more concrete the role of expert knowledge, and were also a direct response to increasing media and parliamentary pressure over the quality of government research.

3.2. Spain

In Spain there has been more than a five-fold increase in the numbers of foreign residents during the period 1998-2008 (see figure 3). As the graph shows, there are two main

sources of information about the foreign population in Spain – the 'Padron' and residence permits data. The former is a population register operated at the local level which provides some access to basic services and has historically been used in regularization processes as evidence of residence – providing incentives for most migrants to register, even those in an irregular situation. The second comes from the Interior Ministry and includes all those that have residence permits. The gap between the two sources is indicative of the extent of irregular migration in Spain.
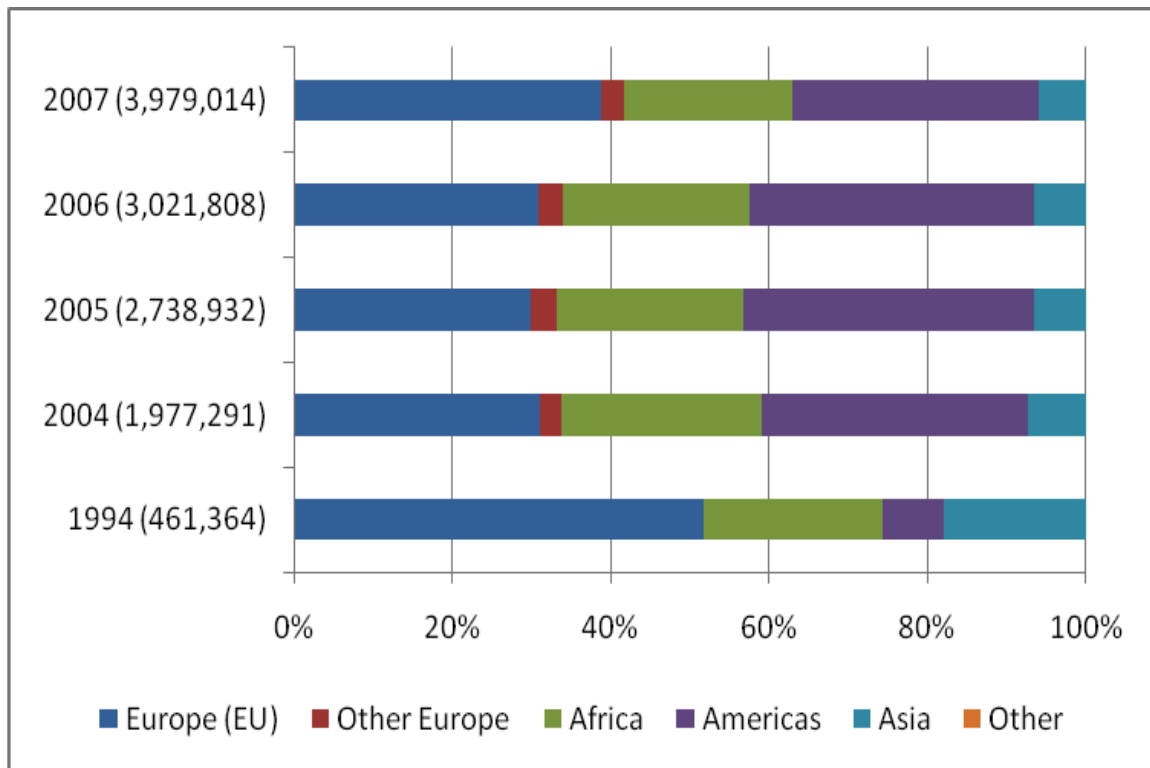
Figure 3
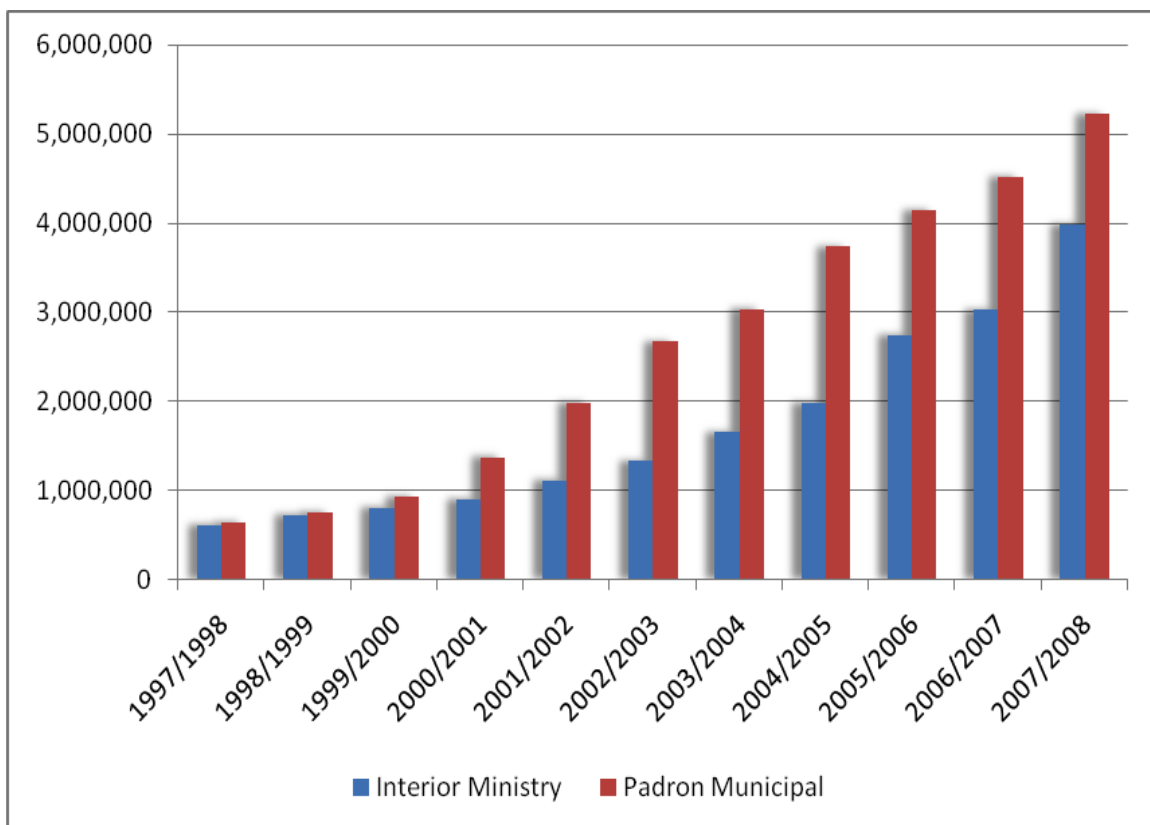
As with the UK, along with an impressive overall increase in numbers there have also been significant changes in the countries of origin of those foreign nationals resident in

Spain. This has involved a regional shift away from Europe, which until the 1990s constituted nearly half of all legally foreign residents (see figure 4).

Figure 4

Since the 1990s there has been a sharp increase in those coming from countries in the Americas (nearly all Latin America) and Africa. Finally, in recent years, there has been a return to European sources, chiefly from new EU member states such as Romania, where inflows have risen dramatically.

3.2.1. Policy background in Spain

Compared to the UK, policy on immigration in Spain has a much shorter history. For most of the 20th century Spain was a major exporter of labour rather than an importer (under an authoritarian regime that was relaxed about outflows north). Emigration dwindled in the 1970s and return migration began – something which was seen as a vote of confidence in the newly democratic Spain.

Overall the construction of immigration policy in Spain from the 1980s – to the early and mid-1990s was guided to a large degree by the demands of EU membership (dominated by fears of immigration following enlargement) and liberal constitutionalism connected with post-dictatorship state-building. Immigration was initially treated as a temporary phenomenon. Quotas were set up with recruitment in countries of origin, but the whole process was complex and inefficient leading to most foreign workers entering by other (irregular) means. Employer sanctions were developed against the employment of irregular workers, but rarely enforced. Problems of irregularity led to a regularization process in 1991 followed by another to cope with family reunification in 1994. This was seen by some as a failure of policy and prompted the government to build a policy sub-system around a structure of bodies competent in immigration.

The 1990s saw a re-visiting of the policy system over immigration due to its perceived inadequacy with respect to actual migratory flows. An Inter-ministerial Commission (in the Interior ministry) was created and became the principal resource for elaborating immigration policies. In the Employment ministry the FISI (Forum for the Social

Integration of Immigrants) became the public face of policymaking with the involvement and contribution of social organisations to policy development

3.2.2. Policy change in Spain 1998-2008

Immigration first became an election issue in Spain in 1996, due to the timing of reforms just before elections (Celaya 1997). The late 1990s saw the culmination of this work with LO 4/2000, which included amendments that were rights-based: e.g. rights of access to education, equality, legal counsel, and an interpreter when dealing with authorities, established a quota system for temporary workers, created a permanent resident category. Party political divisions emerged and widened during this reform – the PSOE with a more 'inclusive' agenda with linkages with NGOs working in the area, the PP, in contrast, continuing the previous focus on border controls led by concerns emanating from the Interior Ministry.

The PP initially supported the new legislation but then made an about turn at the final stages of the legislative process, with an election pledge in 2000 to amend the legislation. Although a cabinet split over immigration was never officially acknowledged, the resignation of Manuel Pimentel, Minister for Work and Social Affairs, was linked to the issue. Following the successful re-election of the PP, this pledge eventually became LO 8/2000 setting out a number of changes in rules for issuing work and residency permits and visas, and tightening up access and control measures.

The argument was for a change of focus away from integration and the rights of immigrants, which were considered to have a 'pull effect', onto measures to clamp down on irregular migration (Zapata-Barrero 2003). The shift away from a rights-based approach was marked by response from policy community: UGT successfully filed a complaint against the government over rights for migrant workers through the International Labour Organisation (ILO) in 2001 (Spain is a signatory from its era as labour exporter). The restrictive approach was outlined by Aznar in his speech as president of the European Council in 2002, where he claimed: 'If immigration is not legal, it results in suffering, the undermining of people's dignity and insecurity. Illegal immigration is a challenge to the stability of our countries, and of the European Union.'

After four years during which immigration had become a much more divisive issue, and criticisms of the security-led policy had grown louder (see the Madrid Manifesto, 2003), the election of the PSOE in 2004 saw another switch, this time to more market-based policies. As soon as the new government was in power there were efforts to create distance with the securitized logic of the PP, supported by public acknowledgement of the role that immigration had played in Spain's economic growth and the country's demographic and economic need for immigrants. As in the UK case, here was the 'managed migration' agenda, with immigration seen as a labour market policy tool, increasing employment, providing flexibility and increasing GDP.

One of the first acts of the new government was to table a new amendment to the Immigration Act, which provided for the 2005 regularisation process (much more employment-led than previous processes) and introduced some changes to the way in which the immigration system works (CES 2004b). One of the key characteristics of the new policy frame was greater openness to a wider policy community. Responsibility for labour migration was moved to the ministry for employment (back from the interior ministry). This was the third move in just five years - emblematic of the politicization of the issue, and the linkages between different coalitions and opposing political parties. The new approach from 2004 onwards led to Spain becoming lauded by the international financial business press for its 'positive' approach to immigration.

Pressure on the PSOE policy over labour migration increased from 2006, partly because of opposition arguments about security and irregular migration, which were bolstered by the increase in irregular migration from North Africa and beyond (Carling 2007a). From 2007 the increase in unemployment associated with the global recession added to this, with elements of the PSOE quick to announce reductions in immigration as a solution. A statement by (Minister of Employment and Immigration) Celestino Corbacho in late 2008 that overseas recruitment would be stopped due to the economic recession, for example, echoed a memo sent by the PP in the early 2000s to halt recruitment via the work permits system. While neither case represented 'official policy', both proved the limits of political intervention – because of legal challenges in the first case, and censure by party chiefs (PSOE vice-president de la Vega) in the second – and they amply illustrate the political desire to manipulate controls.

Likewise, the offer for return trips to unemployed foreign workers in 2009 by the PSOE is reminiscent of attempts by the PP to 'regularise' Ecuadorians by offering them a free trip home to apply for legal re-entry. Although at first glance these policy proposals look similar, each can be traced to different ideas. The PP were concerned about the integrity and security of Spain's borders, and 'abuse' of the system. The PSOE (and even Corbacho's outburst) have maintained an economic nationalist argument – i.e. that the government should act to reduce inflows for protection of the national labour market during an economic downturn and rising unemployment.

Ideas or interests? A comparison of the theoretical frameworks

According to Freeman's model, the 'clientelistic' mode of immigration politics operates with labour migration and business interests lobby for more expansive policy outcomes (Freeman 1995). Can the reframing of labour migration policy in Spain and the UK be attributed to the influence of those actors in the policy process that would benefit from an increase in labour migration (i.e. sectoral and business interests)?

There was evidence in both cases of increasing demands by business for greater levels of labour migration, but this was constant during the period, and even stretching further back. Demands were quite public in the case of Spain, with sector organisations (particularly tourism and agriculture) continually complaining of shortages. In the UK

this was generally only explicit for high-skilled occupations, and was more episodic, but there were high-profile campaigns for IT workers, for example.

Interviews with actors in the policy communities in Spain and the UK suggested that business demands were an underlying contributory factor, rather than providing a full explanation. The existence of large numbers of irregular workers in itself provides an argument for greater levels of legal labour migration, but it is difficult to attribute the timing of the shift in policy to business lobbying. In the UK, the Labour government clearly wanted to be seen as 'business-friendly'. The cozy relationship between unions, business and government is well illustrated by the response of the CBI to the 2001 White Paper (CBI 2002), and in the joint statement made by the Home Office in conjunction with the CBI and TUC.

The problem with Freeman's argument is that policy needs to be communicated and 'sold' to the public – in other words the aims and objectives of policy need to be understood and explained inter-subjectively (Kratochwil 1989: 24). This requirement pushes policymakers to link migration with other meta-discourses - for example demographic arguments about ageing populations. It is difficult for governments to state they are expanding labour migration to please the business lobby – which is why the articulation of immigration policy with national interest was so important.

Findings are also mixed for the Epistemic Communities Hypothesis (ECH). The central hypothesis of the ECH - that knowledge provided by epistemic communities provides a

new ideational framework for policymakers - was strongly supported by evidence from the UK, but less so in the case of Spain. The PIU research and the subsequent recruitment of expertise via MAC and MIF illustrates a successful intervention by an epistemic community. In Spain there was a lesser role for expert knowledge, and although there was a coalition of academics and experts with a starkly different interpretation of the issue of labour migration to that of the government, the switch between policy frames corresponded more clearly with the positions of the two political parties, their institutional networks, and the development of European-level discourses.

For Spain, Europe (and the EU) emerges as an important source of new ideas about immigration. This is first of all with the initial development of policy, then with the movement towards a more security-oriented discourse, and also with the switch to positive migration management. The existence of several different and conflicting discourses on immigration emanating from the various different institutions of the EU mean that it is difficult to identify a direct causal role, but after 2004 Spain was tapping into an international discourse regarding migration management.

In the UK the PIU report on migration was a clear example of an epistemic community producing consensual knowledge about an issue upon which there was a significant level of uncertainty among policymakers. This interpretation then provided those policymakers with an alternative policy frame to apply to the issue. The subsequent implementation and institutionalisation of that new policy frame, and thereby the epistemic community itself, has been uneven. If structures such as MAC and MIF become integral they do open up

the possibility of such an institutionalisation of the epistemic community in the policy process. This would complete the three-phase process of policy change which Haas (1992) describes.

The relationship of the input of an epistemic community with uncertainty over the policy area was illustrated in the case of the UK by the identification of immigration, and labour migration in particular, as one of a series of 'strategic challenges' by the PIU - an area where there was perceived to be uncertainty in government policy. However, there needed to be a deliberate choice made by individuals to pursue migration as a policy issue, and the adoption of a new policy frame required the acquiescence (at least) of the Prime Minister, and key figures in the Home Office. The reframing of policy through consensual knowledge was therefore contingent upon a certain level of uncertainty but also the alignment of a number of personalities within the policymaking process. In Spain there was evidence of increasing involvement by experts, particularly after 2004 with think tanks and government-funded research but their influence in the reframing of policy is less certain.

Conclusions

For both cases interest-based approaches have difficulty in accounting for the timing and direction of policy change. There is ample evidence of sectoral and business demands for increased labour migration in both the UK and Spain stretching back to at least the mid-1990s but change came much later. This pressure came from low skilled sectors such as

agriculture, construction and tourism (health in the UK), plus more specific and episodic pressure for high-skilled workers in the UK (less in Spain). However, these demands were at least partially resisted in both countries because the central ideas driving immigration policy were not fundamentally based on labour market aims or objectives. In fact, one of the links between the UK and Spain was an absence of labour migration policy in terms of stated aims and objectives, the tendency in both cases was to respond to migratory pressure in an ad-hoc and incremental fashion.

Both countries also experienced anxiety over demographic change - predictions about falling birth rates and ageing populations became a significant policy issue in the late 1990s, mainly with respect to the operation and viability of welfare state policies. However, the direct effects of these arguments on labour migration policy is less clear, perhaps providing a background where increasing the labour force was a more desirable objective. The demographic case for a re-orientation in labour migration policy in the UK and Spain is a necessary but not sufficient explanation of actual policy change.

In Spain the period incorporated two shifts – from a kind of liberal constitutionalism bounded by EU membership, to a securitisation of immigration after 2000 and then to 'managed migration' after 2004. There is an interesting role for Europe/EU as a reference and source of legitimacy in the first two shifts, but also as a source of ideas and knowledge in the move to managed migration – by 2004 the Commission had produced an array of reports concluding that Europe's 'zero-immigration' policies were misguided

and outdated. The Spanish case highlights the importance of party politics and coalitions in creating opposing visions of policy.

In the UK there was one main shift - from 'zero-immigration' to 'managed migration'. The role of experts in re-framing of policy is notable – the EBMP agenda and the attempts to increase research capacity in government clearly opened the door for epistemic communities to have an influence on policy change. However, the change was still guided by political imperatives, which is illustrated by the selective and instrumental use of expert knowledge in the years that followed (Boswell 2009).

Ideas around managing migration for the national economic interest have been around since the early 1990s in Europe (e.g. Council of Europe). For change to occur there was a need to link these ideas with contemporary and specific (national) economic models of growth (i.e. ideas about flexibility, GDP, job creation). Supporting this change was a tactical compromise by the wider policy communities in both cases – years of restrictive policies meant that they were prepared to wholeheartedly support an economic argument for a more 'positive' approach to immigration, seeing it as 'better than the status quo'.

In both cases there was also a window of opportunity opening for the new frame to be introduced. This opening was related to an alignment of strong executive power, weak political opposition, a lengthy period of economic growth, and growing uncertainty over system outputs/outcomes with respect to labour migration. Again, in both cases the paradigm shift subsequently appeared to be more partial and temporary than at the time.

This shows that policy over immigration is generally vulnerable to economic and business cycles.

To summarise, the cases of the UK and Spain illustrate the new era of labour migration governance in Europe. The evidence presented here shows how, from the late 1990s to the late 2000s, new ideas played a significant role in more expansive, market-based policies. By focusing on these we can better understand the timing and tempo of policy change. This is not to say that the role of interests should be overlooked – on the contrary there is an underlying assumption that many sectors in the UK and Spain are functionally dependent on migrant labour. It is just the role of 'organised interests' in influencing policy change appear to play less of a direct causal role in the European context.

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