

# On Global Immigration Policy: Present and Future

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## ABSTRACT

In more ways than one, immigration has proven central to both developed and underdeveloped countries of the world in terms of globalization. According to the World Migration Report, 280 million people around the world are migrants, equaling 3.6% of the world population in 2020, with only more growth expected (International Organization of Migration). Immigrants from less developed nations traveling to developed nations remain a trend, but not all immigrants travel for new opportunities. While this facet of immigration is mostly public immigration, the nuances of immigrants, emigrants, and their target destinations are a rather complex issue. This paper seeks to examine this interdisciplinary study of migration, exploring the economies, politics, and societies that have built the contemporary migration experience, and reflecting its findings through case studies of immigration policy across different situations sourced from various peer-reviewed studies. In the following sections, this paper will begin to define overall theories and definitions that can be applied to different forms of migration; to examine immigration in context, this paper's later sections establish real world examples to which these concepts can be applied, from both within and outside of the Western world. This paper concludes that immigration is too big a subject to tackle from one perspective. Though each theory may hold some merit, a thorough analysis of immigration policy requires complex explanations. To this end, this paper seeks to quantify different models of immigration between countries, as well as identify population outcomes when immigrants return to their country.

## Defining Immigration

To begin, this paper will introduce two, rather broad definitions which will categorize unique distinctions between immigration policies. Restrictive immigration policies can be defined as immigration policies that aim to dissuade or outright deny entry for prospective immigrants. These policies can come in the form of border patrol, alienation, and restricted access to rights that citizens of a said nation might have (Massey). These actions produce the intended effect of intimidation and refusal, which excludes an immigrant's personal situation and condition from its consideration. A potent example of this exists in the US-Mexico border situation. On the opposite end of the spectrum exists more liberal, inclusive policies. These policies expand an immigrant's access to opportunities in a developed nation, and some even empower foreign immigrants to become legal nationals, found throughout the Western liberal democracies (Massey). For example, one study in 2017 measured that out of the 77% of documented immigrants in the United States, almost 45% are naturalized, which amounts to around 20 million people (Budiman).

Immigration policy is a potent tool for governments to pursue different political philosophies. It mainly exists in two parts: immigration control policy and immigration rights policy (Meyers). Often, immigrants are viewed as expendable and unwanted. Within different models, an increased boon of immigration appears undesirable. As the Marxist approach details, the increased interaction between the people of the underdeveloped nations and the elite of the developed nation exists as a strong bastion that promotes capitalism (Meyers). Since migrants are viewed as generally "less" compared to their domestic counterparts, their labor is relatively fluid:

they consume little when inflation occurs, and serve as active, yet cost-efficient labor during economic downturns. The theory believes that, to prevent further exploitation of laborers, immigration should at least be adequately controlled, that is, there should exist some kind of quota that prevents exit/entry to a country from a prospective immigrant. This, while intriguing, is also analogous to the Marxist mantra of uniting workers from different backgrounds. If immigration truly were controlled and limited, policy decisions would divide foreign and domestic workers, which disallows them from working as a collective conscious. Thus, explaining immigration policy through a Marxist lens proves conflicting.

Other models, such as the National Identity approach, runs into the same problem. The National Identity approach views the state as a major actor in the pursuit of immigration policy. Since each state has a unique culture, beliefs, and values, its legislation would be driven by the individuality of each select nation. This runs into the problem of a collective view of immigration policy; as an example, most East Asian nations, though culturally dissimilar, generally pursue a policy of strict regulation, featuring much apprehension to lax immigration plans.

## Impact on Migrants

A common critique of immigration policy is that it exists as an adversary to free movement and is an obstruction to better opportunities. The examples are numerous in the Western world; whether that be an overall aggressiveness of U.S.-Mexico Border Policy, or limiting flows of migration all-together, many cases of immigration feature polarity. No matter the case, this paper believes that outright denial of a premeditated immigration attempt is detrimental to immigration policy on both facets; an uncontrolled intercountry movement of peoples challenges individual sovereignty of nations, while prolonged detainment at border facilities is almost dystopian compared to a human rights-focused code that nations should be held to. That is to say, a “one size fits all” approach to immigration policy ignores the complex demographics, situations, backgrounds, and ambitions behind immigration. As such, these examples should be studied, reflected upon, and improved, eventually creating an immigration policy that satisfies both immigrants and destination countries. A stunning contemporary example of a poorly executed immigration policy can be found at the U.S.-Mexico border, which exemplifies the problems of a zero-tolerance, one-size fits all policy. These examples include poverty-stricken immigrants who, though lacking adequate documentation, deserve a just and timely process for their immigration application.

The situation that stands at the US-Mexico border is analogous to democratic and liberal principles. Since legislation does not permit undocumented immigrants, often referred to as “illegals”, from entering the United States without proper identification, many are detained in detention centers and withheld from further entry. A broad overview of this may seem relatively rational – although the US has always championed international immigration, it is also the political right of a sovereign nation to select which immigrants to allow and which immigrants to reject – but this is ultimately a choice that a state retains. On closer examination, the diverse nature of immigration does not allow a broad overview of this magnitude - context exists, and within immigration attempts such as these, it is of utmost cruciality.

When entire families are detained at border control, young children are separated from their parents until legality issues are resolved. These can also include infants, who, separated from their parents, undergo mental duress and an “outpouring of stress hormones (Wood).” These initial symptoms can further devolve into more serious bouts of mental illness, which may include disassociation and numbing, with some studies even suggesting permanent neurological damage (Wood). Although it is not the state’s responsibility to guarantee an opportunity to every immigrant, its reception of immigrants, without consideration of their families and their backgrounds, is uncalled for and should be categorized as a violation of basic human rights.

It is not difficult to conclude that immigration concerns many facets of well-being as well as political perspectives. While border control may like to imagine a rejected applicant as one that returns to their origin

country safely, oftentimes, immigrants are returned to worse and more dangerous conditions than the ones they left. For immigration policies to be equal and fair, legislators must consider all aspects of the immigrant's condition and experience: otherwise, it is likely to yield results that are cruel and inhumane.

## Settlement and Contract Migration

Another important and distinct difference within immigration policy is the consideration between the length of stay of the migrant, typically captured by a spectrum between settlement and contract migration. Settlement migration can be seen as a more "traditional" form of migration, where immigrants settle in their destination country and stay there (Flahaux). Although settlement migrants may face many difficulties, the major upside is that immigrants are able to navigate economic opportunities independently. As such, this is usually a preferred path of immigration, especially as policies in many countries promote this form of migration. On the other hand is "contract" migration, where the immigrant's entry is justified by their employment in the country. Often migrants are tied to one specific job that they cannot call off until the contract is terminated, which, in some cases, leaves employers with ample opportunities for exploitation (Zachariah et al.)

More liberal countries usually offer settlement migration; many western democracies even offer immigrants avenues to citizenship, which exposes them to more opportunities. Contract migration is an infamous practice, most common within Gulf countries of the Middle East (Dhar and Baghat). Contract migration in the Middle East best exemplifies the tradeoffs that the policy offers – cheap and stable labor for the employer, rigid and low-paying jobs for the employees. As contract migration is meant to provide cheaper labor for companies, they are the ones that dictate the wages that employees receive and the conditions that they are subjected to. This system proves fertile for exploitation and employee abuse (Zachariah et al.)

The central problem of the contract migration system extends from here. In a foreign environment, the immigrants have no backing and bargaining power. Their only verification exists in the form of a work visa; immigration policy in the UAE is lax, as such, employers can break contracts and rescind offers that they may have promised when the contract was signed (Zachariah et al.) Worse, companies collect the passports of workers when they sign the contract: this allows the companies to control the movement of the immigrants, which also allows the companies to enforce harsh private rules to punish immigrants for minor offenses (Zachariah et al.) In fact, the Indian Migrants Association estimates that "a large number of Indian migrant workers were denied passports when they wanted to return to India." The restriction of movement, exploitation of Indian workers, and abuse of power within underdeveloped legislation creates a system of labor that can easily be described as modern-day slavery.

Under these harsh conditions, it is difficult for some to envision a reason why an immigrant, from India for example, would choose such a risky endeavor. The large demographic of Indian workers that travel abroad to Middle Eastern countries are poorer workers that hail from marginal groups, and who search for social mobility to escape their situation of poverty and discrimination. Many times, the intriguing offer for immigrants exists outside of their salary. Studies show that when Indian workers return to their home, either because of a longing for home or other reasons, they bring back more skills that they developed overseas (Dhar and Baghat). This incentive, summarized as "human capital developed," should be considered an integral reason for international migration (Borjas). Within the select sample studied in India, there was a higher likelihood that migrants who returned went into the sectors of entrepreneurship or self-employment, which indicates that the skills that they learned abroad empowered them to become more independent economically (Dhar and Baghat).

## Flaws within Modern Day Restrictive Immigration Policies

A dominating wing of contemporary right-wing politics is categorized by restrictive and often callous immigration policy. As this paper has previously identified, the existence of a simple policy to tackle a complex migration problem creates faults in many aspects, including negative externalities that legislators have failed to consider; that said, it is easy to imagine that a restrictive immigration policy could be properly executed in a more multi-dimensional form – one that’s inclusive yet retains selectivity. What this “perfect” version of a restrictive immigration policy may entail is unknown; however, the current system, very much flawed, fails to consider the implications of a shallow and absolute immigration policy, which has more far-reaching social repercussions than policymakers may assume.

Consider the case of Senegalese migrants in Europe (Flahaux). The core philosophy within harsh immigration policies could be explained as such: to deter migrants or to request higher prerequisites for those that are granted entry. The Senegalese, like many African immigrants, often travel complex and grueling routes just to reach Europe. Immigrants are much less likely to settle for a rejection, since 1) their social status and personal safety returning to their origin country might not be guaranteed, and 2) it would be much harder to pursue the same journey knowing that opportunities for migration are hard to come by and expensive. As such, immigrants know that the best possible choice, financially and socially, is to prolong their stay in the foreign country until they have gained enough capital or developed enough skills to return home. Unlike many Indian migrants, many African immigrants already have their return in mind when they plan to immigrate, so restrictive immigration policies produce a contradictory effect to what they were intended to do: artificially force supposedly unwanted immigrants to stay longer. Immigrants know this might be the only and last opportunity to accumulate wealth, as they lack financial capital to try again.

The rationale behind this is not complex – but why then do political leaders from around the world still aggressively push for restrictive immigration policy as most suitable for halting migrant inflows? This is because it resonates with voters who push for nativism. Though it may not be effective, as Massey describes, it is definitively “concrete (Massey).” In other words, these policies gain popularity with voters not because of their intended results, but because they are obnoxious and almost theatrical. A prime example of this is the continuous movement of immigrants to the European continent from Africa and Asia, less developed regions of the world. Restrictive immigration policies produce quotas and limits, a less obtrusive way that indicates a growing immigrant population is unwanted. The pursuit of an increasingly restrictive immigration policy stands because it’s memorable to its intended audiences.

This is not to suggest that the solution be an entirely free-flowing stock of migrant populations. As described in previous sections, an abundance of immigrants to choose from only handicaps immigrant rights themselves. Ultimately, it must be recognized that migrant labor is replaceable: that’s why Indian workers within Middle Eastern autocracies lack the leverage to negotiate for stronger protections and rights. As for contract migrants that are abused because of their status, there must exist stronger global awareness and guidelines to prevent a sovereignty that endangers the universal principles of human rights.

## On Autocracies and Non-Western Liberal Democracies

Whether they prefer it or not, all industrially developed nations are potential targets for immigration. In many ways, immigration policy in Western liberal democracies exists as an often passionate and deeply partisan endeavor – take the rise of right-wing immigration policies in western democracies for example. The presence of immigration in Western politics is often the theme for debates and disagreements, with one paper commenting: “In the United States, immigration is not simply a historical fact, it is part of the national myth...” (Massey). In other words, to provide a non-western centric view on immigration, since the topic is very much an important

thread in globalization efforts, it is then essential to view the work-ings of immigration in different political systems. As such, this paper seeks to examine immigration policy that is detached from the mindset of democracy,

Take the marriage between an authoritarian dictatorship and immigration policy, with different perspectives on restriction. Compared to liberal democracies, autocracies execute immigration based on how they perceive regime stability, which is harbored primarily by a defined collaboration between business elites and autocratic rulers. Labor and the elite in these countries both strive for different political and social goals, with the elite strongly preferring foreign labor and limited redistribution, and native citizens pushing for more distribution and less foreign labor (Shin). Elites favor temporary immigrant labor because of its flexibility and an overall “lack of guarantee”: autocratic governments have the essential re-sponsibility of providing their citizens with adequate rights and benefits to improve regime stability; no such liability exists for temporary foreign workers.

In such a situation, autocracies have no qualms in granting immigrant cohorts rights to enter, but they maintain control over a foreigner’s access to citizenship and rights – a clear message of tolerance in service of economic gain but not integration. This exists as the major difference between autocratic and democratic immigration systems: many Western democracies, especially the United States, allow immigration not only as a job opportunity but also as a path to citizenship and further assimilation. In fact, this seems like a uniquely Western approach to immigration.

Comparatively, many developed countries outside the West have a different view of immigration. For instance, the emphasis on “homogeneity” within Japanese culture affects the country’s stance toward immigration and globalization. The ICRA Act of 1951 restricts the number of foreign immigrants coming into the country that are refugees or those that are seeking asylum (Fuess Jr.). Instead of importing foreign labor, there exists a sense of pride within Japanese industries. While diversity may be considered a virtue in Western work environments, a country might consider a strong industry saturated with domestic workers as a sign of national strength. Only by the 1980s when the Japanese perceived that their information technology was falling behind, did they allow certain foreign specialists to immigrate.

Japan’s overall resistance to trends of globalization serves as a ripe example of the national identity approach. Compare this stance to the United States, who has always valued diversity within contemporary immigration. Japan, though a country with similar economic development, has refused the advancement of globalization and integration, a result that can only be explained by tradition and cultural differences. Due to this, Japan may never be a country that aggressively encourages immigration, which poses the question: Is globalization ultimately a Western-centric method for achieving global economic progress?

## **The Struggle Between Migrants and Anti-Immigration Factions**

Restrictive immigration policy can also be viewed from the economic perspective, where harsh legislation translates to an unwelcoming environment for migrant populations. Ignoring the restriction posed by contract migrants, it is helpful to identify a trend by studying restrictive policies in cases of settlement migration. Though restrictive policies and contract migration share the similarity of mutually viewing migrant workers as temporary, in many cases within settlement immigration systems, it’s domestic worker unions that mediate immigrant salaries and status.

In this case, domestic unions use migrants to enhance their bargaining power. If the government were to not grant higher salaries to domestic workers, legislators could be accused of favoring temporary migrant workers over national labor – very much a complaint that would ignite nativist sentiments (Kemnitz). This results in immigrant workers getting paid less than their native counterparts. This problem is further exacerbated when the immigrant population grows – it gives corporations more access to low-skilled labor, thereby increasing the labor pool and decreasing overall worker wage. This sort of labor market discrimination provides

no benefit to migrants. The overwhelming growth within low-skilled labor coming from developing countries provides new job opportunities, but many jobs are still kept out of reach from foreign workers, often thanks to vocal unions that express pro-native worker and anti-immigrant sentiments.

Combine labor market discrimination with factual statistics of job competition between native and immigrant workers and one begins to see a series of contradictions. At the outset, it is easy to assume that immigrants “take our jobs” when they are fully integrated into the economy (Portes). To look at this from a different angle, a full integration within the economy implies that their existence may also generate new jobs. For example, the increase in migrant workers might stimulate the demand for affordable housing and food, thereby creating new jobs. In fact, the same research in 2016 shows that a 1% increase in the adult migrant population results in an increase in the country’s GDP by 2% (Citation). The economy is cyclical and does not work in only one direction: immigration that results in job-loss for domestic workers in certain industries may produce more job opportunities in other industries.

Still, immigrant workers pose direct competition for native workers in some cases. If unions were not to exist, the low-skilled labor market might be oversaturated with immigrant labor, pushing native workers out of their preferred workplace, and causing further political unrest and xenophobia. As such, both perspectives, protecting domestic industries or native workers, need to be practiced in moderation. More legislation needs to be implemented to ease domestic pressure against the immigrant labor force while allowing a reasonable number of low-skilled immigrants into the labor force in order to improve productivity.

## **Return Migration as a Potential Solution**

As mentioned before, return migration is often the under-considered aspect of migration policy. Immigrants adapt by developing human capital, and this trend extends outside of India. Amongst the values that both sending and receiving countries can draw from a beneficial and smooth process of return migration, an important fact is often ignored. The concept of “Home” is unfazed in many migratory cases; like in the previous example of India, whether one has developed as human capital remains a secondary consideration next to the primary prospect of returning home (Dhar and Baghat). It is often expected, at least in debates on immigration policy, that an immigrant must remain in a country without leaving, seeking to exploit their opportunity while undercutting native workers. However, this is often not the case. In one study, researchers estimate that 2 in 5 migrants exit the country within 5 years of their arrival (Wahba).

Many immigrants do not seek a permanent presence in their destination, but rather hope to have an experience abroad, which provides them with capital, experience and education. As Wahba points out, return migration may serve as a catalyst and entrance to the development of higher industry, which she backs up with evidence: “in 2007 return migrants accounted for one-third of the start-ups in Taiwan’s Hsinchu Science-based Industrial Park and accounted for 10% of exports.” This, combined with previous mentions of India’s growing entrepreneurs, reveals that the practice of return migration may prove essential in guiding developing economies into economically independent nations driven by innovation, rather than ones that are dependent on the aid and economic guidance of more developed nations.

Socially, the benefits of return migration extend outside catalyzing the economy. Along with returning with substantial capital, returning migrants may bring positive “idea change” that could benefit the source country (Wahba). In this sense, the dissemination of information caused by increased globalization not only boosts an economy’s productivity but also provides an avenue for democratic ideals to be spread. In turn, the destination country receives benefits in the form of cheap labor that is flexible, versatile, and efficient. The economic status of these immigrants also provides benefits in consumption and taxes.

In many ways, practicing return migration can also be seen as a form of reconstruction. During the population shifts and waves of international migration caused by the conflict in Yugoslavia, refugees arrived in Germany under the legal status of *Duldung*, translated to “toleration” in Germany (Bahar). Yugoslavians

were exposed to a trove of better industrial practices that led the country to have a significantly stronger export performance during the following years after a trend of return migration. It could be argued that, within a period of post-war reconstruction, it is better to have refugees that return to share their work-related knowledge gained elsewhere – this provides a potential blueprint for receiving countries around the world to practice for post-war reconstruction. Even if some immigrants remain, much to the dismay of nativist organizations and politicians, the creation of a “new economy” – one driven by better production, industrial, and managerial practices – may aid in the overall resuscitation of war-topped economies to provide a form of economic stability.

## Conclusion

As this paper has explored, there exists a multitude of immigration politics and legislation that have been pursued by nations around the world. All of them, whether intended or not, generate additional externalities for the countries themselves as well as the migrants that inhabit them that need to be further researched and reflected upon in order to provide a smooth and ideal immigration experience. This theme has been discussed and theorized throughout the paper, begging the question: What is the definition of an immigration policy that’s beneficial to both the migrants and the state? This paper concludes that, if an immigration policy wants to be truly versatile, it must be inclusive but not intrusive.

Situations in Saudi Arabia are the epitome of an immigration policy that creates a stark win-lose situation – one that fails to consider inclusivity: foreign workers are exploited and abused in the pursuit of extended profits for corporations and the government. Then again, a completely free movement of migrant populations would be impossible and unfair: it detracts from the sovereignty of the state, creating a “borderless situation.” How would a legislator successfully navigate between these two extremes?

Moderation is key; an absolute immigration policy generates no benefits. An immigration policy that considers the extremes would be ideal. For example, if U.S. border legislation could accurately and equally consider applications for immigrants, provided the system retains all important information concerning immigration, then it could be feasibly said that all outcomes are fair. Of course, this scenario would be implausible, at least in the current immigration landscape.

To this end, this paper proposes a possible solution in the future, which is one unobtainable with the current system of international migration policy. If so, what framework does this paper propose? Summarizing the main takeaways from the sections, this paper organizes its main points as such; immigration never exists on one level: the jobs that were “taken away” by immigrants are generated in other sectors of the economy; that there is no simplified and ideal way to conduct information; that Western political philosophies should not be the sole perspective considered when constructing an outline of prospective immigration policy.

Immigration, as an increasingly popular phenomenon, must be better managed and researched by governments; an aspect of this could be return migration, whose potential has yet to be tapped by nations around the world. Ultimately, this paper believes that a truly equitable, beneficial, and just immigration policy requires an abundance of data, along with complex and multi-faceted immigration legislation which considers the complete background of its applicants and the benefits they can provide to the global economy.

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