Low-Skill Immigration Policy Dataset: Codebook Version 1

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June 29, 2015

Preliminary Note

This code book describes the Low-Skill Immigration Policy Dataset, including the search procedures and the coding of each of the variables.

The data should be cited as:

Peters, Margaret E. "Open Trade, Closed Borders: Immigration in the Era of Globalization." *World Politics*. 67(1): 114-154

For more information on the data collection process and coding of the variables, please see Margaret Peters's website: `http://campuspress.yale.edu/margaretpeters/`

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Data Coverage

The dataset provides a measure of low-skill immigration policy that is comparable both across nations as well as across time. The data is available for the following countries: Argentina, Australia, Brazil, Canada, France, Germany, Hong Kong, Kuwait, Japan, New Zealand, the Netherlands, Saudi Arabia, Singapore, South Africa, South Korea, Switzerland, Taiwan, the UK and the US. Table 1 lists the states included in the dataset along with the years of coverage for each state.

Table 1: Countries Included in the Dataset and the Dates of Inclusion

Group	Country
Settler States	US (1790-2010) Australia (1787-2010) Canada (1783-2010) New Zealand (1840-2010) South Africa (1806-2010) Argentina (1810-2010) Brazil (1808-2010)
European liberal democracies	UK (1792-2010) France (1793-2010) Germany (1871-2010) Netherlands (1815-2010) Switzerland (1848-2010)
Export-oriented industrializers	Japan (1868-2010) Hong Kong (1843-2010) Singapore (1955-2010) South Korea (1948-2010) Taiwan (1949-2010)
Rentier states	Saudi Arabia (1950-2010) Kuwait (1961-2010)

Variables

This section lists the variables in the dataset. See below for more details on their coding. For all the low-skill immigration policy variables, higher values denote a more open policy.

COUNTRYNM: Country name.

CCODE: Correlates of War code number for the country. Note, I added a code for Hong Kong, 711.

YEAR: Year.

NATCODE: Universality by nationality code.

SKILLCODE: Skill level restrictions

CITCODE: Citizenship criteria

RIGHTSCODE: Rights given to immigrants

REFCODE: Refugee policy

REFEXIST: Whether a refugee policy exists

ASYLCODE: Asylum policy

ASYLEXIST: Whether an asylum policy exists

FAMCODE: Family reunification policy

FAMEXIST: Whether a family reunification policy exists

RECCODE: Immigrant recruitment policy

LABCODE: Restrictions on labor market participation

DECODE: Deportation policy

ENCODE: Enforcement policy

QCODE: Quota

IMMIPOL: Overall immigration policy

Coding of Immigration Policy Dimensions

Below I list all twelve dimensions in more detail. I list the questions that lead a law or part of a law to be coded in each dimension. If any of those questions were answered "yes," the law (or section of the law) was coded in that category. If all questions were answered "no," the law was not coded in that category.

NATCODE/ Universality by Nationality: Does the law pertain to specific nationalities? Are exclusions based on national origin? Did the state sign a bilateral labor migration treaty or another international agreement on immigration?

A score of 1 represents that few or no nationalities are allowed in. A score of 5 represents that all nationalities are treated equally. One issue that this brings up is that in the late 20th and early 21st centuries, states often gave some groups preferential access to their labor market while having an overall policy of equality. For example, New Zealand uses a point system with no national origin criteria but also has a special program with the island nations of the South Pacific for seasonal workers. In this case, these preferential access programs - because they are almost always for low-skill workers - are coded in the universality by skill category. This coding rule is used because the policy is to increase, and not deny, access to the state.

1 Only decedents of natives allowed in.

2 A few nationalities allowed entrance but not many. Example: if a European country only allowed immigrants from other EU countries.

3 Many nationalities allowed in but not all or migrants from some regions excluded. Example: Between 1924-1965, the US quota system allowed in many Northern Europeans, some Southern and Eastern Europeans, anyone from the Western Hemisphere and no one from Asia.

4 Almost all nationalities allowed in. Example: In the late 19th century, only Chinese were excluded from the US. Additionally, numerical limits by country but applied equally by country. Example: Current US law restricts migration from each country to 20,000.

5 No exclusions based on nationality

SKILLCODE/ Universality by Skill or Income: Does the law restrict by the skills or income an immigrant possesses? Does it use a point system with points given for education

or special skills? Are people excluded based on profession (i.e. no prostitutes), illness (e.g. no epileptics), or likelihood of becoming a public charge?

A score of 5 on this scale indicates that the country has no restrictions by skill and a score of 1 means only the very highest skilled workers (executives, high-level intracompany transfers) are allowed in. Again, when states exempt one group from these restrictions - either by nationality in the case of the New Zealand seasonal workers program for Polynesians or by a general category like the seasonal agricultural workers program in Britain - the score increases.

1 Only highly educated, high income earners allowed in; many excludable classes.

2 Mostly high educated, high earners, but some allowances for low-skilled workers; some excludable classes.

3 Preference for high-skill workers but many opportunities for low-skilled workers; some excludable classes.

4 Few slots reserved for high-skill/ high-income workers (i.e like the H1B visa in the US); most visas open for anyone; few excludable classes (e.g. only criminals, those likely to become a public charge).

5 No skill restrictions for any visas; no excludable classes.

QCODE/ Quota: Is there a quota and how restrictive is it?

Quotas are only coded when the quota is a numerical limit on a large portion of immigrants, not when it is a target for the number of immigrants. Targets, like policy statements or development plans, are not coded because they are not changes in legislation but usually administrative policies. The quota does not need to be binding on all immigrants. This is because it is rare to have a quota that binds on all immigrants. Usually at least wives and minor children of citizens are allowed in above the quota; this policy is denoted in the family immigration policy coding. Sometimes, the quota is only on one class of immigrants, such

as the Hong Kong quota on Chinese immigrants, but this class makes up the majority of immigrants entering the country. Again, high-skill workers from other countries could enter above the quota; although, interestingly, wives and minor children of Hong Kong belongers (equivalent to citizens) cannot. This is denoted in the other categories.

1 Less than 0.25% of population can enter annually

2 0.25-0.5% of population can enter annually

3 0.5-1% of the population can enter annually

4 Over 1% of population can enter annually

5 No quota

RECCODE/ Recruitment: Are there special visas or procedures to recruit labor or settlers? To recruit workers, do employers have to advertise first or otherwise seek approval from a government ministry? Can all industries recruit? Do firms have to pay levies or other taxes for foreign workers? Does the government pay for passage or give settlers or workers other benefits to induce them to come? A score of 1 denotes that all workers have to follow the same requirements as all other immigrants and that firms cannot recruit from overseas. An example of this is the US Contract Labor Law. A 5 denotes that the government will pay for passage of any immigrant and will give the immigrant money, land, or other goods to help him to settled.

1 No special procedure or visa, come in under the same system of regulation as everyone else; labor recruitment prohibited.

2 Small set of visas for special groups of workers (i.e. agricultural workers); trigger to reduce numbers based on employment data; employers are not allowed to pay for moving expenses; many restrictions including no unemployed natives in the industry.

3 Moderate number of visas for all groups or many groups obtain visas; employers allowed to pay for moving expenses; some procedures for recruiting workers.

4 Few or no restrictions on visas for any type of worker, employers are allowed to pay moving expenses; few restrictions or procedures for obtaining work visas.

5 Government program to recruit workers or settlers, government pays for the workersÕ transportation cost and helps pay for firms or government officials to recruit workers.

LABCODE/ Work prohibitions: Can immigrants work in all occupations? Are there requirements to have a certain number of native workers in an occupation/ firm or that foreign workers can only make up a certain percentage of workers? Do the rules cover all occupations? Just certain industries? Are there racially based policies? A score of 1 means that immigrants are not allowed to work in any industry. This is not the case for any of the states in this sample. A score of 5 means that there are no restrictions or in modern times, that the only restrictions are in highly sensitive national security positions.

1 Immigrants completely blocked from the labor market.

2 Immigrants restricted from many occupations; less than 30% of the workers in a given occupation/ firm can be immigrants (covering most or all of occupations).

3 Immigrants restricted from some occupations; 30-50% of workers in given occupation/ firm can be immigrants (covers some occupations).

4 Immigrants cannot hold public sector positions; 50% or more of the workers in a given occupation/ firm can be immigrants (covers some occupations).

5 Immigrants can hold any position (except for highly sensitive national security positions); no restrictions on the number of immigrant workers in a given occupation/ firm.

FAMCODE/ Family: Do family members get special treatment? Can they immigrate more easily than others? Are there racial or skill distinctions?

A score of 1 indicates that no family members are given special treatment and a score of 5 indicates that many family members are given special treatment. Most states fall somewhere between a 2 - special treatment for wives and minor children only and a 4 - wives and minor children and sometimes parents can enter without difficulty and all other relatives can be sponsored with some occupational or skill requirements. One issue with family migration is that states did not seem to consider it a necessary policy to have when there were few restrictions by nationality or skill. Family reunification policies only came into being once other restrictions were put in place. Given that the states have no policy on family migration during these times, these years are scored as a 1.

1 No special provisions for family reunification; family members must enter under the same procedures as others.

2 Only wives and minor children of citizens or legal permanent residents can be sponsored, but are free from other controls.

3 Increased number of relatives can be sponsored (e.g. adult children or dependent parents) but only by citizens and/ or relatives (except minor children and wives) need to possess same characteristics as non-family immigration (i.e. if there is a literacy test, relatives must pass the test); relative in the country has to pay bond or otherwise be responsible.

4 Many categories of relatives can be sponsored by citizens or residents (e.g. siblings, parents not dependent on migrant) but still must possess same characteristics as non-family immigrants (except minor children and wives); relative in the country has to be responsible for immigrant.

5 Many categories of relatives can be sponsored by citizens or residents and they do not need to possess the characteristics of non-family immigrants (exemption from literacy exams, etc.); no bond required or responsibility for relative in the country.

FAMEXIST/ Family Provisions: Coded 0 before first mention of special provisions for families; 1 after.

REFCODE/ Refugee: Does the state have a resettlement policy? Does it resettle refugees on an ad hoc basis? How selective is their refugee policy? Do they let in many refugees? Are refugees only defined as those who meet the 1951 Convention or 1967 Protocol or is there are more expansive definition?

Refugee policy is coded as a 1 if the country has no special policy and a 5 if the country is willing to resettle large numbers of refugees without taking into consideration the refugees' qualifications. This last criteria is to distinguish the more generous refugee policies of the current day with those after World War II when most receiving countries placed occupational restrictions on refugees, selecting for higher skilled migrants. Ad hoc refugee programs for one group during the crises are coded as relaxing refugee restrictions and the magnitude of the change is based on the number of refugees the state was willing to allow in. The change in coding only lasts as long as the refugee program was in place; for example, when New Zealand took in Ugandan refugees in 1973, but no other years, the increase in the refugee score is only calculated for 1973.

1 Almost no refugees allowed in; those that are allowed in must follow normal immigration procedures.

2 Some refugees allowed in; special refugee visas but refugees chosen by some sort of preference or must be able to pass tests that non-refugee immigrants take; few reasons for being a refugee or ad hoc policy.

3 Special refugee visa, preference system but not overly burdensome; moderate number of refugees allowed in; must follow some of the requirements that a non-refugee immigrant would have to pass; the UN definition of a refugee is followed.

4 Large number of refugees allowed in; no preference system or very weak system; easy to obtain refugee visa; exemption from requirements of non-refugee immigrant; at least

the UN definition of a refugee is followed.

5 Large number of refugees; no preference system or requirements; very easy to obtain refugee visa; many categories of refugees included not just the UN definition.

REFEXIST/ Refugee Provisions: Coded 0 before first mention of refugee in law; 1 after.
ASYLCODE/ Asylum: Does the law discuss asylum seekers? I.e. migrants who are at the border or in the state claiming refugee status? How easy is it to gain asylum? What rights do asylum seekers and asylees have? Are they kept in detention centers? Are they repatriated? Is there only one asylum status or is there temporary protected status as well? What are the procedures and are there legal safeguards?

1 No asylum.

2 Extremely difficult process; asylum granted only in a few cases; little ability to work or access to welfare state while awaiting determination; little recourse if not granted asylum; no temporary protected status; limited access for political refugees.

3 Difficult process; asylum granted for more cases; some access to the welfare state or labor market, more recourse including ability to access courts if denied; some temporary protected status allowed.

4 Fairly easy process; asylum granted to many groups; access to labor market and welfare system; access to courts and other procedures if denied; temporary protected status given to many groups.

5 Easy process; asylum granted for most cases; access to labor markets and welfare state; constitutionally protected procedure; no need for temporary protected status because almost everyone gets asylum.

ASYLEXIST/ Asylum Provisions: Coded 0 before first mention of asylum; 1 after.

CITCODE/ Citizenship: Does the law mention citizenship? How easy is it to obtain citizenship? What determines citizenship for children born in the country (jus sanguinis, jus soli, double jus soli)? Are there racial discriminations in citizenship? How easy is it for the government to denaturalize citizens? A score of 1 denotes states where citizenship is only given through birth through one parent (usually the father). A score of 5 denotes jus soli citizenship (citizenship given to all children born in the state) and an easy naturalization process. Racial discrimination in citizenship policies leads to a lower score as well.

1 Only by birth from a native father or mother.

2 Only by birth through either native parent and/or grandparent.

3 Very difficult process to obtain citizenship (language requirements, difficult test) and/ or many years to citizenship (more than 10 years) and/or children receive citizenship through either parent or grandparent.

4 Moderately difficult process (relatively easy language requirements and/or an easy test) and/or moderate time to citizenship (more than 5 but less than ten years) and/or children born in state automatically get citizenship.

5 Fairly easy process (e.g. no language requirements) and short time to citizenship (5 or less years) and children born in state automatically get citizenship.

RIGHTSCODE/ Immigrant Rights: Does the law mention what rights do immigrants have once in the state? Are there racial/ national origin discriminations? Does the government try to integrate immigrants or does it just expect them to assimilate? How easy is it to get permanent residency? Can immigrants access the social welfare system?

A score of 1 indicates few legal rights: immigrants had to be registered; they had to go through invasive health checks; they do not have the right to marry nationals; they could only live in specific locations; they could only work for specific employers; they have no access to the welfare state; they cannot own land; they are discriminated against and they

cannot gain permanent residency. In states coded as 1, immigrants can basically only work the job in which they were hired for and cannot leave the housing provided for them by their employer. A score of 5 indicates parity to citizens: complete access to the welfare state; voting rights; no restrictions in where they can live or work; no restrictions in property rights and a robust anti-discrimination program.

1 Almost no legal rights; immigrants must leave state if they leave their job; cannot own property; cannot access the welfare state; they have to register, no freedom of religion, no permanent residency, etc.

2 Some rights but land ownership and ownership of companies restricted; limited access to the welfare state.

3 Ability to change jobs freely, some ownership of real property or companies; some access to the welfare state, some racial discrimination in laws.

4 Access to most welfare policies; few restrictions on ownership of property or firms.

5 Total access to welfare state, voting rights without citizenship, no restrictions in property ownership, integration policies, no racial discrimination, few years to permanent residency.

DECODE/ Deportation: How easy is it to deport an immigrant? What safeguards exist? Does the state engage in mass expulsions or pay people to leave the country?

A score of 1 denotes that there are many deportable offenses, including losing one's job and there are few administrative or judicial safeguards. A score of 5 is given if there are few deportable offenses (usually deportation is limited to criminals) and/ or clear judicial checks.

1 No appeals process; many deportable offenses, including losing one's job.

2 Administrative process with few checks; fewer deportable offenses.

3 More checks on the process and even fewer deportable offenses.

4 Judicial checks on process including going to the highest court in the land and/or very few deportable offenses.

5 Almost no deportable offenses (conviction for an criminal offense, but not for an immigration offense) and clear judicial checks.

ENCODE/ Enforcement: Does the state enforce its borders? How strong is the enforcement? Are there employer sanctions, fines or prison time for illegal immigrants? Are there amnesties? During an amnesty are immigrants allowed to stay or just leave without paying a fine? A score of 1 denotes a high spending country, with severe employer sanctions, sanctions on those who are in the country legally including fines and prison time, bonds to ensure that immigrants leave and identification papers that are hard to forge. A score of 5 denotes no enforcement beyond basic police enforcement.

1 High spending, employer raids or hard to forge national work id's, strong employer sanctions, bonds placed by employers to ensure that migrants go home, large number of enforcement officials.

2 Slightly less spending, fewer raids or easier to forge national work id, border enforcement is strong but not impossible to over come.

3 Even less money, no raids, easy to forge id's, some border enforcement.

4 Very little enforcement, screening at points of entry, little enforcement on employers.

5 Basically no enforcement.

IMMIPOL/ Low-skill Immigration Policy

The goal of a state's immigration policy is to attract a certain number of immigrants. While there is no consensus on how these different dimensions affect the flow of migrants, it is clear

Table 2: Factor Analysis

Factor	Eigenvalue	Difference	Proportion	Cumulative
Factor 1	3.65969	1.43823	0.3050	0.3050
Factor 2	2.22146	1.08594	0.1851	0.4901
Factor 3	1.13553	0.08545	0.0946	0.5847
Factor 4	1.05007	0.07847	0.0875	0.6722
Factor 5	0.97160	0.31016	0.0810	0.7532
Factor 6	0.66145	0.10612	0.0551	0.8083
Factor 7	0.55532	0.07995	0.0463	0.8546
Factor 8	0.47537	0.06063	0.0396	0.8942
Factor 9	0.41474	0.02093	0.0346	0.9288
Factor 10	0.39381	0.15813	0.0328	0.9616
Factor 11	0.23567	0.01039	0.0196	0.9812
Factor 12	0.22528		0.0188	1.0000
LR test: $chi^2(66) = 1.3e+04$ $p < 0.000$				

that not all dimensions affect migration equally. To combine these different policies into a single measure, I use principal components analysis. The analysis reveals that these dimensions combine to create two different factors: immigration policy and rights of immigrants.[1] Table 2 shows the eigenvalues over the different factors.

The first factor, immigration policy, places more weight on nationality, skill, recruitment, quotas, enforcement and deportation policies than the second, rights of immigrants, which places more weight on family reunification, refugee, asylee, citizenship, rights and work prohibition policies; hence, the names for the two factors (Table 3).[2] The Immigration policy variable by construction has a mean of 0, a standard deviation of 1 and runs from -2.5 to 2.5. Higher values signify a more open policy.

Another coding decision is how to treat refugee, asylum and family reunification policy before these policies were in place. In the 19th century, many states had relatively open immigration policies and so had little need for a separate policy for refugees, asylum seekers

[1]There are four eigenvalues greater than 1; the other two are 1.14 and 1.05 and neither explain much variation.

[2]The first factor correlates highly (at 0.95) with a standardized average of nationality, skill, quota, recruitment, work prohibitions, deportation and enforcement.

Table 3: Factor Loadings

Variable	Factor Loading Immigration Policy	Factor Loading Rights of Immigrants	Uniqueness
Nationality	0.3871	0.1452	0.8291
Skill	0.7439	-0.0363	0.4453
Quota	0.4278	-0.4310	0.6313
Recruitment	0.5485	0.0713	0.6941
Work Prohibitions	0.4266	0.5465	0.5194
Family Reunification	-0.6910	0.4364	0.3320
Refugees	-0.4837	0.6174	0.3848
Asylum	-0.4527	0.4399	0.6015
Citizenship	0.2429	0.6050	0.5750
Other rights	0.4571	0.6359	0.3867
Deportation	0.7411	0.4097	0.2830
Enforcement	0.7465	-0.0789	0.4366

or family members. In the coding of immigration policy in this paper, refugees, asylees and family policies were coded as a 1 until there was a policy on these issues in place. As a robustness check, I coded these policies as a 5 for years with no policy and as a 1 once there was another policy in place that would exclude a refugee, asylum seeker, or family reunification immigrant (e.g. provision against public charges or other wealth criteria). This coding produced just one factor, which correlates with the coding of immigration policy at 0.9.