Why do states risk migration?*

James F. Hollifield

Ora Nixon Arnold Professor of International Political Economy
Director, Tower Center
SMU

jhollifi@smu.edu

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Introduction

To understand the impact of international migration on world politics we must know how states shape and control migration for strategic gains. Since 1945 immigration in the advanced industrial democracies has been increasing. The rise in immigration is a function of market forces (demand-pull and supply-push) and kinship networks, which reduce the transactions costs of moving from one society to another. These economic and sociological forces are the necessary conditions for migration to occur, but the sufficient conditions are legal and political. The OECD states, with highly developed industrial and service-based economies, reap enormous economic gains from migration—new sources of human capital and manpower, more flexible labor markets, lower levels of inflation in periods of high growth. But to get the benefits of migration, these states must be willing to accept certain costs—principally the short-term social and political instability and the fiscal burden of concentrated immigrant populations in regions and localities. Liberal states also must confront the issue of rights (legal status) for migrants.

Migration also has important costs (brain drain) and benefits (remittances and brain gain) for less developed countries (LDCs). International trade is a well-established determinant for income and growth. In addition to the classic gains from trade for all trading partners, international economic relations often provide access to technological know-how and thus give developing countries a chance to reduce the development gap at a faster pace. The impact of international migration on the welfare of both source and recipient countries is a more recent phenomenon. Recipient countries benefit, inter alia, from the availability of the immigrant
workers, both skilled and unskilled. Source countries benefit, *inter alia*, from the remittances sent back home by migrant workers, an increasingly important source of foreign exchange in some developing countries. While international trade and migration are often looked at in isolation in terms of their impact on development, this paper looks at their individual as well as their joint role for growth and development, using evidence specifically from Mexico and the Philippines.

In the more liberal (OECD) states, rights are the key to regulating migration, as states strive to fulfill three key functions: maintaining security, building trade and investment regimes, and regulating migration. In the LDCs, migration raises many of the same security concerns, with sometimes severe repercussions for social and political stability, but with important economic payoffs. The garrison state was linked with the trading state in the eighteenth and nineteenth centuries. The twentieth and twenty-first centuries have seen the emergence of the migration state, where regulation of international migration is as important as providing for the security of the state and the economic well-being of the population.

**A Global Migration Crisis?**

International migration has been steadily increasing in every region of the globe since the end of the Second World War. At the beginning of the twenty-first century approximately 200 million people reside outside of their country of birth and over the past half century individual mobility has increased exponentially. Today tens of millions of people cross borders on a daily basis. International mobility is part of a broader trend of globalization, which includes trade in goods and services, investments and capital flows, greater ease of travel, and a veritable explosion of information. While trade and capital flows are seen as the twin pillars of
globalization migration often is overlooked, especially among scholars of international relations (Hollifield 2008, 2010).

Yet migration is a defining feature of the global era in which we live; and, although it is connected in many ways to trade and investment, it is profoundly different. Some clever person once observed that “people are not shirts,” which is another way of saying that labor is not a pure commodity. Unlike goods and capital, individuals can become actors on the international stage, whether through peaceful transnational communities or violent terrorist/criminal networks. Migration and mobility can be a threat to the security of states, as we have been reminded daily since the terrorist attacks of September 11, 2001. Immigrants bring new ideas and cultures to their host societies and they often come with a basic package of (human) rights that enables them to become members of society, if not citizens, of their adoptive countries. Conversely they may return to their countries of origin where they can have a dramatic effect on economic and political development (Hollifield et al. 2007). And lest we forget, not all migration is voluntary—in any given year millions of people move to escape political violence, hunger, and deprivation, becoming refugees, asylum seekers, or internally displaced persons. In 2007 UN estimates put the global refugee population at 11.4 million—down considerably from the turbulent decade of the 1990s but trending upward. The total population of concern to UN High Commission for Refugees, including Internally Displaced Persons, stood at almost 33 million. Because it is so complex and multi-faceted, migration poses an enormous regulatory challenge for states and the international community (Martin and Widgren 1996; Gibney 2004; Martin et al. 2006).

Migration, like globalization, is not a new phenomenon (Hatton and Williamson 1998; Williamson 2006). Throughout history, the movement of populations has been the norm. Only
with the advent of the nation-state in sixteenth- and seventeenth-century Europe did the notion of legally tying populations to territorial units (states) and to specific forms of government become commonplace (Moch 1992). State-building in Europe entailed consolidating territory, centralizing authority, controlling the nobility, imposing taxes and waging warfare (Tilly 1975; Sassen 2006; Castles and Miller 2009). The institutions of nationality and citizenship, which would become the hallmarks of the modern nation-state, did not develop fully until the nineteenth and twentieth centuries (Koslowski 2000). The reason for these developments in Europe was closely related to warfare, conscription and taxation. In the nineteenth century warfare pitted one people against another and political leaders cultivated among their populations a sense of nationalism (Kohn 1962; Brubaker 1992). The expansion of the European system of nation-states through conquest, colonization, and decolonization spread the ideals of sovereignty and nationality to the four corners of the globe (Krasner 1999).

In the twentieth century passport and visa systems developed and borders were increasingly closed to non-nationals (Torpey 2000). Almost every dimension of human existence—social-psychological, demographic, economic and political—was reshaped to conform to the dictates of the nation-state (Kohn 1962; Hobsbawm 1990). The migration “crises” of the late twentieth century pale by comparison with the upheavals associated with the industrial revolution, the two world wars and decolonization, which resulted in genocide, irredentism, the displacement of massive numbers of people and the radical redrawing of national boundaries, not only in Europe, but around the globe. This process was repeated with the end of the Cold War and the breakup of the Soviet Empire (Brubaker 1996).

Myron Weiner (1995) argued that the increase in international migration in the postwar period posed a threat to international stability and security, especially in those areas of the globe
where nation-states are most fragile—the Balkans, Transcaucasia, the Middle East, the great lakes region of Africa, or Southern Africa. Weiner extended his argument to the western democracies, pointing out that the rise in xenophobic and nationalist politics in Western Europe showed that even the most advanced and tolerant democracies risk being destabilized politically by an influx of unwanted immigrants. Weiner postulated that there are limits on how many foreigners a society can absorb. Samuel Huntington of the “clash of civilizations” fame argued that failure to control American borders is the single biggest threat to the national security of the United States (Huntington 1996; 2004). Weiner and Huntington echo the sentiments of Arthur Schlesinger, Jr. (1992) and others (Brimelow 1995), who fear that immigration and multiculturalism will lead to the “disuniting of America.” In this line of reasoning, nation-states are threatened by globalization from above and multiculturalism from below.

At the heart of the migration crisis are concerns about sovereignty, citizenship, national security and identity. The ability or inability of a state to control its borders and hence its population is the *sine qua non* of sovereignty (Freeman 1998; Guiraudon and Lahav 2000; Hollifield 2005). With some notable exceptions—such as the international refugee regime created by the 1950 Geneva Convention in the aftermath of World War II (Goodwin-Gill 1996; Gibney 2004)—the right of a state to control entry and exit of persons to and from its territory is an undisputed principle of international law (Shaw 1997). But this political and legal principle immediately raises several questions: why are some states willing to accept rather high levels of immigration when it would seem not to be in their interest to do so (Hollifield 1992a; Freeman 1995, 1998; Cornelius *et al.* 1994; Joppke 1998b)? Does this influx pose a threat to the institutions of sovereignty and citizenship (Joppke 1998a; Freeman 1998; Guiraudon and Lahav...
2000) and should we view migration primarily as an issue of national and/or international security (Rudolph 2006; Adamson 2006)?

It might be tempting to argue, as some have, that international migration is simply a function of the inexorable process of globalization (Sassen 1996). Demand for labor—both skilled and unskilled—is high in the principal receiving countries of North America, Europe, and Australia, and the supply of workers in Asia, Latin America and Africa, willing to fill this demand is unlimited. Demand-pull and supply-push forces seem to account rather well for the surge in international migration. Yet we know that individuals are risk averse and migration is fraught with risks—the transaction costs alone should be enough to deter most people from moving, and indeed this is the case. Two hundred million immigrants represent less than three percent of the world’s population. Despite efforts to restrict immigration, people are moving in increasing numbers, and there is a sense of crisis and loss of control. Sociologists and anthropologists have helped us to understand how individuals reduce the risks associated with migration (Massey et al. 2002). Individuals are more likely to migrate if they have friends or relatives in the destination country willing to help and ease the process of transition. Social networks lower the transaction costs associated with emigration, making it less risky and connecting supply and demand, like two poles of a battery.

Is this the end of the story? If so there would appear to be no room for the state in managing migration. Policy, some say (Sassen 1996), may be irrelevant, playing at best only a marginal role in the migration process, and the institutions of sovereignty and citizenship are increasingly outdated (Soysal 1994). According to this logic, we are entering a post-national era and migration is redefining the international state system. I shall argue, however, that it is a mistake to eliminate the state from our analysis. The necessary conditions for migration to occur
may be social and economic, but the sufficient conditions are political and legal. States must be willing to open their borders to the movement of people, and as people move they can acquire rights. Immigration has profound political implications, and states are critical in shaping migration outcomes.

**Global Governance of Migration**

Following the work of John Ruggie (1993, 3–47), we can identify three tenets of multilateralism. The first is *indivisibility*, which is another way of saying that multilateral regulation should take the form of a public good. Unless it is a hegemon, a single state or even a small group of states cannot provide this good for the international community. The costs and benefits of its provision must be shared relatively equally among states. The second tenet is *principles, or norms of conduct*, which can alter the behavior of states. The fewer principles or norms there are, the greater the likelihood that states will respect them and change their behavior. The most difficult problem in any multilateral regime is to find a single compelling principle (or at least a very small number of interrelated norms or principles) “around which actor expectations can converge.” Third, Ruggie points to *diffuse reciprocity*, meaning that states must be convinced that everyone will respect the rules of the game, thus making it possible for governments to persuade a skeptical or even hostile public to accept the short-term political and economic costs of establishing the regime in order to reap the long-term gains.

Using this liberal framework, we can ask: What are the possibilities of building an effective international migration regime? What would be the incentives to participate in such a regime? Can states overcome their misgivings, which may include loss of sovereignty, threats to national security and identity, and changes in the composition of the citizenry (Joppke 1998a)?
On the first point, indivisibility, we must ask if migration can be defined as an international public good. As noted earlier, this is problematic, especially if we compare migration and trade. During the postwar period, a consensus emerged—based on American leadership and the doctrine of comparative advantage—that an open trading regime would promote global welfare and advance the cause of peace. The motto of the immediate postwar period was “peace through trade.” The GATT system was created to ensure that the costs and benefits of free trade would be shared equally, and this allowed the leading liberal states (especially the U.S.) gradually to overcome the hostility and skepticism of weaker developing states. Free trade would lead not only to specialization in production, increased output, and pareto-optimal economic outcomes it also would promote interdependence and a more peaceful world.

This type of economic reasoning, however, does not work well in the area of migration because the asymmetry between developed and developing countries is too great. It is only at certain points in time (such as the turn of the century in America, the period of reconstruction in Europe after World War II, or the period of very high growth in Asia in the 1970s and ’80s) that the interests of developing and developed states converge. Developing states almost always have an incentive to export surplus populations, whereas developed states only periodically have an interest in admitting large numbers of foreign workers. The history of south-to-north migration has tended to be one of fits and starts, of peaks and valleys that tended to follow the business cycle. But there is strong evidence that this dynamic may have been broken in the postwar period, at least for certain “core” liberal states in America and Europe (Hollifield et al. 2008; Hollifield and Wilson 2011). We can see this in the rates of world migration, which have been rising continuously since 1945.
So, if migration does not mirror the business cycle, what is driving it? The answer, in a word, is rights. As the world becomes more open, more democratic, and more liberal, people are freer to move than ever before. This has placed great strains on liberal states, especially on the institution of citizenship. Liberal states are caught on the horns of a dilemma or, what I have called a liberal paradox (Hollifield 1992a; Weiner 1995). In liberal political and economic systems, there is constant tension between markets and rights, or liberty and equality. Rules of the market require openness and factor mobility, whereas rules of the liberal polity, especially citizenship, require some degree of closure, mainly to have a clear definition of citizenry and to protect the sanctity of the social contract—the legal cornerstone of every liberal polity. Equal protection and due process cannot be extended to everyone without undermining the legitimacy of the liberal state itself. How can states solve this dilemma and escape from the paradox? Constructing an international migration regime, as European Union members have done, is one way.

But if migration is to be defined as an international public good, it cannot be defined purely in economic terms, even though mobility of productive factors (like free trade) is recognized in economic theory to be Pareto optimal. To regulate migration on a unilateral basis, liberal states must adopt draconian (illiberal) policies that may threaten the foundations of the liberal state itself. It is not efficient or desirable in a liberal state to close or seal borders. This would be the ultimate strategy for external control (Freeman 1995). Likewise, strategies for internal control, including heavy regulation of labor markets, limiting civil rights and liberties for foreigners and citizens, and tampering with founding myths (for example, weakening birthright citizenship in the U.S.) also threaten the liberal state (Hollifield 1999). Such measures can fan the flames of racism and xenophobia by further stigmatizing foreigners. Establishing a
multilateral process for regulating and controlling immigration offers one way out of this dilemma, but to accomplish this, control must be redefined on a multilateral basis as the “orderly movement of people” (Ghosh 2000). Orderly movements imply respect for the rule of law and state sovereignty, which are fundamental principles in every liberal state (Hollifield 2005).

The problem remains of how to set up generalized principles of conduct in the area of migration. Various conventions exist, many put forward by the UN and its agencies (UNHCR, IOM, and ILO) to safeguard the rights of migrant workers and establish standards for the treatment of these workers and their families. Likewise, Mode 4 of GATS includes provisions for migration (Bhagwati 1998; Ghosh 2000). But none of these agreements has achieved the status of a full-blown international migration regime capable of altering the behavior of states. It is only with asylum that a quasi-effective international regime has emerged in the postwar period, with a single guiding principle— a well-founded fear of persecution. The freedom-of-movement clauses of the various European Union treaties have resulted in the construction of a regional migration regime for EU member states, and the Schengen group has developed rules for dealing with the migration of third-country nationals, specifically asylum seekers (Uçarer 1997).

In such a regional context, where the asymmetry is less pronounced than in the international system, it is easier to solve the problems of reciprocity and collective action. Rules can be adopted and formalized through already established institutional procedures. At the international level, what we have seen instead is a proliferation of very weak rules, norms, and procedures, resulting in a kind of fragmented and ineffective regime (Ghosh 2000). Moreover, the primary concern of the most powerful liberal states is not to facilitate the orderly movement of people (even paying tourists) or promote international factor mobility. Rather, the concern is
for control, which has as many different meanings as there are states (Cornelius et al. 1994, 2004). The challenge for any state or organization attempting to construct an international migration regime will be to define control in such a way that it is indivisible, can serve as a generalized norm or principle of conduct, and can lead to diffuse reciprocity. This is no mean feat because, heretofore, international migration has been regulated almost exclusively on a bilateral basis, if not through some type of imperial hierarchy. In fact, we still see both regulatory systems at work today. It is only among the OECD states that freedom of movement (but not settlement) has been more or less achieved, especially for the highly skilled. Between the core liberal states in the international system and the less developed countries, movement of populations is still governed by a system of imperial hierarchy, which is in many ways more one-sided today than it was during the colonial era.

To better understand the difficulties of international cooperation to regulate migration, I have constructed a typology of international regimes. This typology, depicted in Figure 1, points to a clear distinction between the regulation of capital, goods, and services on one hand and migrant labor or refugees (people) on the other. When it comes to regulating trade and capital flows—an essential function of the international political economy—multilateralism (on the y-axis) is strongest and most heavily institutionalized in the area of finance. Even though the institutions dealing with international finance are far from perfect, the IMF and World Bank have become the bulwarks of stable exchange rates, without which international trade and investment would be difficult and extremely risky. The GATT/WTO regime for trade also is heavily institutionalized, but the multilateral basis of this regime is, I would argue, weaker than that for finance. The need for strong currencies and stable exchange rates is felt much more acutely by states than the need for free trade. Nonetheless, both of these institutions have evolved together
in the postwar period. Powerful market incentives, as well as formal enforcement mechanisms in the case of WTO, compel states to “play by the rules” (Goldstein 1993, 201–32).

A Typology of International Regimes

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<th>Refugees and Political Asylum (UNHCR)</th>
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Of the two “regimes” dealing with migration, one for labor migrants and the other for refugees, clearly the refugee regime, which is institutionalized through UNHCR, is the more effective, for reasons I have spelled out. I put the term regimes in quotes because the labor regime is quite ineffective. The rules for entry and exit of economic migrants are controlled by nation-states, not by international organizations like the UN, IOM, or ILO (Joppke 1998a). Again, the major exception is the EU, but the EU regime for international labor migration functions only for nationals of the member states, not (or at least not yet) for third-country nationals (Guiraudon 1998). Even for the Schengen states—referred to in the British press derisively as Schengenland—third-country nationals do not have freedom of movement. Only Schengen nationals have this right. Schengen does, however, function as a multilateral regime for asylum and is designed to help member states restrict refugee migration and prevent “asylum
shopping” (Thielemann 2003). Refugees have the right to request asylum in the first Schengen state in which they arrive—consistent with the Geneva Convention—but if they transit through a “safe” third country, they can be *refoulés* (sent back to that third country). The result has been to forge a more or less common asylum policy in Schengen and turn all adjoining states into buffer states. The important point is that these Western European states, together with the U.S. and other liberal democracies, are respecting the letter, if not the spirit, of international refugee law. Although the principles of the refugee regime are widely recognized, UNHCR as an institution remains weak and heavily dependent on a few “client states,” especially Sweden, The Netherlands, and other small European social democracies (Loescher *et al.* 2008; Gibney 2004). The Japanese contribute a lot of money to UNHCR, and the Americans support it and use it as a tool for managing refugee crises around the world, especially when American national interests are involved.

The regime for international labor migration is weakly institutionalized (depicted on the x axis) with no central norm, and its principal organs, ILO and IOM, based in Geneva, have little regulatory or institutional capacity. For developed states in particular, the costs of participating in a regime for international migration would seem to outweigh the benefits, and a short-term strategy of unilateral or bilateral regulation of migration is preferred to a long-term, multilateral strategy. This is less true for the refugee regime because the more powerful liberal states need this regime for situational exigencies—to manage massive refugee flows that can destabilize governments and, in some cases, entire regions. When such crises strike close to home, as in the 1999 Balkan war, the utility of the refugee regime goes up exponentially. But when the crisis is past, it drops again.
To date, unwanted labor migrations might be considered more of a nuisance, especially from a political standpoint, but they are not fundamentally threatening and, therefore, can be handled unilaterally and on an ad hoc basis. The payoff from international cooperation in the area of unwanted labor migration is negative, and opportunities for defection are numerous. The possibilities for monitoring, enforcing, or developing some principle of nondiscrimination are minimal at this point. That brings us back to the domestic level in our search for an explanation of why states risk migration. The three factors driving migration policies—cultural and ideational, economic interests, and rights—must be studied on a case-by-case basis.

Yet an international market for labor exists and is growing. If the first rule of political economy is that markets beget regulation, some type of a stronger international regime is likely to develop. What will be the parameters of such a regime, and how will it evolve? International relations theory, especially liberal/rationalist arguments, offers some clues.

One of the principal effects of economic interdependence is to compel states to cooperate (Keohane and Nye 1977; Milner 1988). Increasing international migration is one indicator of interdependence, and it shows no signs of abating. As the international market for skilled and unskilled labor grows in the coming decades, pressures to create an international regime will increase. Following the work of Lisa Martin (1993, 91–121) and drawing on the preceding review of international relations theory, we can identify two ways in which states can overcome coordination problems in the absence of trust and reciprocity (developed states do not trust less developed states to help control borders and deter irregular migration): (1) through the centralization of regulatory power and pooling of sovereignty, and (2) suasion or, as Lisa Martin (1993, 104) puts it, “tactical issue linkage.”
We already have seen an example of the first strategy at the regional level in Europe. The EU and, to a lesser extent, the Schengen regimes were built through processes of centralization and pooling of sovereignty. But, as I have pointed out, this was fairly easy to do in the European context because of the symmetry (of interests and power) within this region and the existence of an institutional framework (the European Community or EU). It would be much more difficult to centralize control of migration in the Americas or Asia, where the asymmetry (of interest and power) is much greater, and levels of political and economic development vary tremendously from one state to another (Fields 1994; Sadiq 2009). It is unlikely that regional trade regimes like the North American Free Trade Agreement (NAFTA) or Asia-Pacific Economic Cooperation (APEC) will lead quickly to cooperation in the area of migration. But the beginnings of collaborative arrangements are there, just as they were with the European Coal and Steel Community (ECSC) in the early 1950s. The regional option—multilateralism for a relevant group of states—is one way to overcome collective-action problems and to begin a process of centralization. Most international regimes have had a long gestation period, beginning as bilateral or regional agreements. It is unlikely, however, that an international migration regime could be built following the example of the International Trade Organization/GATT/WTO. It is too difficult to fulfill the prerequisites of multilateralism: indivisibility, generalized principles of conduct, and diffuse reciprocity. The norm of nondiscrimination (equivalent of MFN) does not exist, and there are no mechanisms for punishing free riders and no way of resolving disputes. In short, as depicted in Figure 1, the basis for multilateralism is weak, and the institutional framework is very weak.

With the asymmetry of interests and power between developed (migration receiving) and less developed (migration sending) countries, suasion may be the only viable strategy for
overcoming collective-action problems, whether at the regional or international level. Lisa Martin (1993, 104–06) points to a number of ways in which suasion can help to solve coordination problems.

Step one is to develop a dominant strategy, which can be accomplished only by the most powerful states, using international organizations to persuade or coerce smaller and weaker states. From the standpoint of receiving countries, the orderly movement of people, defined in terms of rule of law and respect for state sovereignty, would be the principal objective of hegemonic, liberal states. From the standpoint of the sending countries, migration for development, taking advantage of remittances and return (brain gain) migration, would be the principle upon which an international regime could be based (Russell 1986; Faini 2007; Ratha 2007).

Step two is to persuade other states to accept the dominant strategy. This will necessitate tactical issue linkage, which involves identifying issues and interests not necessarily related to migration (such as MFN, for example) and using these as leverage to compel or coerce states to accept the dominant strategy. This is, in effect, an “international logroll.” Such tactics will have only the appearance of multilateralism, at least initially. Tactical issue linkage was considered in negotiations between the U.S. and Mexico over the NAFTA agreement, and migration issues have figured prominently in negotiations between the EU and prospective EU members in East Central Europe. At the EU summit in Seville in 2002, the British and Spanish attempted to link official development aid (ODA) and trade concessions for African states to migration control, but this initiative was blocked by the French and the Swedes.

In such instances, reciprocity is specific rather than diffuse. Individual states may be rewarded for their cooperation in controlling emigration. Again, we have seen many bilateral
examples of this type of strategic interaction between the states of Western and Eastern Europe. The post-unification German governments have cut a number of deals with East Central European states to gain their cooperation in the fight against irregular migration. In the case of Poland, this has involved investments and debt relief as well as greater freedom of movement for Polish nationals in Germany. But liberal-democratic states may face a problem of credibility in pursuing these types of strategies. They need international organizations to give them greater credibility (cover) and facilitate these logrolls.

The third step for hegemonic states is to move from what is an essentially one-sided, manipulative game to a multilateral process, and eventually to institutionalize this process. The long-term benefits of such a strategy for receiving states are obvious. It will be less costly to build an international regime than to fight every step of the way with every sending state, relying only on unilateral or bilateral agreements. This may entail some short-term loss of control (such as larger numbers of visas, or higher quotas for the sending states) in exchange for long-term stability and more orderly/regular migration. The ultimate payoff for liberal states is the establishment of a liberal world order based upon rule of law, respect for state sovereignty, ease of travel, and the smoother functioning of international labor markets. The payoff for sending states is greater freedom of movement for their nationals, greater foreign reserves and a more favorable balance of payments (thanks to remittances), increased prospects for return (brain gain) migration, and increases in cultural and economic exchange, including technology transfers (Russell 1986; Hollifield et al. 2007, specifically Ratha; Faini 2007).

However, changes in the international system with the end of the Cold War have altered this game in several ways. First, it has made defection easier. Since 1990, states have been more likely to pursue beggar-thy-neighbor policies by closing their borders and not cooperating with
neighboring states in the making of migration and refugee policies. The Schengen process itself is a kind of beggar-thy-neighbor policy on a regional scale. Second, the new post-Cold War configurations of interests and power, both at the international and domestic levels, make it more difficult to pursue a multilateral strategy for controlling international migration. Rights-markets coalitions have been breaking apart in the dominant liberal states, increasing polarization and politicization over immigration and refugee issues. Yet liberalization and democratization in formerly authoritarian states to the east and south have dramatically reduced the transaction costs for emigration (Hollifield and Jillson 1998; Geddes 2003; Koslowski 2005). Initially, this caused panic in Western Europe, where there was a fear of mass migrations from east to west. Headlines screamed “The Russians are Coming!” Even though these massive flows did not materialize, Western states began to hunker down and search for ways to reduce or stop immigration. The time horizons of almost all Western democracies suddenly were much shorter because of these changes in domestic and international politics. Migration came to be perceived as a greater threat to national security (Huntington 2004).

If the U.S. were to defect from the liberal refugee and migration “regimes,” such as they are, it could mean the collapse of these regimes. In game theoretic terms, such a defection would fundamentally alter the equilibrium outcome, and it would be potentially costly to all states and the international community. At least as far as migration is concerned, the process of globalization of exchange could be quickly and dramatically reversed. To prevent the collapse of liberal migration and refugee regimes the U.S. and other liberal states must pursue an aggressive strategy of multilateralism, taking the short-term political heat for long-term political stability and economic gain. This happened in the areas of international finance, with the collapse of the Bretton Woods system in the early 1970s, and trade, with the Latin debt crisis of the 1980s and
Asian crisis of the 1990s. Without the kind of leadership exhibited in international trade and finance, irregular migrations will increase and become ever more threatening, leading more states to close their borders.

**The Emerging “Migration State”**

International migration is likely to increase in coming decades, unless there is some cataclysmic international event, like war or economic depression. Despite the 9/11 terrorist attack on the United States the liberal democracies have remained relatively open to international migration. Global economic inequalities mean that supply-push forces remain strong, while at the same time demand-pull forces are intensifying (Martin et al 2006). The growing demand for highly skilled workers and the demographic decline in the industrial democracies create economic opportunities for migrants in the industrial democracies. Transnational networks have become more dense and efficient, linking the sending and receiving societies. These networks help to lower the costs and the risks of migration, making it easier for people to move across borders and over long distances. Moreover, when legal migration is not an option, migrants have increasingly turned to professional smugglers, and a global industry of migrant smuggling—often with the involvement of organized crime—has sprung up, especially in the last decade of the twentieth century (Sadiq 2009). Hardly a week passes without some news of a tragic loss of life associated with migrant smuggling (Kyle and Koslowski 2000).

But migration, like any type of transnational economic activity (such as trade and foreign investment), cannot and does not take place in a legal or institutional void. As we have seen, states have been and still are deeply involved in organizing and regulating migration and the extension of rights to non-nationals has been an extremely important part of the story of international migration in the post-World War II period. For the most part, rights that accrue to
migrants come from the legal and constitutional protections guaranteed to all “members” of society (Layton-Henry 1990; Hollifield 1992a, 1999; Joppke 2001). Thus if an individual migrant is able to establish some claim to residence on the territory of a liberal state, his or her chances of being able to remain and settle will increase. At the same time, developments in international human rights law have helped to solidify the position of individuals vis-à-vis the nation-state, to the point that individuals (and certain groups) have acquired a sort of international legal personality, leading some analysts to speculate that we are entering a post-national era, characterized by “universal personhood” (Soysal 1994), the expansion of “rights across borders” (Jacobson 1996), and even “transnational citizenship” (Bauböck 1994).

Others have argued that migrants have become transnational, because so many no longer reside exclusively on the territory of one state (Glick-Schiller 1999; Levitt 2001), opting to shuttle between a place of origin and destination. This line of argument gives priority to agency as a defining feature of contemporary migrations; but it ignores the extent to which state policies have shaped the choices that migrants make. The migration state is almost by definition a liberal state, inasmuch as it creates a legal and regulatory environment in which migrants can pursue individual strategies of accumulation.

But regulating international migration requires liberal states to be attentive to the (human or civil) rights of the individual; because if rights are ignored or trampled upon the liberal state risks undermining its own legitimacy and raison d’être (Hollifield 1999). As international migration and transnationalism increase, pressures build upon liberal states to find new and creative ways to cooperate, to manage flows. The definition of the national interest and raison d’État have to take this reality into account, as rights become more and more a central feature of domestic and foreign policy. New international regimes will be necessary if states are to risk
more openness, and rights-based (international) politics will be the order of the day (Hollifield 1992b, 1994b, 2000b, 2000c; Cornelius et al. 1994).

Some politicians and policymakers, as well as international organizations, continue to hope for market-based/economic solutions to the problem of regulating international migration. Trade and foreign direct investment—bringing capital and jobs to people, either through private investment or official development assistance—it is hoped, will substitute for migration, alleviating both supply-push and demand-pull factors (Bhagwati 1983; Martin et al. 2006). Even though trade can lead to factor-price equalization in the long term, as we have seen in the case of the European Union (Straubhaar 1988), in the short and medium term exposing LDCs to market forces often results in increased (rather than decreased) migration, as is evident with NAFTA and the US-Mexican relationship (P.L. Martin 1993; Massey et al. 2002; Hollifield and Osang 2005; Rosenblum 2006). Likewise, trade in services can stimulate more “high end” migration, because these types of products often cannot be produced or sold without the movement of the individuals who make and market them (Bhagwati 1998; Ghosh 2000).

In short, the global integration of markets for goods, services and capital entails higher levels of international migration; therefore, if states want to promote freer trade and investment, they must be prepared to manage higher levels of migration. Many states (like Canada, Australia, and Germany) are willing, if not eager, to sponsor high-end migration, because the numbers are manageable, and there is likely to be less political resistance to the importation of highly skilled individuals. However, mass migration of unskilled and less educated workers is likely to meet with greater political resistance, even in situations and in sectors, like construction or health care, where there is high demand for this type of labor. In these instances, the tendency is for governments to go back to the old guest worker models, in hopes of bringing in just
enough temporary workers to fill gaps in the labor market, but with strict contracts between foreign workers and their employers that limit the length of stay and prohibit settlement or family reunification (Miller and Martin 1982; Rogers 1985). The alternative is illegal immigration and a growing black market for labor—a Hobson’s choice.

The nineteenth and twentieth centuries saw the rise of what Richard Rosecrance (1986) has labeled the *trading state*. The latter half of the twentieth century has given rise to the *migration state*. In fact, from a strategic, economic and demographic standpoint, trade and migration go hand in hand; because the wealth, power and stability of the state is now more than ever dependent on its willingness to risk both trade and migration (Lusztig 1996; Hollifield 1998, 2004; Hatton and Williamson 1998). In launching a new “blue card” program to attractive highly skilled foreign workers, the European Union is clearly seeking to emulate the United States and Canada, on the premise that global competitiveness, power, and economic security are closely related to a willingness to accept immigrants. Europeans are somewhat reluctantly following the American and Canadian examples in order to enhance their material power and wealth. But, in one important respect, Europe has an advantage over the United States, and Canada or Australia. Europe is a regional economic enterprise, which is not only creating a free trade zone, but also a free migration area.

Now more than ever, *international security and stability are dependent on the capacity of states to manage migration*. It is extremely difficult, if not impossible, for states to manage or control migration either unilaterally or bilaterally. Some type of multilateral/regional regime is required, similar to what the EU has constructed for nationals of the member states. The EU model, as it has evolved from Rome to Maastricht to Amsterdam and beyond, points the way to future migration regimes, because it is not based purely on *homo economicus*, but incorporates
rights for individual migrants and even a rudimentary citizenship, which continues to evolve (Geddes 2003; Lahav 2004). The problem, of course, in this type of regional migration regime is how to deal with third country nationals (TCNs). As the EU expands and borders are relaxed, the issue of TCNs, immigrants, and ethnic minorities becomes ever more pressing, and new institutions, laws and regulations must be created to deal with them (Guiraudon 1998).

In the end, the EU, by creating a regional migration regime and a kind of supra-national authority to deal with migration and refugee issues, allows the member states to finesse, if not escape, the liberal paradox (Geddes 2003). Playing the good cop/bad cop routine and using symbolic politics and policies to maintain the illusion of border control help governments fend off the forces of closure, at least in the short run (Rudolph 2006). In the end, however, it is the nature of the liberal state itself and the degree to which openness is institutionalized and (constitutionally) protected from the “majority of the moment,” that will determine whether states will continue to risk trade and migration (Hollifield 2000a, 2008; Hollifield et al. 2008).

Regional integration reinforces the trading state and acts as a mid-wife for the migration state. In the EU, migrants are gradually acquiring the rights that they need in order to live and work on the territory of the member states (Layton-Henry 1990; Groenendijk et al. 2000; Geddes 2003; Hollifield 1992b. 2000b). Regional integration blurs the lines of territoriality, lessening problems of integration and national identity. The fact that there is an increasing disjuncture between people and place—which in the past might have provoked a crisis of national identity and undermined the legitimacy of the nation-state—is less of a problem when the state is tied to a regional regime, like the EU. This does not mean, of course, that there will be no resistance to freer trade and migration. Protests against globalization and nativist or xenophobic reactions against immigration have been on the rise throughout the OECD world (Bhagwati 2004).
Nonetheless, regional integration—especially when it has a long history and is deeply institutionalized as it is in Europe—makes it easier for states to risk trade and migration and for governments to construct the kinds of political coalitions that will be necessary to support and institutionalize greater openness.

Mexican leaders, like former Presidents Raul Salinas de Gortari and Vicente Fox, looked to Europe as a model for how to solve problems of regional integration, especially the very delicate political issue of illegal Mexican immigration to the United States. Their argument is that freer migration and a more open (normalized) border are logical extensions of the North American Free Trade Agreement (NAFTA). The government of Ernesto Zedillo moved to grant dual nationality to Mexican nationals living north of the border, thereby taking a big step towards consolidating and extending the rights of Mexicans in the US. But, the US government under George W. Bush was reluctant to move so fast with economic and political integration, especially after the attack of September 11, 2003, preferring instead to create new guest worker programs, or to continue with the current system, which tolerates high levels of unauthorized migration from Mexico (Massey et al. 2002; Fitzgerald 2009). Clearly, however, North America is the region that is closest to taking steps towards an EU-style regional migration regime, and the U.S. is facing the prospect of another amnesty comparable to the one carried out as part of the 1986 Immigration Reform and Control Act. In the long run, it is difficult for liberal states, like the U.S., to sustain a large, illegal population. For this reason, amnesties, legalizations, or regularizations have become a common feature of the migration state.

Even though there are large numbers of economic migrants in Asia, this region remains divided into relatively closed and often authoritarian societies, with little prospect of granting rights to migrants and guest workers (Fields 1994; Sadiq 2009). The more liberal and democratic
states, like Japan, Taiwan and South Korea, are the exceptions; but they have only just begun to grapple with the problem of immigration, on a relatively small scale (Cornelius, et al. 2004). In Africa and the Middle East which have high numbers of forced migrants and refugees, there is a great deal of instability as a result of civil wars, diasporas abound, and states are fluid with little institutional or legal capacity for dealing with international migration (Lischer 2005; Adamson 2006; Salehyan 2009; Betts 2009a).

**Conclusion**

Migration is both a cause and a consequence of political and economic change. International migration, like trade, is a fundamental feature of the postwar liberal order. But, as states and societies become more liberal and more open, migration has increased. Will this increase in migration be a virtuous or a vicious cycle? Will it be destabilizing, leading the international system into greater anarchy, disorder and war; or will it lead to greater openness, wealth and human development? Much will depend on how migration is managed by the more powerful liberal states, because they will set the trend for the rest of the globe. To avoid a domestic political backlash against immigration, the rights of migrants must be respected and states must cooperate in building an international migration regime. I have argued that the first, halting steps towards such a regime have been taken in Europe, and that North America is likely to follow (Hollifield 1997b; 2004). As liberal states come together to manage this extraordinarily complex phenomenon, it may be possible to construct a truly international regime, under the auspices of the United Nations. But I am not sanguine about this possibility, because the asymmetry of interests, particularly between the developed and the developing world, is too great to permit states to overcome problems of coordination and cooperation. Even as states become more dependent on trade and migration, they are likely to remain trapped in a liberal
paradox, needing to be economically open and politically closed, for decades to come.

References


