Labor immigration policies in high-income countries:

Variations across political regimes and varieties of capitalism

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Abstract

This paper analyses how and why labor immigration policies in high-income countries vary across political regimes (democracies vs autocracies) and types of capitalism (liberal vs coordinated market economies). I investigate these policy variations based on a unique dataset of the characteristics of 77 labor immigration policies in 33 high-income countries. Compared to policies in democracies, labor immigration programs in autocracies are characterized by greater openness to labor immigration, more restrictions of migrants' rights, and stronger trade-offs between openness and rights. With regard to variations across types of capitalism, I find that immigration programs in liberal market economies (LMEs) impose fewer limits on the employment conditions of migrants but they place more restrictions on migrants' social rights than policies in coordinated market economies (CMEs). Policy trade-offs between openness and social rights are more likely to occur in LMEs with liberal welfare states than in CMEs with other types of welfare states.

1. INTRODUCTION

The design of labor immigration policy requires decisions on three fundamental issues: how to regulate openness, that is, the number of migrant workers to be admitted (e.g. through quotas); how to select migrants (e.g. by skill); and what rights to grant migrants after admission (e.g. temporary or permanent residence; access to the labor market and welfare state). The first two decisions on 'openness' and 'selection' regulate the admission of migrant workers, while the third decision – on 'rights' – relates to the treatment of migrants after admission.

My book *The Price of Rights: Regulating International Labor Migration* (Ruhs 2013) analyzed how states regulate the admission and rights of migrant workers in practice. Drawing on a unique new database of migration policy indicators as well as a series of small in-depth case studies, I identified four key features of labor immigration programs around the world. First, the great majority of labor immigration programs in high- and middle-income countries are temporary migration programs (TMPs), that is, programs that grant temporary residence status on arrival (although some of them allow a transfer to permanent residence status after some time). Second, programs that target higher-skilled migrant workers place fewer restrictions on admission and, third, grant workers more rights than programs targeting lower-skilled migrants.

Ruhs (2013) also provided evidence that labor immigration programs in high-income countries can be characterized by trade-offs between openness and some migrant rights, that is, programs that are more open to admitting migrant workers are also more restrictive with regard to specific rights. The study found that the trade-off between openness and rights affects only a few specific rights rather than all rights, and that they most commonly include selected social and economic rights as well as rights relating to residency and family reunion. I showed that trade-offs between openness and migrant rights can be found in policies that target a range of skills, but are generally not present in labor immigration programs specifically designed for admitting the most highly skilled workers, for whom there is intense international competition.[1]

This paper analyses whether and how labor immigration programs, including the relationships between openness, targeted skills and rights identified above, vary across different types of countries and economies. I focus on potential variations across two broad sets of political and socio-economic institutions: the political regime (as measured by the degree of democracy); and the type of capitalism and the associated regulations of the national labor market and welfare state. The analysis of these variations relies on the same dataset of labor immigration policy indicators used in Ruhs (2013) complemented by

[1] More recent papers that identify similar tensions between 'access' and 'rights/conditions' include McKenzie et al. (2014), Money et al. (2016), Milanovic (2016), Naidu et al. (2016), and Weyl (forthcoming).

additional variables that capture institutional variations across countries. This paper is effectively an extension to the *global* analysis in Ruhs 2013, with a focus on exploring policy *variations* across political regimes and socio-economic institutions.

As Afonso and Devitt (2016) have recently suggested, there is a considerable number of studies that analyze the effects of immigration on a range of institutions of the host country (e.g. on trade unions and employment relations, skill production regimes, the welfare state etc.) but there has been less work on how national institutions are related to, and shape immigration policies. My analysis contributes to this relatively understudied area of research.

The paper also aims to inform policy debates about the global governance of international labor migration and "best practices" in the design of temporary migration programs. Clearly, any discussion of a global (or at least supra-national) policy approach needs to be aware of institutional variations across countries and consider whether and how these variations affect the effectiveness of different types of common policies on international labor migration and the rights of migrant workers.

The paper is structured as follows. It begins, in section, 2 with a basic conceptualization of the process of labor immigration policy-making in high-income countries, and a theoretical discussion of whether and how we can expect national policy decisions on the openness, selection and rights of migrant workers to vary across different types of political regimes and capitalisms. Drawing on the existing research literature on the economics and politics of labor immigration as well as comparative political economy, the aim of this section is to generate hypotheses about the potential relationships between national institutions and immigration policies.

Section 3 provides exploratory empirical analysis of key variations of labor immigration policies across countries, with a focus on exploring the hypotheses developed in section 2. The analysis is based on two separate policy indexes, first developed in Ruhs 2013, that measure the 'openness' of 77 labor immigration programs in 33 high-income countries to admitting migrant workers and the legal rights (civil and political, economic, social, residency and family reunion rights) granted to migrant workers under these programs.[2] Section 4 concludes the paper with a brief summary of key findings and a discussion of the implications for future research as well as policy debates about the global governance of international labor migration.

The key insight of this paper is that high-income countries' labor immigration policies are related in important ways to national political and socio-economic institutions. While some

[2] The dataset developed in Ruhs 2013 actually includes 104 labor immigration programs in 46 high- and middle-income countries. In this paper, my sample is reduced because I focus on high-income countries only and due to the limited availability of data about political regimes and socio-economic institutions.

of the links between political regimes and immigration policies identified in this paper are unsurprising (e.g. the finding that labor immigration policies in autocracies impose greater restrictions on the rights of migrant worker than policies in democracies), a number of the empirical findings, especially but not only on the links between immigration policies and socio-economic institutions, are not *prima facie* obvious and thus raise important questions for future research. For example, the paper finds that, compared to policies in coordinated market economies, labor immigration policies in liberal market economies (LMEs) are less likely to require migrant workers to be self-sufficient as a condition of admission but they place more restrictions on the social rights of migrants after admission. More generally, the paper finds that policy trade-offs between openness and social rights of migrants are more likely to occur in LMEs with liberal welfare states than in CMEs with other types of welfare states.

The discussion of my empirical findings is supported by a series of figures and Appendix tables. There is also an Online Appendix[3] that includes additional tables and results.

2 THEORISING VARIATIONS OF LABOUR IMMIGRATION POLICIES

How can we expect labor immigration policies to vary across high-income countries? The analysis of this question requires a conceptual framework for the process of labor immigration policymaking. Research on the determinants and processes of immigration policies has taken various different approaches that emphasize a range of factors, including 'statist approaches' that focus on the role of the state in pursuing the "national interest" (e.g. Weiner 1995), institutions (e.g. Calavita 1992), interests (e.g. Freeman 1995), ideas (e.g. Balch 2009) and, more generally, socio-economic conditions such as the state of the economy. Of course, no one model can take account of all of these factors and, in practice, aspects of policy-making processes vary across countries.

In Ruhs (2013) I developed a basic approach that conceptualizes the design of labor immigration policy as a process that involves "choice under constraints." This approach partly rests on a "rationalist" logic and a "statist" explanation of how national interests are formed. It also allows, however, for consideration of the potential effects of cross-country variations in political, economic and social institutions. As discussed in more detail in Ruhs (2003), one of the key assumptions of this approach is that states are and can be analyzed as actors with independent "agency" – that is, with the capability of designing and implementing policies that are aimed at achieving a set of national policy objectives based on assessments of the effects of immigration. While this assumption is clearly a simplification that will not always be met in practice, it facilitates a relatively parsimonious conceptual approach that can be used to generate hypotheses which can guide the empirical analysis.

[3] The Online Appendix is available here: https://www.conted.ox.ac.uk/profiles/martin-ruhs

2.1. Conceptualizing the design of labor immigration policies: the basic approach

In my basic conceptual framework, nation states decide on how to regulate the number, selection, and rights of migrant workers admitted in order to achieve a core set of four interrelated and sometimes competing policy goals relating to "economic efficiency" (e.g., maximizing the benefits of immigration for economic growth), "distribution" (e.g., making sure immigration does not harm the lowest- paid workers in the economy), "national identity and social cohesion" (concepts that are contested and hard to define in practice), and "national security and public order".

All countries' national labor immigration policy choices are made given a common set of potential constraints and institutional factors that limit and mediate the ways in which the pursuit of policy objectives translates into actual policies. The three most important potential constraints and intervening factors relate to: nation states' incomplete capacity to control immigration and the employment of migrants; domestic and international legal constraints (e.g. imposed by domestic judiciaries and national constitutions as well as membership in supranational rights regimes); and the effects of key domestic institutions including the prevailing national political regime, production regime (including labor market policies), and welfare system. Taken together, these constraints and institutions define as well as circumscribe the national "policy space" for the regulation of labor immigration in particular countries. The relative significance assigned to each of the policy objectives, the ways in which competing goals are managed, and the strength and impacts of the constraints and institutional factors are all highly specific to country and time. Variation in objectives and constraints can lead to different national policy *spaces* and labor immigration policy regimes that vary both across countries and over time.

In the short run, we can expect the existing institutional framework to constitute relatively strong and binding constraints on the national policy space for the regulation of labor immigration. Any short-term changes to labor immigration policy are thus likely to be characterized by "path dependencies" – that is, by incremental changes that are strongly influenced by past policies and prevailing institutions. This expectation is in line with the idea that effective public policies need to be "incentive compatible" – namely, they need to be in line with and complement the mode of coordination inherent to the prevailing institutional structures (Hall and Soskice 2001). In the medium to long run, though, the institutional framework, and therefore the policy space for regulating labor immigration, may change (see Hall and Thelen 2009). For example, governments can deregulate labor markets, change welfare state policies, make the political system more or less democratic, and so on. Immigration itself may contribute to changes in institutions – for instance, through changes in trade unions' membership rates. In other words, although binding in the short run, institutional constraints are not a fixed straitjacket for labor immigration policymaking (see also Bucken Knapp 2009). States, firms, and other actors can bring about

institutional change that results in new labor immigration policy options becoming available, and/or old ones disappearing from the prevailing national policy space.

2.2. Implications for expected relationships between policy openness, targeted skills and rights

This conceptual framework can be used to develop three hypotheses about the inter-relationships between high-income countries' policies for regulating the openness, skills and rights of migrant workers (for a more detailed discussion, see Ruhs 2013). First, high-income countries can be expected to be more open to high- than low-skilled immigration. This is partly because, compared to low-skilled migrants, higher-skilled migrants can be expected to generate greater complementarities with the skills and capital of existing residents in high-income countries, greater long-term growth effects and greater net fiscal benefits. Secondly, we can expect labor immigration programs that target higher-skilled migrant workers to grant migrants more rights than those targeting lower-skilled workers. This expectation is partly motivated by the fact that the provision of some rights (e.g. social rights) creates costs and benefits that can be expected to vary with the skill level and earnings of the beneficiaries of those rights. For instance, granting low-skilled migrants full access to the welfare state can be expected to create greater net costs (or smaller net benefits) for the host country than affording these same rights to high-skilled migrants in high-paid jobs.

The third expectation is that there can be a trade-off (a negative relationship) between openness and some of the rights of some migrant workers admitted to high-income countries, that is, greater openness to admitting migrant workers will be associated with relatively fewer rights for migrants and vice versa. The basis for this expectation is closely related to the first two: if certain rights for some migrants create net costs for the receiving country (e.g. full access to the welfare state for low-skilled migrant workers), policy openness to admitting such migrants can be expected to depend critically on the extent to which some of these costly rights can be restricted.

The key features of labor immigration policies identified in the empirical analysis in Ruhs (2013) – and briefly summarized in the introduction to this paper – are consistent with the theoretical expectations outlined above. Importantly, the empirical analysis in Ruhs (2013) was based on an analysis of all high-income countries in the sample without systematically exploring potential variations across countries with different political regimes and socio-economic institutions.

2.3. Institutional variations and labor immigration policies: what can we expect?

I now build on the basic conceptual framework outlined in section 2.1. to discuss why and how we can expect national labor immigration policies to vary across political regimes and socio-economic institutions.

2.3.1. Political and legal institutions: Variations in democracy and freedom (legal protections)

Political regimes can and have been compared based on various different classifications and typologies (see e.g. Kailitz 2013; Alvarez et al 1996). Most classifications aim to distinguish between different degrees of democracy and autocracy in governing institutions and/or varying protections of freedoms and rights. The two most popular indicators of political regimes and protections of freedoms are provided by the 'Polity IV project' and 'Freedom House'. The 'Polity IV' indicators[4] of democratic and autocratic regimes measure differences relating to the openness and competitiveness of executive recruitment; the opportunities for political participation; and the institutional constraints on executive authority. The Freedom House indicators[5] are focused on measuring individuals' political freedoms and civil liberties including the independence and strength of the judiciary as well as equality protections for various segments of the population. The Polity IV indicators and Freedom house indicators are highly – although not perfectly – correlated (Högström 2013).

The degree of democracy in governing institutions and the associated protections of fundamental freedoms of individuals have important implications for the constraints on national labor immigration policy-making. First, authoritarian regimes can be expected to be more open to labor immigration, including low-skilled immigration, than democratic regimes. This is partly because the ruling elites of authoritarian regimes are much less constrained by distributional considerations than liberal democracies, where there is much greater pressures to implement restrictive immigration policies that are aimed at protecting domestic workers, especially those on lower wages, from competition with immigrants. Other potential reasons for less restrictive admission policies in authoritarian regimes include: less pressure to respond to public attitudes and demands for less immigration (Breunig, Cao and Luedtke 2012); authoritarian elites' ability to seize some of the tax revenues generated by immigration (Mirilovic 2010); and the greater ease of ending or modifying temporary migration programs as well as implementing mass deportations.

Second, countries with high degrees of autocracy and/or weak domestic judiciaries that are not fully independent face fewer constraints with regard to the protection of the rights of migrants than more democratic systems with strong and independent judiciaries. The labor immigration policies of less democratic countries could therefore involve greater restrictions of migrants' rights in the labor market such as equality of employment conditions with citizens; migrants' access to the welfare state; rights to family reunion, permanent residence and access to citizenship; as well as basis civil and political rights such as the freedom to associate and equal access to the courts. Given the expected trade-offs between openness and rights that are perceived to create net-costs for the host country, the fact that authoritarian regimes can go further with restrictions of migrants' rights also reinforces the

[4] See http://www.systemicpeace.org/polityproject.html
[5] See https://freedomhouse.org/report/freedom-world-2016/methodology

expectation that they can be more open to admitting migrant workers than liberal democracies.

While it is common to make a basic binary distinction between 'democratic' and 'authoritarian' regimes, in practice different political systems can be located on a spectrum (or within a multidimensional space) characterized by varying degrees of democracy/authoritarianism and protections of individual freedoms. Consequently, there can be variations in the constraints facing labor immigration policy-makers *within* relatively democratic and authoritarian regimes. Even governments of countries with relatively high degrees of authoritarianism will not be completely insulated from the preferences and well-being of their citizens which can affect regime stability and public demands for political reforms. In this context, Shin (2017) argues that authoritarian regimes with access to large natural resources (such as the oil-rich Gulf States) can be more open to labor immigration than authoritarian regimes without resource rents. This is because elites of 'rentier states' can distribute income among their citizens without requiring them to work and compete with migrant labor in the private sector labor market. Consequently, labor markets are more likely to become highly segmented such that a considerable share of jobs is done exclusively by migrants. Since citizens do not compete with migrants in the labor market, they can be expected to have fewer objections to admitting large numbers of migrants than authoritarian regimes without access to natural resources. This argument illustrates the important broader point that the effects of national institutions on labor immigration policy-making can be closely related to the wider macro-economic context and political economy.

2.3.2. Socio-economic institutions: Varieties of capitalism

A key element of institutional variations across countries relates to differences in socio-economic institutions that regulate, coordinate and influence modes of production, distribution and welfare provision. The "Varieties of Capitalism" (VoC) literature has over the past 15 years developed one of the most influential approaches to the comparative analysis of economic performance and policy. The VoC approach makes a broad distinction between coordinated and liberal market economies (CMEs and LMEs, respectively). At its core, this distinction is based on whether key spheres or production, especially the relations between firms and other actors in the economy, are coordinated primarily by market or non-market mechanisms. CMEs are characterized by relatively cooperative industrial relations, regulated labor markets with a high degree of coordinated wage bargaining, and education and skills formation policies that aim to provide industry-specific rather than general skills, partly via a strong emphasis on vocational training systems. In contrast, LMEs are more likely to have weakly regulated and thus more flexible labor markets, less wage bargaining (especially at industry level), and education and training systems that are aimed at providing general rather than industry-specific skills (as reflected in relatively weak vocational training systems). Liberal market economies tend to have larger low-wage labor

markets than coordinated market economies, with few exceptions (see Gautié and J. Schmitt 2009; Grimshaw 2011).

Different types of capitalism are also associated with different types of welfare state. Liberal market economies tend to be associated with what Esping-Anderson (1990) called 'liberal welfare states', while coordinated market economies are more likely to be accompanied by 'social-democratic' or 'conservative' welfare systems (Hall and Soskice 2001; Schröder 2013). One of the fundamental differences across the various types of welfare states relates to the way in which access to social benefits is regulated. Liberal regimes tend to grant access to welfare benefits based on "need" (i.e. using means-testing); social democratic welfare states typically provide flat and universal benefits; and conservative welfare states tend to make access to welfare benefits dependent on prior contributions, typically through social insurance systems (see Seeleib-Kaiser 2015). These descriptions are ideal-types, so in practice there can be significant overlap (Bruzelius, Chase and Seeleib-Kaiser 2016).

How can we expect different types of capitalism to affect national policies on the admission and rights of migrant workers? First, with regard to regulating the admission of migrant workers (i.e. 'openness' and skill 'selection')', liberal market economies with flexible labor markets and relatively large low-wage labor markets can be expected to generate greater employer demand for migrants, especially but not only for employment in low-waged jobs (see Afonso and Devitt, 2016; Devitt 2011; Wright 2012; Menz 2009). In liberal market economies, immigration policy can become a tool of promoting the flexibility of the labor market by providing employers with highly mobile migrant workers who can help maintain relatively-low cost productions systems. In contrast, in coordinated market economies there are likely to be strong pressures, partly through the involvement of unions in the design and implementation of labor immigration policies, to employ migrants at the collectively agreed on wage. As a result, governments of coordinated market economies can be expected to find it much more difficult to encourage labor immigration as a way of moderating wage growth and inflation.

Demands for high- and low-skilled migrant workers may also be driven by variations in skills formation systems and welfare states across LMEs and CMEs. Afonso and Devitt (2016) suggest that LMEs with training systems producing primarily general skills may generate a stronger demand for migrants with specialized skills including in lower-waged jobs. At the same time, countries with relatively generous welfare provisions may discourage some citizens from taking up low-waged work thus creating a demand for migrant labor. Countries with large and inclusive welfare states that generate significant redistribution from high- to low-income earners may have greater fiscal incentives to accept skilled over low-skilled migrants than countries with smaller welfare states that lead to less income redistribution.

The extent to which labor immigration policy favors the admission of skilled over lower-skilled migrant workers can also be influenced by the degree of labor market segmentation.

A key objective of many countries' policies is to protect domestic workers, and especially those on low-incomes, from competition with migrant workers. This concern may not apply in countries where parts of the domestic labor market have become completely segmented and dominated entirely by migrant workers, as it is the case in many Gulf States for example. In these countries, citizens do not need to be protected against immigration as they are not competing with migrants for jobs, especially not in low-waged labor markets. Consequently, such countries may be less likely to be characterized by admission policies that prioritize skilled over low-skilled migrant labor.

Cross-country variations in industrial relations, labor market regulation and the nature of the welfare state can also be expected to contribute to differences in restrictions of the rights of migrant workers. The characteristics and social norms associated with the national welfare state may play a particularly important role. For example, welfare states and social models that place a high value on universal access, equality and inclusiveness, as it is the case in most Scandinavian countries, can be expected to try to avoid creating a group of second class citizens with fewer rights than full citizens. Consequently, countries with such welfare states may find it more difficult to restrict the rights of settlement and family reunion compared to countries with different welfare states and social models.

Another key factor may relate to perceptions of fairness in migration and migrants' access to the welfare state. One narrow but popular idea of fairness toward migrant workers involves the idea that newcomers should not receive benefits without prior contributions or qualifying period. While all migrants who are working "contribute" through their employment and income taxes, the idea of "no benefits without prior financial contribution or waiting period" may be more easily implemented (and communicated to the public) in countries whose welfare states are dominated by social insurance programs that provide benefits to all people primarily based on prior contribution rather than based on "need" (or "means"). Social insurance programs are, by design, more exclusionary toward migrants than means-tested welfare policies that typically play an important role in liberal market economies with liberal welfare states (compare Sainsbury 2012). Consequently, countries with relatively contributory welfare states may be regarded as more "immigration-proof" and may see less need for restricting new migrants' social rights than is the case in countries where welfare benefits are primarily based on need and where the public may, therefore, demand at least some restrictions on newcomers' access to welfare benefits. In their analysis of public attitudes toward welfare benefits for immigrants in 24 EU countries, Reeskens and van Oorschot (2012) find that people who believe that welfare benefits should be provided based on the principle of "need" (rather than "equality" or "reciprocity" i.e. prior contribution) are significantly more likely to support restrictions on the welfare benefits of newly arriving migrants.

3 EMPIRICAL ANALYSIS

3.1. Data and methods

My empirical analysis draws on a unique and original database of migration policy indictors that I originally developed for the investigation of key feature of global migration policies in Ruhs (2013). This database includes two separate indexes that measure: (i) the openness of labor immigration programs in high- and middle-income countries to admitting migrant workers; and (ii) the legal rights (civil and political, economic, social, residency, and family reunion rights) granted to migrant workers admitted under these programs. Ruhs (2013) provides a detailed account of the methodology underlying these policy indexes. I briefly summarize the key methodological choices and limitations below.

Countries

The analysis in this paper includes all high- income countries (i.e., those with gross national incomes [GNI] per capita that exceed US$11,905 in 2008, as defined by the World Bank) with a population exceeding two million. In total, the sample comprises 33 countries.

Labor immigration programs

The analysis focuses on labor immigration programs, defined as policies for regulating the number, skills, and rights of migrants who are admitted for the primary purpose of work. The focus on labor immigration programs for admitting migrants workers (such as the "H-1B program" in the US and the "Tier 2 program" in the UK) means that the analysis excludes various other groups including: migrants admitted for the purpose of study, family union or reunion, or humanitarian protection; migrants admitted under various channels that include an employment component but not as the primary purpose of immigration, such as au pair programs and "working holidaymakers"; migrants admitted under specific work- related immigration programs that are internationally negotiated (such as "intracompany transfers," which are regulated by GATS Mode 4) and/or that do not treat migrants as employees (e.g., programs that admit self- employed migrant entrepreneurs); and migrants who entered and/or are working illegally in the host country. The analysis also excludes migrants admitted under free movement agreements such as that operating among EU member states (i.e. for countries in the European Union (EU), I focus on policies for admitting non-EEA[6] workers only). *Unit of analysis*

Most countries operate different labor immigration policies for admitting migrants for employment in low-, medium- and high-skilled jobs. Policies for different skill groups of workers are typically associated with different degrees of policy openness and rights for migrants. This is why I use labor immigration programs rather than countries as a whole as

[6] The European Economic Area (EEA) includes all countries of the EU, plus Norway, Liechtenstein and Iceland.

my unit of analysis. The period under consideration in this paper is 2009, and—unless indicated otherwise—*all discussions of policies here refer to that year*. Table A1 in the Appendix shows the countries and numbers of programs included in this study. To the best of my knowledge, the programs analyzed include all, or at least the vast majority, of labor immigration programs (as defined above) that existed in 2009 in the 33 countries under consideration.[7]

Targeted skill level

Each of the programs included in my analysis was assigned one or more 'targeted skill level'. The targeted skill level of a labor immigration program reflects the skills required in the (specific or range of) jobs that migrants are admitted to fill. I distinguish between programs that target: low-skilled workers (LS) with less than high-school and no vocational skills; medium skilled workers (MS) with high school, vocational training or trades qualifications; high skilled workers (HS1) with first degrees from university or equivalent; and very high skilled workers (HS2) with second or third degrees from university or equivalent. Many programs cover more than one skill group. Given the relatively small sample size, I sometimes group programs into those that target "low and/or medium skills" (LSMS), and "high skills and/or very high skills" (HS12). Given that there is no universal definition of skill, all these classifications inevitably requires a degree of judgment.

Policy Openness Indicators

I have defined openness as "policy openness" measured by the scale and strength of policy restrictions on the admission and employment of migrant workers. My policy openness index includes three types of restrictions: (i) quotas; (ii) criteria that employers in the host country need to meet to legally employ migrant workers ("demand restrictions"); and (iii) criteria that potential migrant workers need to meet to be admitted to the host country ("supply restrictions"). The openness index comprises a total of twelve indicators: existence, types and strength of quota; demand restrictions including the requirement of job offer; strength of labor market tests; restrictions of wages and conditions; occupational/sectoral restrictions; economic fees for employing migrants; and the degree of trade union involvement; supply restrictions including nationality and age restrictions; gender and marital status restrictions; specific skills requirements; language requirement; and self-sufficiency requirements . For the specific survey questions relating to these openness indicators, see Appendix 2 of Ruhs (2013).

[7] When the dataset was created (Ruhs 2013), the aim was to include all relevant labor programs in each country. It is of course possible that some programs were accidentally omitted. For example, Sherrel (2014) correctly pointed out that the dataset failed to include the "457 visa program" in Australia.

Migrant Rights Indicators

My indicators of migrant rights include a mix of different types of rights including: five civil and political rights (vote, stand for election, associate, keep identity documents, protection of criminal courts); five economic rights (free choice of employment, equal pay, equal conditions other than pay, join trade unions, redress in case of contract violation); five social rights (access to unemployment benefits, public pension schemes, public education and training, social housing, public health services); five "residency rights" (time limit on residence, security of residence dependent on employment and criminal convictions, direct access to citizenship, redress in case of withdrawal of residence permit); and three rights related to family reunion (family reunion, spouse's right to work, redress). For the specific survey questions relating to these migrant rights indicators, see Appendix 3 of Ruhs (2013).

Table: 1 Summary statistics

Variable	Obs	Mean	Std. Dev.	Min	Max
Openness	77	0.66	0.09	0.47	0.86
Rights	77	0.62	0.17	0.25	0.96
Only Low/med-skilled	77	0.31	0.47	0	1
Low/med-skilled	77	0.60	0.49	0	1
High-skilled12	77	0.69	0.47	0	1
Only Highskilled12	77	0.40	0.49	0	1

Note: For definitions of skill categories used in this table, see text above.

Focus on policies and rights 'de jure'

In my analysis, the term 'migrant rights' refers to the legal rights (defined here as the rights granted by national laws and policies) granted to migrant workers on admission under a particular labor immigration program. So my indicators measure rights "in laws and regulations" rather than "in practice".

Normalization and aggregation

All indicators are scored from 0 to 1. For openness indicators, '0' indicates a high level of restriction and 1 indicates a high level of 'openness'. For migrant rights, '0' suggests a high degree of restriction and 1 indicates the absence of restrictions. While some indicators are binary, others are scored based on three or four levels of restrictiveness. The overall openness and migrant rights indicators are based on aggregation of individual indicators using equal weights.

Measures of variations in political regimes and socio-economic institutions

To measure and analyze political regime types, I use indicators of democracy and autocracy from the 'Polity IV' project. Specifically, I use the "polity score" which ranges from +10 (full democracy) to -10 (full autocracy). Of the 33 countries in my sample, the great majority (29 countries) are democracies with polity scores of greater than 5. Four countries are

autocracies with polity scores of less than -5 (Kuwait, Oman, Saudi Arabia, and the United Arab Emirates). Singapore has a polity score of -2, so it could be classified as an intermediate case. Due to the already small sample size, I include Singapore among the group of autocracies ("autocracies1") in my analysis. Whenever relevant and helpful, I also analyze the policies of the smaller group of autocracies without Singapore (I call this group "autocracies2").

My analysis of the role of different types of capitalism relies on the Varieties of Capitalism literature which, as discussed earlier in this paper, has classified and divided high-income countries into liberal market economies (with flexible labor markets and liberal welfare states) and coordinated market economies (with more regulated labor markets and social-democratic or conservative welfare states). My sample includes six countries that are classified as LMEs: the US, UK, Ireland, New Zealand, Australia and Canada.

Approach and limitations

I consider the analysis in this paper strictly exploratory. This is partly because the size of my sample of policy indicators is relatively small (77 programs in 33 countries) and based on a single cross-section of data (for the year 2009). While the sample size is not unusual for cross-country studies that involve policy indicators, it does clearly limit the scope of the statistical analysis. My focus in this paper is on identifying correlations (and not causality) between key policy characteristics (openness, targeted skills, and rights) and institutions (political regimes and types of capitalism). I use simple regression analysis (with cluster-corrected standard errors [8]) to explore whether and how the statistical significance and/or the sign of particular correlations change when controlling for additional factors.

A second reason for the exploratory nature of this study is its narrow focus on quantitative analysis of policy indicators. This is a key difference to the approach in Ruhs (2013) which was explicitly "mixed methods", i.e. combining quantitative analysis of policy indicators with in-depth discussions of migration policy developments and experiences around the world. I strongly believe that we need both quantitative and qualitative research to advance knowledge and improve our understanding of the dynamics of migration policies. This paper aims to stimulate more theoretical and empirical research including the necessary in-depth analysis of the role of national institutions in the design of labor immigration policies across countries.

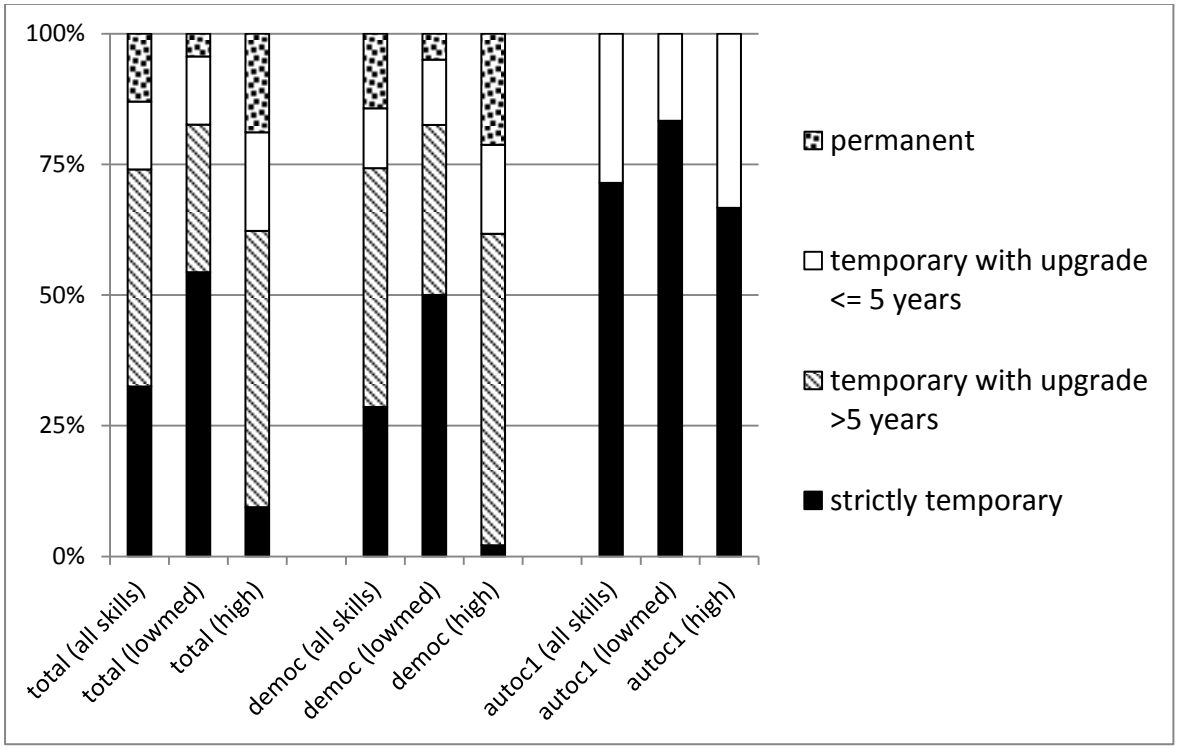
[8] I use cluster-corrected standard errors because my data on labor immigration programs and national institutions are clustered within countries.

3.2. Political institutions: democracy and autocracy

3.2.1. Temporary and permanent migration programs

While the great majority of high-income countries admit migrants on a temporary rather than permanent residence and employment permits, the balance between temporary and permanent migration programs varies significantly across targeted skills and type of political regime. As shown in Figure 1, looking at all countries together it is clear that as we move up the skill ladder the share of permanent programs increases while the share of strictly temporary programs falls. Making a further distinction to take account of regime type shows that permanent immigration programs are limited to democracies. All labor immigration programs in the autocracies in my sample admit migrants on a temporary rather than permanent basis. In fact, Singapore is the only autocracy in my study that allows some migrant workers (higher skilled ones) to upgrade to permanent residence status. All four GCC countries in my sample operate strictly temporary migration programs that do not allow migrants (of any skill level) to acquire permanent residence status.

Figure 1 Temporary and permanent labor immigration programs in high-income countries, by targeted skills and regime type, 2009



Notes: "total" indicates that all countries are included. "democ" refers to democracies and "autoc1" includes all autocracies (including Singapore) in my sample. "lowmed" indicates programs that target low and/or medium skilled workers (and possibly also higher skills). "High" indicates programs that target high and/or very high-skills (and possibly also others).

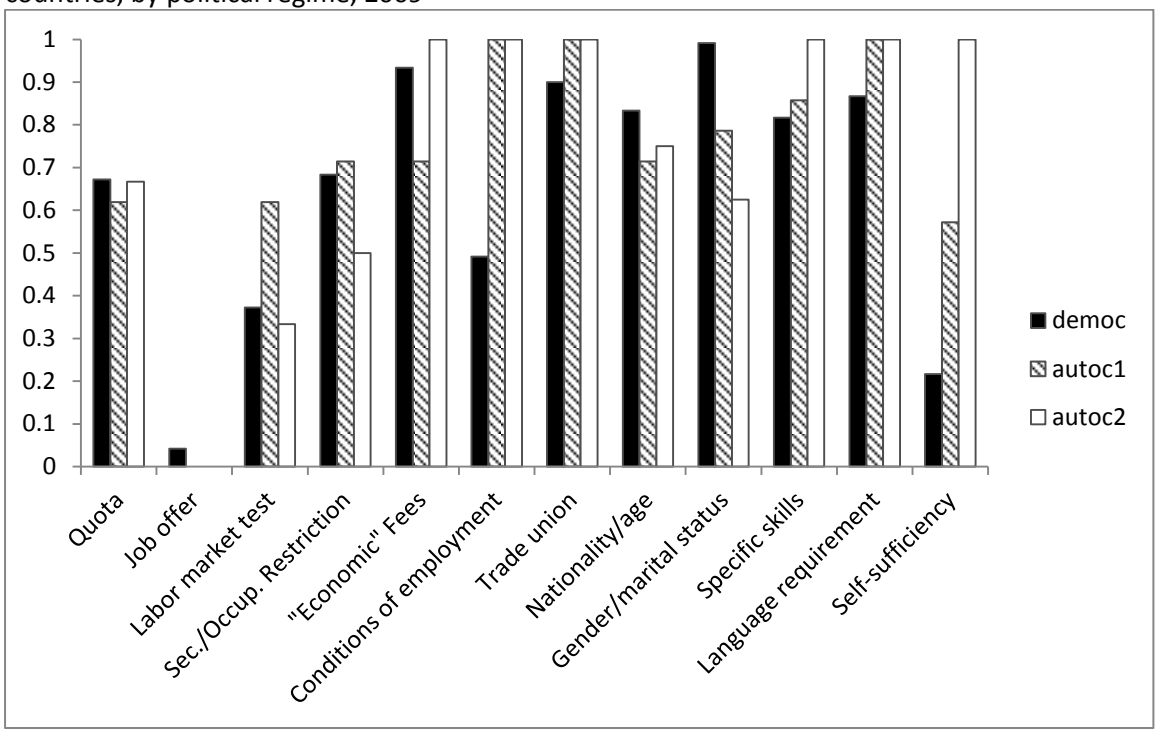
3.2.2. Modes of restricting openness

Focusing on temporary migration programs in high-income countries, quotas and demand sider-restrictions are much more common than supply-side restrictions. The most commonly used restrictions under TMPs include (in order of frequency) the requirement of a job offer, a self-sufficiency requirement (the only supply-side restriction that is heavily used in TMPs), labor market tests, restrictions on the conditions of employment of migrants, quotas, and restrictions of the sector of employment in the host country. There are some variations by targeted skill level. In particular, the requirement of a job offer and the strictness of the labor market test are greater under temporary migration programs targeting lower-skilled workers.

Figure 2 compares the use of different types of restrictions on openness of TMPs across democracies and autocracies. The data suggest a few important variations. Compared to democracies, autocracies make less use of the self-sufficiency requirement, restrictions of the conditions of employment and, especially among programs targeting lower-skilled workers, labor market tests. At the same time, TMPs in autocracies are more likely to be associated with restrictions of immigration by gender. All these differences in modes of restrictions of openness across political regimes are statistically significant.

The data provide some empirical support for the argument, developed in section 2, that labor immigration programs in autocracies are more employer-led, i.e. less interfering in the recruitment and employment practices of individual employers (as reflected in less strict requirements with regard to labor market tests and conditions of employment). The fact that autocracies are less likely to impose self-sufficiency requirements than democracies may be related to greater restrictions on access to the welfare state (as discussed later in this paper). The difference with regard to restrictions by gender is no surprise: autocracies face fewer constraints on discriminatory admission practices than democracies.

Figure 2 Modes of restricting the openness of *temporary* labor immigration programs in high-income countries, by political regime, 2009



Note: The openness scores range from 0 (most restrictive) to 1 (least restrictive), "autoc1" includes all autocracies in my sample while "autoc2" excludes Singapore.

3.2.3. Openness

My data provide some evidence to support the expectation that autocracies are more open to labor immigration, and especially to lower-skilled labor immigration, than democracies. As shown in Figure 3 labor immigration programs in democracies are, on average, less open than programs in autocracies.[9] This holds for all programs regardless of the targeted skill level as well as for programs targeting low – and/or medium skills, and programs targeting high skills. A simple regression of openness on democracy and targeted skills[10] yields a statistically significant and negative association between openness and democracy. The association between openness and targeted skills is positive as expected although its statistical significance is at the margins if we focus on TMPs only.[11]

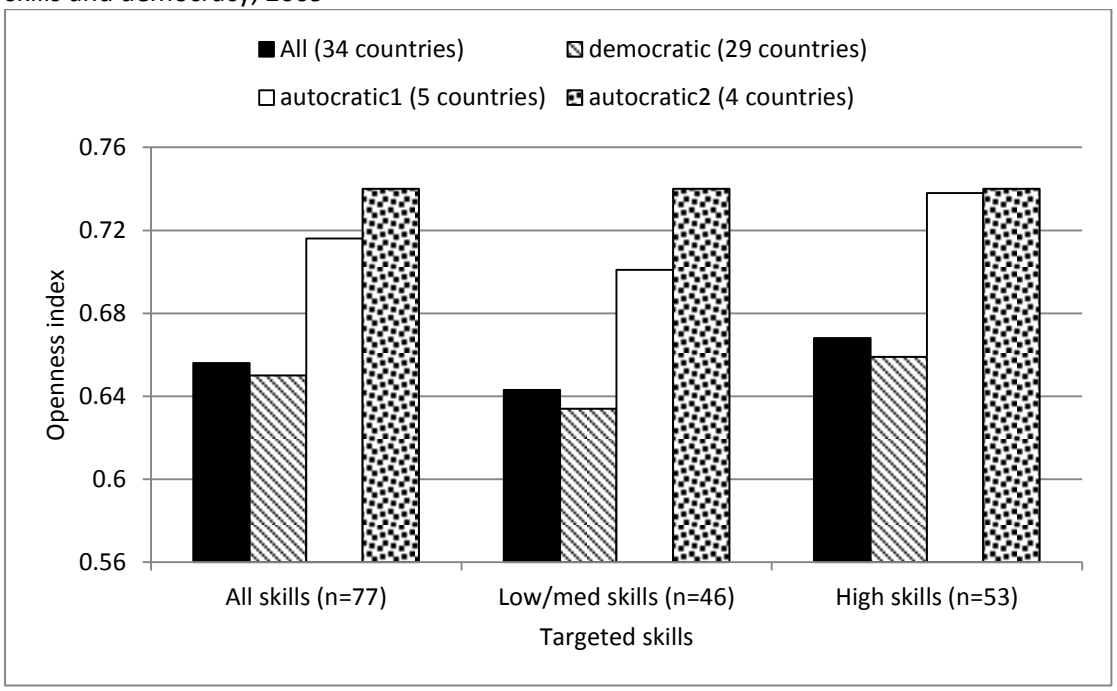
A second hypothesis is that the labor immigration policies of autocracies are characterized by fewer differences in terms of openness across targeted skills than the policies of democracies. Looking at Figure 3, this is not evident if we compare democracies with the

[9] The figure focusing on the openness of *temporary* labor immigration programs only (not shown in this paper) looks very similar to Figure 3.
[10] In this paper I use a fairly broad measure of targeted skills (combing low and medium skills, and high and very high skills). The positive effects of targeted skills on openness become more clear when using more narrow variables for skills (as I did in Ruhs 2013).
[11] The results of these regressions can be found in the Online Appendix.

group of autocracies that includes Singapore ("autocratic1"). If we use a more narrow definition and exclude Singapore (autocratic2), it is clear that the autocracies in my sample make *no* distinction by skill. All four countries in this group (all Gulf States) use only one policy for admitting migrant workers (the so-called *Kafala* system) regardless of skill level. Among the countries in my sample, the average number of labor immigration policies in democracies is 2.4 (and the average number of TMPs per democracy is 2.1). Singapore has 3 different admission policies differentiated by skill.

The differences in openness shown in Figures 3. lend support to the argument by Shin (2017) about the expected differences between autocracies that are "rentier states" (e.g. the four Gulf states in my sample) and those that are not (e.g. Singapore). The four rentier states in my sample, where citizens have for a long time enjoyed protected employment in the public sector, are considerably more open to labor immigration (especially for employment in lower- and medium-skilled jobs) than Singapore where, arguably, citizens are competing with migrants for jobs in a wider range of occupations.

Figure 3: Openness (mean) of labor immigration programs in high-income countries, by targeted skills and democracy, 2009



Notes: "n" indicates the number of labor immigration programs included. Of the 77 programs shown, 22 programs target both medium and high-skills. The groups of countries classified as "autocratic1" and "autocratic2" are the same except for Singapore which is included in autoc1 only.

3.2.4. Migrant Rights

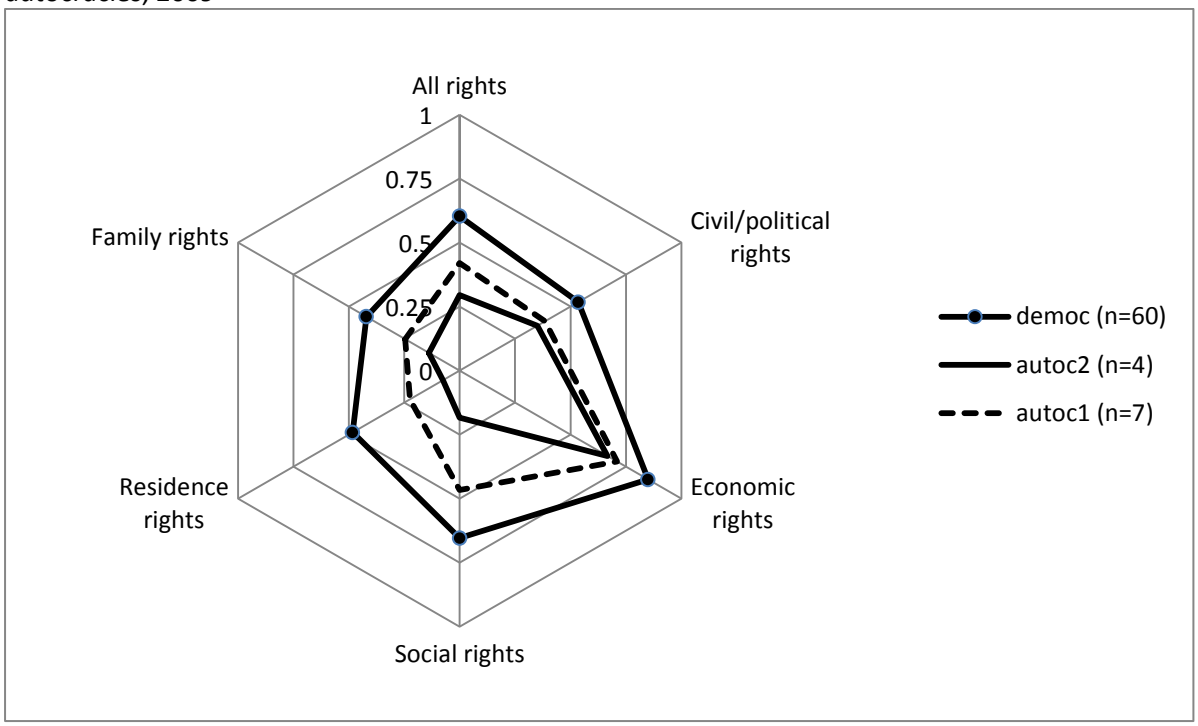
As expected, labor immigration programs in autocracies impose greater restrictions on migrants' rights than programs in democracies. Focusing on TMPs only, Figure 4 makes clear that all types of migrant rights considered here (political rights, economic rights, social rights, residence rights and family rights) are considerably more restricted in autocracies.

Singapore imposes fewer restrictions, on average, on migrants' rights than the four Gulf states.

It is important to highlight that the positive correlations between democracy and different types of migrant rights are driven by associations between democracy and a few specific rights, not all rights. About half of the 23 rights analyzed here are significantly and positively correlated with democracy. This includes most social and residence rights, the right to associate and the right to identity/passport (two civil/political rights), the rights to equal pay and to join trade unions (two economic rights), and the right to redress following a failed application for family reunion.

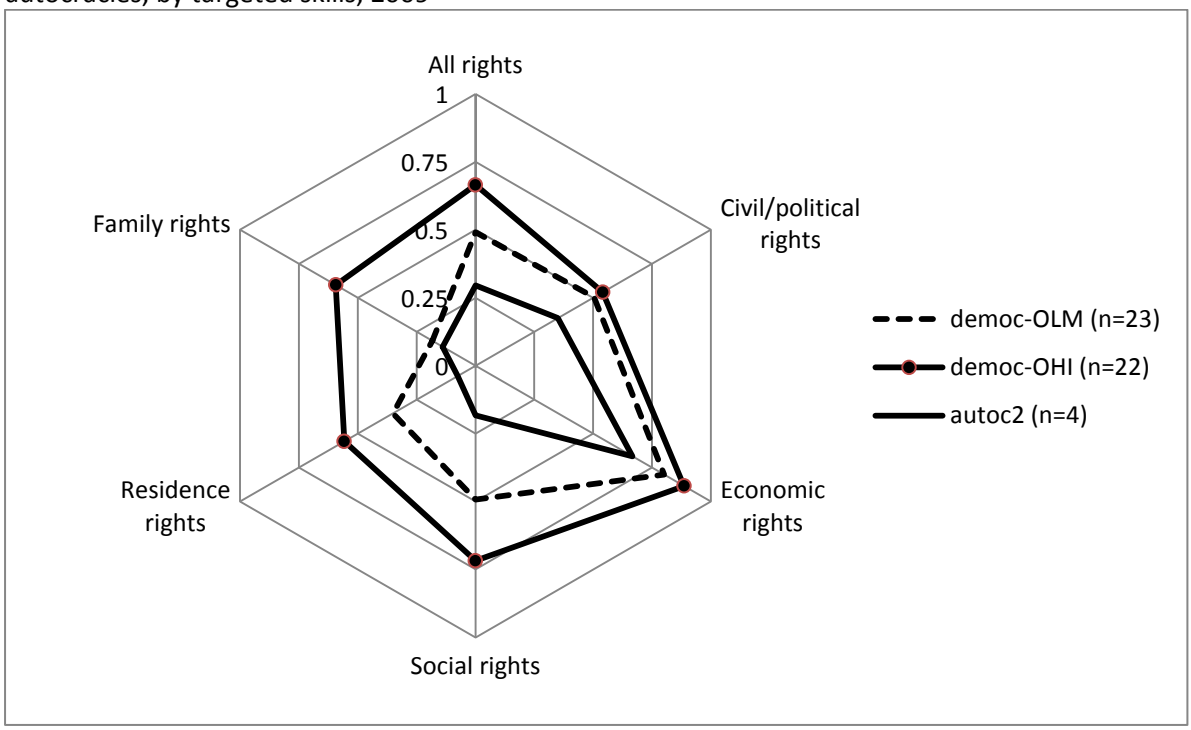
Making a further distinction by targeted skill level of TMPs, Figure 5 shows that TMPs in democracies that target higher skilled workers grant significantly more rights than those targeting lower-skilled workers. Still, the rights restrictions under low-skilled TMPs in democracies are still considerably smaller than those in the Gulf States (whose programs do not make a distinction by targeted skill).

Figure 4 Restrictions of migrant rights under temporary migration programs in democracies and autocracies, 2009



Note: The migrant rights scores range from 0 (most restrictive) to 1 (least restrictive).

Figure 5 Restrictions of migrant rights under temporary migration programs in democracies and autocracies, by targeted skills, 2009



Note: The migrant rights scores range from 0 (most restrictive) to 1 (least restrictive). "democ-OLM" includes TMPs in democracies that target low- and/or medium skilled workers only; "democ-OHI" includes TMPs in democracies that target high- and/or very high-skilled workers workers only.

3.2.5. Trade-offs between openness and rights

In Ruhs (2013), I showed that there are trade-offs in the labor immigration policies of high-income countries between openness to admitting migrant workers and some of the rights granted to migrants after admission. I now consider the role of the political regime (democracy or autocracy) in influencing the openness-rights trade-off. Table A2 reports the results of linear regressions of rights (aggregated and sub-groups) on openness, targeted skills, and democracy. In line with the rationale for my hypothesis of an inverse relationship between openness and some rights, I exclude programs that target the most highly skilled migrant workers only (as I do not expect the relationship to apply in these programs). The second column of Table A2 confirms the general results in Ruhs (2013): In a basic specification that regresses rights on targeted skills and openness, migrant rights are positively correlated with targeted skills and negatively associated with openness. This holds for aggregate rights as well as most types of rights except economic rights (model 10) and family rights (model 22).

What happens to these associations if we control for political regime (column 3 of Table A2)? First, the relationship between rights and targeted skills remains positive and statistically significant in most specifications except the one focusing on political rights (model 7). Second, the relationship between rights and openness becomes statistically

insignificant for aggregate rights, political rights, economic rights and residence rights but it remains significant for social rights (model 15) and "social and residence rights" taken together (model 27).

To explore further how democracy influences the relationship between openness and rights, it is useful to estimate models that include an interaction between openness and democracy. As shown in column 4 of Table A2, the estimated coefficient of this interaction term is positive and statistically significant in the models considering all rights (model 4), economic rights (12), social rights (16) and 'residence and social rights' (28). These results suggests that the trade-off between openness and rights is considerably reduced, and for some (but not all) rights eliminated, in democratic settings.

If we focus the analysis on temporary migration programs only), the models without an interaction between openness and democracy do not suggest a statistically significant relationship between openness and rights. However, when the interaction term is included, the results are similar to those of the analysis of all programs: there is evidence of a negative relationship between openness and rights but it is significantly reduced in democratic countries.[12]

If we exclude autocracies from the analysis altogether (Table A3), the statistical significance of the associations between openness and rights are considerably reduced. The model focusing on social and residence rights is the only specification in Table A3 where the openness coefficient is at the margins of statistical significance ($p = 0.12$).

What can we conclude from this analysis? In addition to the small sample size, all these regressions suffer from multicollinearities among some of the independent variables which make the precise effects of the individual variables even harder to estimate. Still, I argue that this exploratory analysis provides some evidence for the role of the political regime (democracy or autocracy) in shaping the openness-rights trade-off. The results are in line with the expectation that, because they face fewer liberal constraints, autocracies design labor immigration policies that involve stronger trade-offs between openness and rights (and that involve a wider range of rights) than democracies. I would not interpret the absence of strongly significant relationships between openness and rights in the analysis of labor immigration programs in democracies only (Table A3) as evidence that such trade-offs are limited to autocracies. Ruhs (2013) provided a series of mini case studies of openness-rights trade-offs in democratic high-income countries. My results in this paper call for more mixed methods research of these issues.

[12] Results shown in the Online Appendix.

3.3. Socio-economic institutions: labor markets and welfare states

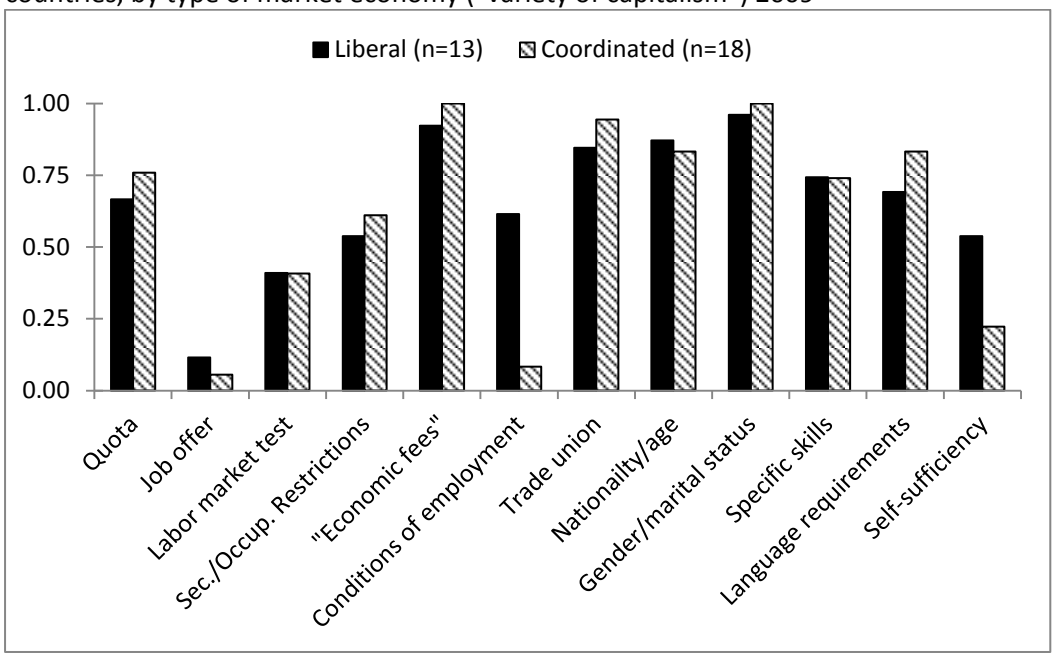
My analysis of the relationships between labor immigration policies and socio-economic institutions is based on democracies only as I do not have indicators that classify autocracies within the VoC framework.

3.3.1. Modes of restricting openness

Almost all of the permanent labor immigration programs in my sample are offered by countries that are classified as liberal market economies, specifically via the points-based systems operated by Canada, Australia, and New Zealand. To exclude variation arising from differential use of PMPs, I focus my analysis of the different modes of restricting openness across liberal and coordinated market economies to TMPs only. As shown in Figure 6 below, there are two important (and statistically significant) differences in the modes of immigration control between LMEs and CMEs. First, LMEs are much less likely to impose restrictions on the wages and employment conditions at which migrants must be employed in the host country. Of course, this is not a surprising result because one of the key features of coordinated market economies is their higher level of labor market regulation which, I find, is also reflected in their labor immigration policies. Second, LMEs are less likely to restrict openness via a self-sufficiency requirement, i.e. the conditions that migrants need to show that they can live and work in the host country without (or with limited) support from the welfare state.

Taking account of the targeted skill level of the TMP suggests two more significant differences between the modes of restricting openness under programs in LMEs and CMEs. Among programs targeting lower and medium skills, LMEs are more likely to restrict openness via involvement of trade unions in the admission process than CMEs. Among programs targeting higher skills, LMEs make relatively greater use of language requirements.

Figure 6 Modes of restricting the openness of *temporary* labor immigration programs in high-income countries, by type of market economy ("variety of capitalism") 2009



Note: The openness scores range from 0 (most restrictive) to 1 (least restrictive)

3.3.2. Openness

In addition to affecting the modes of immigration control, my data also provide some support for the idea that the prevailing socio-economic institutions can influence the openness of labor immigration programs in high-income countries. As discussed earlier in this paper, we can expect liberal market economies, with flexible labor markets and liberal welfare states, to be more open to labor immigration than coordinated market economies (with social-democratic or conservative welfare states). Table A4 in the appendix shows the results of a linear regression of the openness of labor immigration programs in high-income countries on targeted skills, the variety of capitalism, and an interaction between the two variables. I estimate these equations for all programs and TMPs only. The results suggest no independent effect of the type of economy on openness but the estimated coefficient of the interaction targeting higher skills only and 'coordinated market economy' is statistically significant and negative (keeping in mind the small sample size and limitations of this analysis). This suggests that, among programs targeting migrants with higher skills only, the presence of a coordinated market economy has a negative impact on openness. I do not find this effect for programs targeting lower-skilled workers even though the expectation was that a coordinated market economy would be associated with more restrictions on labor immigration, especially of lower-skilled migrant workers.

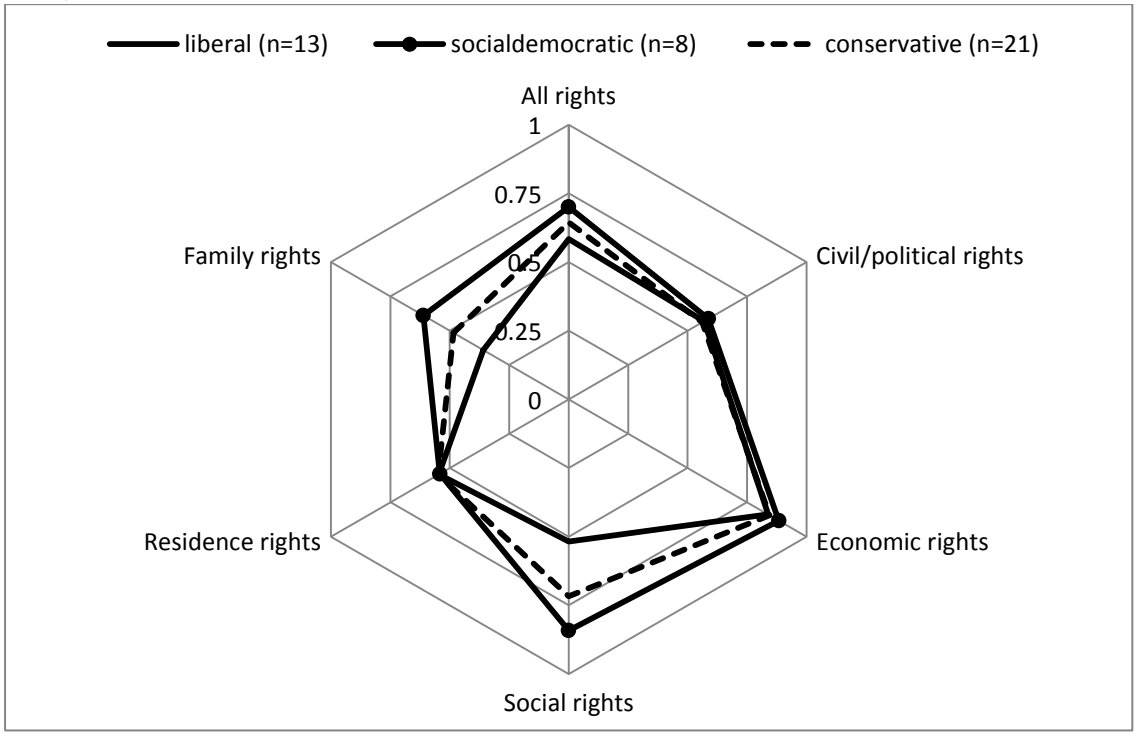
Coordinated market economies differ from liberal market economies in various factors including the regulation of labor markets and the nature of the welfare state. While my empirical analysis provides some (tentative) empirical support for the idea that the openness of labor immigration programs is related to the type of market economy, I do not

find evidence in my data that openness is specifically related to the flexibility of the national labor markets (as measured by OECD measures for labor market regulation) and/or the relative size of the welfare state (as measured by the share of social expenditure in GDP).

3.3.3. Migrant rights

As discussed in section 2, different types of welfare state can be expected to be associated with different restrictions of migrants' rights, especially their social rights. My data provide some empirical support for this hypothesis. I again focus on TMPs to exclude variation of rights based on the distinction between PMPs and TMPs. As shown in Figure 7 below, restriction of social rights under TMPs in countries with liberal welfare states are considerably greater than those in countries with conservative and especially social-democratic welfare states. Family rights also vary across type of welfare state although this difference is at the margins of statistical significance. The relationship between the type of welfare state and migrants' social rights remains statistically significant when controlling for the targeted skill level of the labor immigration program.[13]

Figure 7 Restrictions of migrant rights under temporary migration programs, by type of welfare state, 2009



Note: The migrant rights scores range from 0 (most restrictive) to 1 (least restrictive).

What might be the reasons why liberal welfare states impose greater restrictions on migrant rights than other types of welfare state? My discussion in section 2 suggested that the answer may lie with differences in terms of the extent to which the welfare state is

[13] Results of a regression of migrant rights on the type of welfare states and targeted skills are in the Online Appendix.

"contributory" i.e. the degree to which welfare benefits require a prior contribution. There is a strong negative correlation between having a liberal welfare state and the share of contributions in total social expenditure. However, a regression of rights on targeted skills and share of contributions in total social expenditure does not show a statistically significant relationship.

A potential second explanation may have to do with the way in which the openness of the labor immigration program is regulated. Specifically, it is important to investigate whether and how restrictions of social rights after admission are related to the self-sufficiency requirement that many countries use to restrict the admission of migrant workers. As I have shown earlier in this paper, liberal market economies (with liberal welfare states) are less likely to use the self-sufficiency requirement than coordinated market economies. It is important to ask if there is a trade-off between imposing a self-sufficiency requirement as part of the conditions for admission and the social rights migrants are granted after admission and, if it exists, whether this trade-off is limited to liberal market economies with liberal welfare states. . A regression of rights on targeted skills, type of welfare state and the self-sufficiency requirement as a way of restricting admission provides support for this hypothesis (see Appendix Table A5).

3.3.4. Trade-offs between openness and rights

How, if at all, does the trade-off between openness and some rights, especially social rights, vary across countries with different socio-economic institutions? Table A6 shows the results of regressions of migrant rights on targeted skills, openness, welfare state and an interaction between openness and welfare state. I present estimates for all labor immigration programs (models 1-12) and TMPs only (models 13-24). Adding a control for the type of welfare state (models 1-6 and 13-18) makes the relationship between migrant rights and openness statistically insignificant. This is true for the analysis of all programs and TMPs only. However, further adding an interaction between openness and liberal welfare state suggests a statistically significant and negative relationship between rights, especially social rights and family rights, and openness in liberal welfare states (but not in other types of welfare states). Again, this holds for all programs in my sample and for temporary migration programs only.

4 DISCUSSION AND CONCLUSION

4.1 Summary of key findings and implications for future research

My exploratory empirical analysis suggests that high-income countries' labor immigration policies are characterized by significant variations across political regimes and national economic models. Compared to policies in democracies, labor immigration programs in autocracies are much more focused on temporary migration programs. They are more

"employer-led" as reflected in fewer restrictions of conditions of employment and less restrictive labor market tests. Autocracies' admission policies are more likely to restrict immigration by gender and less likely to impose strong self-sufficiency requirements as a condition of admission.

With regard to regulations of openness and rights, I find that labor immigration programs in autocracies are more open than those in democracies. My analysis also suggests that, in autocracies that are 'rentier economies' (such as the Gulf States), the openness of labor immigration policies is characterized by much less variation by targeted skill level. Unsurprisingly, the policies of autocracies are characterized by much greater restrictions of migrants' rights and stronger and more systematic trade-offs between openness and rights.

These findings are not particularly surprising and confirm most of the hypotheses developed in section 2 of this paper. They can likely be explained by the fact that autocracies face fewer liberal constraints than democracies and, especially in rentier economies, fewer pressures to protect domestic workers from competition with migrant labor, especially in lower-skilled labor markets. The lower propensity to use self-sufficiency requirements in admission policies in autocracies is likely explained by their considerably greater restrictions of migrants' access to the welfare state.

My analysis of the relationships between labor immigration policies and national economic models focused on 'varieties of capitalism' which distinguishes between liberal market economies with liberal welfare states on the one hand, and coordinated market economies with social-democratic or conservative welfare states on the other. As almost all PMPs are in LMEs, most of my analysis focused on comparing TMPs across the two types of capitalism. As regards the 'modes' of restricting openness, I find that LMEs are less likely to impose restrictions on wages and employment conditions of migrant workers. This is an expected result as public policies in liberal market economies are likely to be more employer led (or employer friendly) than in coordinated market economies where governments, by definition, impose greater degrees of regulation on the labor market. I also find that LMEs are less likely than CMEs to use a self-sufficiency requirement as a way of restricting admission. This may at first seem like a counterintuitive result but it becomes more plausible when considering it in the context of differences in restrictions on migrants' social rights across LMEs and CMEs (see below).

I do not find evidence for a significant difference in the openness of labor immigration programs when all targeted skill levels are analyzed together. However, I find that LMEs are more open than CMES when it comes to admitting migrant workers for higher skilled jobs. I do not detect a significant relationship for lower skilled migration programs, where I expected differences to be more pronounced (or at least as pronounced as for higher skilled programs).

Finally, as regards migrant rights, my analysis suggests that LMEs place greater restrictions on the social rights of migrants than CMEs. I identify a trade-off in the policies in LMEs between restrictions on social rights and the use of the self-sufficiency requirement as a way of restricting admission. As is the case with the political regime, the variety of capitalism influences the relationship between openness and rights. My exploratory analysis suggests a trade-off between openness and social rights in liberal market economies with liberal welfare states but not in countries with other types of welfare states.

When interpreting these findings it is important to keep in mind the exploratory nature of this study. While my paper strongly suggests that national labor immigration policies can and do vary across political and socio-economic institutions, the precise interactions and inter-relationships between immigration policies and institutions, as well as the underlying causal relationships, are important topics for future research. A key question, for example, is whether and to what extent the findings of my analysis are driven by omitted variables. Almost all "coordinated market economies" in my sample are in Continental Europe (the exception is Japan). Similarly, almost all "autocracies" in my sample are GCC countries (with the exception of Singapore). Furthermore, due to data limitations, none of the autocracies in my sample were classified in terms of their national socio-economic models. It could thus be argued that my analysis essentially compares three groups of countries: Continental Europe, "Anglosphere" countries, and the GCC countries. Future research needs to consider whether there are any variables (not considered in my analysis) that are specific to these groups and that may be affecting the results presented in this paper (e.g. the high share of migrants in the private sectors of the GCC countries, the long immigration histories of many of the Anglosphere countries, etc.).

More generally, analyzing the relationships between immigration policies and different types of national institutions more systematically and in much more detail should, in my view, be a key priority for researchers working on international migration, comparative capitalism and comparative politics more broadly. Importantly, this research needs to include, and can often fruitfully combine, quantitative and qualitative approaches. A key obstacle to more systematic quantitative analysis is the general lack of data on the characteristics of labor (and other) immigration policies. There are, however, a number of research projects underway that are generating new cross-country migration policy data which may prove useful (see, e.g., Helbling et al 2017; Beine et al 2016). On its own, however, quantitative analysis will not be enough. Qualitative research and in-depth case studies are, in my view, critical to gaining a better understanding the relationships and dynamics between migration policies and other types of public policies and institutions.

4.2 Implications for policy debates

The finding that variations in how high-income country regulate the admission and rights of migrant workers are related to variations in national political and socio-economic institutions has important implications for debates about the global governance of

international labor migration and the rights of migrant workers. While there is no global agreement that regulates how high-income countries design their policies for admitting migrant workers, there are global norms on the rights that migrant workers should be given after admission. There are three major international rights norms that specifically relate to migrant workers: The United Nations' International Convention on the Protection of the Rights of All Migrant Workers and members of their Families (adopted in 1990; henceforth CMW for "Convention on Migrant Workers") and the International Labor Organization's Migration for Employment Convention (1949) and the Migrant Workers (Supplementary Provisions) Convention 1975. Together with the more general human rights treaties, these instruments lay out a comprehensive set of civil, political, economic, social and other right for migrant workers, including the right to equal protections under labor laws, antidiscrimination laws and family laws. In particular, the CMW articulates a broad set of rights for migrants, including those living and/or working abroad illegally. The CMW includes ninety-three articles (compared to the twenty-three articles of ILO Convention 97 and the twenty- four articles of ILO Convention 143) and extends fundamental human rights to all migrant workers, both regular and irregular, with additional rights being recognized for regular migrant workers and members of their families. Crucially, the CMW is based on the principle of equal treatment of migrant and nationals rather than on a "minimum standards" approach, which characterizes many other international legal instruments.[14]

In practice, the ratifications of the CMW and ILO conventions on migrant workers by state parties have been disappointing. With 51 ratifications[15] as of July 2017, the CMW is the least ratified treaty among all major human rights treaties. The few countries that have ratified the CMW are predominantly migrant- sending rather than migrant- receiving countries.[5] They are all low- or middle- income countries with three- quarters having a low or medium human development index. A similar number of countries has ratified ILO Convention 97 (49 countries as of July 2017[16]) and even fewer ILO Convention 143 (23 countries[17]).[18] Partly because of the low numbers of ratification, it is widely agreed that the effectiveness of the global migration norms in protecting migrant workers in practice has been extremely limited.

In Ruhs (2013) I made the case for a "core-rights" approach to the global governance of international labor migration. This would involve the creation of a list of core rights of

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[14] Lonnroth 1991
[15] See http://indicators.ohchr.org/
[16] See http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312242:NO
[17] See http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312288:NO
[18] For a recent overview and discussion of the ratifications of ILO instruments on migrant workers, see ILO 2016.

migrant workers that would include fewer rights than the CMW. This proposal was based on two considerations. First, there is considerable evidence to suggest that the primary reason why high-income countries have not ratified the CMW, and have no intention of doing so in the future, is that they consider the convention "too demanding" in terms of the potential impacts and costs involved for the population of the host country. Arguably, a list of core rights would be more acceptable to a larger number of countries including states that admit large numbers of migrants.

Second, the trade-off between openness and some specific migrant rights in high-income countries' labor immigration policies means that insisting on equality of rights for migrant workers can come at the price of more restrictive admission policies and, therefore, discourage the further liberalization of international labor migration. Put differently, rights-based approaches to migration that demand all the rights stipulated in the existing international labor standards run the danger of doing good in one area (i.e. promoting the rights of *existing migrants*) while doing harm in another (i.e. decreasing opportunities for *potential future migrants* who are still in their countries of origin and are seeking legal access to the labor markets of higher-income countries). Labor emigration can generate very large income and other gains for migrants and their families as well as create considerable benefits for migrants' countries or origin (e.g. UNDP 2009; Clemens et al 2008). Given the trade-off between openness and some migrant rights in high-income countries' labor immigration policies, I argued that "there is a strong normative case for tolerating the selective, evidence-based, temporary restrictions of a few specific rights under new and expanded TMPs that help liberalize international labor migration, especially of lower-skilled workers whose international movement is currently most restricted and who would therefore reap large human development gains from employment abroad" (Ruhs 2013, p.9).[19]

The analysis in this paper provides a third argument for a core rights approach to global efforts to protect the rights of migrant workers. Since the design of national labor immigration policies is correlated with national institutions, I argue that any common global policy approach needs to take account, at least to some extent, of institutional variations across countries. A list of universal and inalienable core rights that allows some room for differential restrictions on migrants' access to the welfare state, for example, has a much better chance of acceptance and implementation than an approach that demands equality or near-equality in rights in all countries regardless of their institutional differences.

[19] How exactly one *should* balance openness and equality of rights is, of course, an inherently normative question that does not have one "right" answer. For a discussion of the ethics of restricting migrant rights to generate more opportunities for migration to high-income countries, see chapter 7 in Ruhs (2013).

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Labor Immigration Programs in High-Income Countries

Martin Ruhs

Appendix Tables A1-A6

Table A1: Sample characteristics: countries, number of labor immigration programs, political regimes, and Varieties of Capitalism (VoC)

	Number of programs	Political regime: Democracy/Autocracy	VoC: Liberal/coordinated market economy
Australia	4	democracy	liberal
Austria	3	democracy	coordinated
Belgium	1	democracy	coordinated
Canada	5	democracy	liberal
Czech Republic	3	democracy	
Denmark	3	democracy	coordinated
Finland	2	democracy	coordinated
France	4	democracy	coordinated
Germany	2	democracy	coordinated
Greece	3	democracy	coordinated
Hungary	2	democracy	
Ireland	2	democracy	liberal
Israel	2	democracy	
Italy	2	democracy	coordinated
Japan	2	democracy	coordinated
Kuwait	1	autocracy	
Netherlands	2	democracy	coordinated
New Zealand	3	democracy	liberal
Norway	2	democracy	coordinated
Oman	1	autocracy	
Portugal	2	democracy	coordinated
Rep.Korea	2	democracy	
Saudi Arabia	1	autocracy	
Singapore	3	autocracy*	
Slovak Republic	2	democracy	
Slovenia	2	democracy	
Spain	3	democracy	coordinated
Sweden	1	democracy	coordinated
Switzerland	1	democracy	coordinated
Taiwan	2	democracy	
USA	6	democracy	liberal
United Arab Emirates	1	autocracy	
UK	2	democracy	liberal
Total	77		

Table A2 Regression of migrant rights on openness, skills, and democracy; programs in high-income countries exclud. programs targeting the most highly skilled workers only, 2009 (***p<0.01, **p<0.05, *p<0.1)

Dep. var.:	All rights	(1)	(2)	(3)	(4)
Ind. var.:	Openness	-0.343	-0.412**	-0.259	-0.674***
	Onlyhighskill		0.160***	0.142***	0.144***
	Democracy			0.157**	-0.164
	Open*democ				0.453**
	constant	0.826***	0.818***	0.585***	0.882***
Obs, R2		70, 0.03	70, 0.23	68, 0.30	68, 0.30
Dep. var.:	Political rights	(5)	(6)	(7)	(8)
Ind. var.:	Openness	-0.318**	-0.341**	-0.189	-0.411
	Onlyhighskill		0.054*	0.035	0.035
	Democracy			0.134***	-0.38
	Open*democ				0.242
	constant	0.732***	0.729***	0.516***	0.675***
Obs, R2		70, 0.03	70, 0.06	68, 0.12	68, 0.12
Dep. var.:	Economic rights	(9)	(10)	(11)	(12)
Ind. var.:	Openness	-0.13	-0.047	0.109	-0.424***
	Onlyhighskill		0.078***	0.065***	0.067***
	Democracy			0.144***	-0.269
	Open*democ				0.583**
	constant	0.852***	0.848***	0.622***	1.00***
Obs, R2		70, 0.00	70, 0.11	68, 0.25	68, 0.26
Dep. var.:	Social rights	(13)	(14)	(15)	(16)
Ind. var.:	Openness	-0.486*	-0.555**	-0.448*	-2.24***
	Onlyhighskill		0.160***	0.142***	0.151***
	Democracy			0.142	-1.25***
	Open*democ				1.955***
	constant	0.961***	0.953***	0.767**	2.048***
Obs, R2		70, 0.02	70, 0.11	68, 0.13	68, 0.15
Dep. var.:	Residence rights	(17)	(18)	(19)	(20)
Ind. var.:	Openness	-0.651*	-0.748**	-0.509	-0.407
	Onlyhighskill		0.227***	0.203***	0.202***
	Democracy			0.227***	0.305
	Open*democ				-0.11
	constant	0.92***	0.909***	0.559**	0.487***
Obs, R2		70, 0.04	70, 0.23	68, 0.30	68, 0.30
Dep. var.:	Familyrights	(21)	(22)	(23)	(24)
Ind. var.:	Openness	-0.185	-0.339	-0.258	0.638
	Onlyhighskill		0.360***	0.344***	0.339***
	Democracy			0.128**	0.823*
	Open*democ				-0.978
	constant	0.556	0.538*	0.381	-0.259
Obs, R2		70, 0.00	70, 0.23	68, 0.24	68, 0.24
Dep. var.:	Social and residence rights	(25)	(26)	(27)	(28)
Ind. var.:	Openness	-0.568*	-0.652**	-0.478**	-1.323***
	Onlyhighskill		0.194***	0.172***	0.176***
	Democracy			0.185	-0.471**
	Open*democ				0.922***
	constant	0.941	0.931***	0.663***	1.2677***
Obs, R2		70, 0.04	70, 0.20	68, 0.25	68, 0.26

Table A3 Regression of migrant rights on openness and targeted skills, labor immigration programs in ***democratic*** high-income countries, exclud. programs targeting the most highly skilled workers only, 2009
(***p<0.01, **p<0.05, *p<0.1)

	All rights	Political rights	Economic rights	Social rights	Residence rights	Family rights	Social and residence rights
Openness	-0.241	-0.168	0.159	-0.268	-0.511	-0.335	-0.389
(p value)	*(0.26)*	*(0.29)*	*(0.43)*	*(0.29)*	*(0.14)*	*(0.41)*	*(0.12)*
Onlyhighskill	0.13***	0.034	0.065***	0.121**	0.189***	0.331***	0.155***
(p value)	*(0.000)*	*(0.231)*	*(0.004)*	*(0.01)*	*(0.001)*	*(0.000)*	*(0.000)*
constant	0.718***	0.637***	0.734***	0.802***	0.792***	0.56*	0.797***
obs	61	61	61	61	61	61	61
R2	0.16	0.02	0.11	0.05	0.17	0.19	0.13

Table A4 Regression of openness on targeted skills and variety of capitalism, labor immigration programs in high-income countries, 2009 (***p<0.01, **p<0.05, *p<0.1)

	All programs		TMPs only	
	1	2	3	4
onlyhighskill12	0.043**	0.066***	0.042*	0.082***
p value	*(0.022)*	*(0.005)*	*(0.07)*	*(0.005)*
coordinated_VoC	-0.23	0.01	-0.036	0.004
p value	*(0.392)*	*(0.748)*	*(0.163)*	*(0.904)*
onlyhighskill12*coordinated_VoC		-0.067*		-0.093*
p value		*(0.09)*		*(0.057)*
constant	0.62***	0.619***	0.639***	0.626***
p value	*(0)*	*(0)*	*(0)*	*(0.00)*
N	55	55	45	45
R2	0.09	0.13	0.11	0.19

Table A5 Regression of social rights on targeted skills, type of welfare state, self-sufficiency requirement, and interaction between welfare state and self-sufficiency, *temporary* labor immigration programs in high-income countries, 2009 (***p<0.01, **p<0.05, *p<0.1)

	1	2
onlyhighskill12	0.134**	0.133***
Np11_ssuff	-0.189**	-0.059
liberal welfare	-0.157**	-0.065
ssuff*liberal welfare		-0.21**
_cons	0.726***	0.709***
N	45	45
R2	0.37	0.41

Table A6 Regression of migrant rights on skills, openness and type of welfare state; labor immigration programs in high-income countries excluding programs targeting the most highly skilled workers only, 2009
(***p<0.01, **p<0.05, *p<0.1)

	All rights	Political rights	Economic rights	Social rights	Residence Rights	Family rights
	All programs (n=46)					
	(1)	(2)	(3)	(4)	(5)	(6)
onlyhighskill12	0.144***	0.045	0.073**	0.164**	0.158***	0.372***
NNopendindex12	-0.025	0.101	0.287	-0.044	-0.108	-0.588
liberal_welfare	0.0176	-0.005	0.018	-0.122	0.149*	0.066
constant	0.622***	0.494***	0.649**	0.724**	0.557**	0.724**
R2	0.22	0.03	0.13	0.14	0.30	0.26
with interaction:	(7)	(8)	(9)	(10)	(11)	(12)
onlyhighskill12	0.146***	0.045	0.074**	0.166***	0.160***	0.376***
NNopendindex12	0.423	0.158	0.629	0.623	0.385	0.253
liberal_welfare	0.943**	0.112	0.726*	1.251***	1.165**	1.801***
open*liberal welfare	-1.481**	-0.187	-1.13*	-2.200***	-1.162**	-2.777***
constant	0.340***	0.458***	0.434	0.306	0.248	0.197
R2	0.32	0.03	0.22	0.22	0.37	0.32
	Temporary migration programs only (n=39)					
	(13)	(14)	(15)	(16)	(17)	(18)
onlyhighskill12	0.108***	0.049	0.057	0.111*	0.091***	0.311***
NNopendindex12	0.160	-0.057	0.411	0.244	0.255	-0.192
liberal_welfare	-0.079	0.013	-0.032	-0.262**	-0.014	-0.115
constant	0.517***	0.591***	0.577**	0.562**	0.352*	0.496*
R2	0.23	0.03	0.12	0.27	0.13	0.21
with interaction:	(19)	(20)	(21)	(22)	(23)	(24)
onlyhighskill12	0.107***	0.049	0.057	0.110*	0.095***	0.311***
NNopendindex12	0.433*	0.156	0.634	0.637*	0.402	0.269
liberal_welfare	0.819**	0.719	0.703*	1.032**	0.470	1.404***
open*liberal welfare	-1.416**	-1.11*	-1.159*	-2.042***	-0.764	-2.39***
constant	0.347**	0.457**	0.437	0.316	0.259	0.208
R2	0.32	0.08	0.19	0.32	0.17	0.24