The Factors that Make and Unmake Migration Policies[1]

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Migration policies often fail to achieve their declared objectives or have unintended consequences. This article discusses three sets of reasons for this: factors arising from the social dynamics of the migratory process; factors linked to globalization and transnationalism; and factors within political systems. Effective policies are often hampered by the one-sided explanatory models used to explain migration, as well as by interest conflicts in both domestic and international politics. In many cases this leads to migration policies with contradictory objectives or hidden agendas. The article goes on to discuss some elements of a conceptual framework for improving policy formation and possible components of fairer and more effective migration policies at the national, regional and global levels.

Observers of international migration are often struck by the failure of states to effectively manage migration and its effects on society. In particular, undocumented migration keeps growing despite control efforts by states and supranational bodies. "Paradoxically, the ability to control migration has shrunk as the desire to do so has increased" (Bhagwati, 2003). This is not to say that states always, or even mostly, fail to influence migration through their policies. As Mark Miller has written: "what governments do matters a great deal" (Castles and Miller, 2003:94). But there are many cases in which governments fail to achieve their declared objectives. Here are two examples.

Australia defined itself historically as a white outpost of Europe. Ever since British settlement in 1788, Australians have felt threatened by 'Asia's teeming millions.' When the Australian federal state was founded in 1901, one of its first legislative acts was to establish the White Australia Policy. After World War II, Australia set up a large-scale immigration program. The government believed that the small population (7.5 million in a continent as

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big as the United States) made the country vulnerable to invasion and that a larger labor force was vital to industrial growth. The government persuaded a skeptical public to accept the policy by declaring that the great majority of immigrants would be British and the rest white and European. As non-British entries grew, the public was assured that a policy of assimilation would prevent cultural change. However, by the 1970s, the White Australia Policy was unsustainable in the face of increasing trade with Asia. Increasing numbers of immigrants were non-European. Similarly, assimilation failed due to processes of labor market segmentation, residential segregation and ethnic community formation. Australia became one of the world's most ethnically diverse societies, and a policy of multiculturalism was introduced. Despite a backlash in the mid-1990s, the policy has been retained by successive governments (Castles and Vasta, 2004; Jupp, 2002).

A second example is Germany, which recruited migrant workers from 1955 to 1973. The guestworkers were to come for a few years only and were not supposed to bring in dependents or settle permanently. Germany's model of national identity was based on ideas of common descent and culture, and it had no place for ethnic minorities – as recent history had shown so dramatically. After labor recruitment was stopped in 1973, the newcomers started to settle and form distinct communities. Yet German leaders continued to recite the mantra that "the German Federal Republic is not a country of immigration." It was not until the late 1990s that German politicians were forced to recognize the permanent nature of immigration. The 1999 citizenship law represented a historic shift from *ius sanguinis* (citizenship by descent) to *ius soli* (citizenship by birth on the territory). In 2001, an official commission finally recognized that Germany is and indeed has always been a country of immigration (Süssmuth, 2001).

These cases both concern strong, efficient states with long traditions of active migration policy. Clearly, it is not just weak states that experience policy failures. Moreover, both governments initially saw their policies as successful – policy failure only became obvious after many years. Thus, migration policies may fail because they are based on short-term and narrow views of the migratory process. It is important to look at the entire migratory process, starting from the initial movement right through to settlement, community formation and emergence of new generations in the immigration country. Third, it appears that there were factors inherent in the experience of migration which led to outcomes that were not necessarily expected or wanted by the participants. It is therefore necessary to analyze the migratory process as a long-term social process with its own inherent dynamics.

What constitutes 'policy failure'? This is not used here as a normative term. Some people might say that both Germany and Australia are better places because of immigration and the emergence of multicultural societies. Rather, policy failure can be said to occur when a policy does not achieve its stated objectives – in the case of Australia, to remain white and monocultural; in the case of Germany, to import labor and not people. This leads to an analytical problem: it premises judgments about the success of policies on the existence of explicit and honest policy objectives. But policymakers may be reluctant to declare their true objectives for fear of arousing opposition. This makes it necessary to deconstruct official goals and look for hidden agendas. One yardstick could be the failure to use effective measures to achieve declared objectives – even when such measures are obvious and available. An example is the failure to enforce employer sanctions to prevent illegal employment in the United States, Japan and many other countries. In any case, policy success or failure depends on the eye of the beholder. Few policies fail completely. Rather they tend to achieve some of their objectives, but not all, or to have unintended consequences.

This article focuses mainly on migration from less-developed countries to industrial countries. It starts by looking briefly at the history of state migration management. Then it examines a range of factors which shape migratory processes and discusses the interaction of these factors in shaping state policies – and in undermining them. The central argument is that the various factors are so complex that states tend towards compromises and contradictory policies. This is partly because of conflicts between competing social interests and partly because of the way the policy process works. An important underlying reason is the contradiction between the national logic of migration control and the transnational logic of international migration in an epoch of globalization. Finally, the article suggests some elements of a conceptual framework for more effective policy formation and discusses elements of policies at the national, regional and global levels.

MIGRATION POLICY IN HISTORY

Until recently, many migration theorists (especially in the United States) accepted a long-standing orthodoxy that migration was mainly determined by market forces. Neoclassical economists, who often had the ear of policymakers, argued that this should be so and that state action merely distorted the "migration market," often with negative consequences (Borjas, 1989). However, migration control by the state actually has a long history. The

market factors posited as crucial in economic theory often did not shape migration, because "border control usually intervenes as a determinative factor." Potential receiving countries restrict entry, by erecting "protective walls" with "small doors that allow for specific flows" (Zolberg, 1989:405–406). If we look back in history, we find a variety of state roles, some of which go far beyond mere border control.

Potential emigration countries have often tried to prohibit departures. Mercantilist European monarchs saw their wealth as consisting mainly of people and forbade departure (Fahrmeir, Faron and Weil, 2003:3). In the 1820s, industrializing Britain banned emigration of skilled workers, who were being enticed away by employers from France, Russia, Germany and America (Thompson, 1968:272). More recently, European fascist regimes refused to let people depart. That is why many Portuguese and Spanish migrants to France in the 1960s had to cross the Pyrenees with the help of smugglers. When they arrived they were regularized as workers – not refugees (Castles and Kosack, 1973:34–35). The Soviet Bloc prohibited departure, which made it easy for Western countries to have generous asylum policies towards those few who did get out. This was to change in the early 1990s: once the nondeparture regime collapsed, Western countries hastened to establish a nonarrival regime (Chimni, 1998; Keeley, 2001).

Labor recruitment also goes back a long way. In the ancient world, conquest was often motivated by the aim of taking slaves as cheap labor power. Capitalism has always needed "unfree labor" (Cohen, 1987). In early modernity, the slave trade was part of the colonial political economy. When slavery was abolished it was succeeded by indentured labor systems, in which colonial states played a central role. Colonial states also played a big part in attracting free immigrants for settler colonies. Australian colonial administrations carried out publicity campaigns in Britain, organized and subsidized travel, and provided assistance to migrants upon arrival. European industrialization also used migrant labor, but much of the migration was spontaneous or organized by employers, rather than by states. In World War I, the main combatant states recruited workers from their colonies (Britain and France) or from European sources (Germany). The Nazi war economy relied heavily on migrant labor – many of them recruited by force (Homze, 1967).

The idea of a past era of nonintervention by the state is based on the U.S. experience between 1820 and 1914. Here the role of the state was to encourage immigration and to screen entrants for disease and criminal records. Openness to migration was limited by the discriminatory rules against Asians in the 1880s and was finally stopped by the national origins system

after World War I. Britain, Canada and Australia all introduced rules excluding specific groups in the late nineteenth century – Britain against East European Jews; Australia and Canada against Asians. In France, where demographic decline was already an issue, we can observe the early use of immigrant incorporation for strategic purposes: the Nationality Code of 1889 was explicitly designed to obtain soldiers for future conflicts with Germany (Schnapper, 1994:66). German officials, by contrast, feared that Polish immigration into the Eastern provinces of the Reich would dilute the German population and threaten their hold on the region. They therefore devised a policing system designed to keep migrants mobile and prevent settlement. This is an early example of a nonincorporation (or exclusion) regime, which was deliberately used to keep wages low and to create a split labor market (Dohse, 1981:33–83).

Thus the picture of an era of *laissez-faire* in migration that ended with World War I is misleading. "States took an active interest in 'their' emigrants and in the immigrants who crossed their borders, and used various means of classifying international migrants as 'desirable' or 'undesirable'" (Fahrmeir *et al.*, 2003:2). The nineteenth century was an age of experimentation in migration control. Democratic revolutions and industrialization led to greater freedom of movement than ever, but also to the need to register national belonging and personal identity. The emergence of the welfare state reinforced the distinction between citizens and foreigners, and the (re)birth of the passport was an inevitable consequence (Torpey, 2003).

In retrospect, it is easy to see a logical historical progression towards the present, yet one could also interpret past migration experiences in terms of 'unintended consequences.' Did British colonial authorities seek to create multiracial societies in Fiji, Malaya or the Caribbean? Did European labor importers consider long-term effects on the demographic and ethnic composition of their populations? Did U.S. governments foresee an ethnically diverse society? The answer to these and many similar questions is "obviously not." Does this mean that today's policymakers should be equally oblivious to the consequences of their decisions? Again, obviously not. That, in turn, leads to the questions whether democratic states possess: 1) the capacity to analyze and forecast the long-term consequences of migration policy decisions; 2) the political ability to reach consensus on long-term goals in this field; and 3) the policy tools to achieve these goals in a manner consistent with democracy and the rule of law.

I have my doubts on all these counts.

FACTORS SHAPING MIGRATION AND MIGRATION POLICY

Political concern about 'unwanted' migration increased in the 1960s in Britain, the 1970s in Western Europe and Australia, and a little later in North America. By the 1990s, migration control had shifted from a merely domestic issue to become part of 'high politics' – that is, an aspect of "problems affecting relations between states, including questions of war and peace" (Cornelius, Martin and Hollifield, 1994:7). Following September 11, 2001, there was much talk of the 'securitization' of migration. The terrorist attacks may have focused public attention on the issue, but the perception of migration as a security issue goes back much further.

Through the 1980s and 1990s, efforts at migration control became more intense in developed countries. In addition to a range of measures by individual states, attempts were made to create multilateral or supranational regulation systems. The most important were the 1985 Schengen Agreement (implemented in 1995) and the European Union's (EU) decision on common migration and asylum policies through the 1997 Amsterdam Treaty (Castles, Loughna and Crawley, 2003; Geddes, 2003). Regional initiatives in North America, Latin America, Africa and Asia are less developed, but may point to significant future developments (Castles and Miller, 2003:Ch. 5).

Despite these intensive efforts, there is a public perception that migration is out of control. The fall in the number of asylum seeker entries to Europe in the mid-1990s appeared at first to show the success of migration control. But the main reason was that large East-West flows were a passing phenomenon following the collapse of the Soviet Bloc. The subsequent increase in asylum flows to Western Europe and Australia was widely seen as demonstrating the inefficacy of control. Similarly, the recent U.S. Census suggested that some 9 million aliens live illegally in the United States. Do such figures really indicate a 'migration crisis,' as has been claimed not only by media and politicians but also by some academics (Weiner, 1995; Zolberg, 2001), or are they more a result of changed perceptions?

To understand these issues, it is necessary to examine the factors that drive migratory processes. It is impossible to include all possible factors here, so the choice is based on a judgment about their relative importance. Three types will be discussed:

- Factors arising from the social dynamics of the migratory process;
- Factors linked to globalization, transnationalism and North-South relationships; and
- Factors within political systems

Factors Arising from the Social Dynamics of the Migratory Process

Two types of belief have been particularly influential in migration policy formation. One is the economic belief in market behavior based on neo-classical theory, according to which people move to maximize their individual utility (usually through higher income), and cease to move, or return home, if the cost-benefit equation changes. The second is the bureaucratic belief that regulations designed to categorize migrants and to regulate their admission and residence effectively shape aggregate behavior. Together these two beliefs add up to the idea that migration can be turned on and off like a tap by appropriate policy settings.

    An example is the belief of German policymakers after 1973 that unwanted guestworkers would go away because of the temporary residence principle built into the labor recruitment system and because employment opportunities had declined due to the Oil Crisis. These predictions proved false. Migrants took a long-term view and changed their behavior, becoming permanent settlers. Should German policymakers really have been surprised? After all, the same thing had happened with regard to Polish workers in the Ruhr industrial region before World War I. France had had a similar experience with Polish and Italian workers in the interwar period. Emigration countries also often failed to understand such tendencies: Turkey and Algeria remained wedded to an official view of emigration as temporary long after trends towards permanent settlement in Germany and France had become clear.[2] In all these cases, historical memories were overridden by the belief that modern administrative systems were more effective than in the past. However, the main reason was probably a failure to see migration as a social process. This can be summarized in the following factors.

Chain migration and networks. Chain migration was a term used in older literature to describe the way an initial migration – usually of young workers – would be followed by others from the same family or community, sometimes leading to a partial recreation of the home community in the new country (Price, 1963). More recently, the focus has been on the role of migrant networks in easing the move to a new country and providing help with work, housing and other needs on arrival (Boyd, 1989). Such links provide vital resources for individuals and groups and may be referred to as 'social capital' (Bourdieu and Wacquant, 1992:119). The importance of

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[2]I am indebted to Mark Miller for this point.

networks applies not only to economic migrants, but also to refugees and asylum seekers, whose choice of route and destination is strongly influenced by existing connections (Koser, 1997). Networks also provide the basis for processes of adaptation and community formation. Migrant groups develop their own social and economic infrastructure such as places of worship, associations, shops, cafés, lawyers and doctors.

Family and Community. The family and community are crucial in migration. Research on Asian migration has shown that migration decisions are usually made not by individuals but by families. In situations of rapid change, a family may decide to send one or more members to work in another region or country in order to maximize income and survival chances (Hugo, 1994). Family linkages often provide both the financial and the cultural capital (that is, the knowledge of opportunities and means of mobility), which make migration possible. The 'new economics of labor migration' approach, which emerged in the 1980s, emphasized the importance of family strategies designed to obtain secure employment and investment capital and to manage risk over long periods (Stark, 1991; Taylor, 1987).

Position within the Lifecycle. In economic migration, the primary migrant is usually a young man or woman in search of temporary work and often intending to return home once certain savings targets have been reached. The difficulty in achieving such targets leads to prolonged stay. This, in turn, encourages family reunion. People start to see their life perspectives in the new country. This process is especially linked to the situation of migrants' children: once they go to school in the new country, learn the language, form peer group relationships and develop bicultural or transcultural identities, it becomes more and more difficult for the parents to return to their homelands.

The Migration Industry. The migration industry develops out of migration networks. Once a migration gets underway, needs arise for a variety of special services. The migration industry includes travel agents, lawyers, bankers, labor recruiters, brokers, interpreters, and housing agents. The agents have an interest in the continuation of migration and may go on organizing it even when governments try to restrict movements, though the form may change (for example, from legal worker recruitment to asylum migration or undocumented entry). Facilitating migration is a major and largely legal international business (Salt and Clarke, 2000:327). Recently, governments have drawn attention to the illegal side of the migration industry – human

smuggling and trafficking – and have attempted to control it through international legal and police measures.

Policies as Opportunity Structures. People lucky enough to enjoy a middle-class position in developed countries tend to have fairly positive views of the state and the law. This does not necessarily apply to the majority of the world's population, who live in inefficient, corrupt and violent states. Most people have to learn to cope despite the state, not because of it. From this perspective, migration rules become just another barrier to be overcome in order to survive. Potential migrants do not cancel migration just because the receiving state says they are not welcome – especially if the labor market tells a different story. Policies become opportunity structures to be compared and negotiated.

Migrant Agency. All of the factors mentioned can be summed up in the notion of migrant agency: migrants are not isolated individuals who react to market stimuli and bureaucratic rules, but social beings who seek to achieve better outcomes for themselves, their families and their communities by actively shaping the migratory process. Migratory movements, once started, become self-sustaining social processes. It is vital to add this sociological and anthropological insight to the structural or institutional models provided by economists, political scientists and legal specialists.

However, structural factors are also part of the migratory process. Both emigration and immigration countries can become structurally dependent on migration.

Structural Dependence on Emigration. Many less-developed countries have identified labor export as important in reducing unemployment, improving the balance of payments, securing skills and investment capital, and stimulating development. In some cases, the export of discontent and reduction of political tension also become goals. Migration can become a substitute for development rather than a contribution to it (Castles, 2000). Where governments encourage emigration, as in the Philippines under Marcos, it can become a long-term structural feature of the economy (Abella, 1993; Saith, 1997). This, in turn, can lead to a culture of emigration, in which people may migrate 'because everyone else does so,' rather than on the basis of very precise goals. This happened in Italy between 1861 and about 1970 and occurs today in certain regions of Mexico, the Philippines, China and other countries.

Structural Dependence on Immigrant Labor. Structural dependence on im-migrant labor has been significant in many countries. In the 1970s, Western European countries found they could not dispense with migrants despite the existence of high unemployment, because migrant workers were concen-trated in jobs which locals were unable or unwilling to do. The U.S. agri-cultural sector needs undocumented Mexican workers in order to keep pro-duction costs low. When Malaysia tried to repatriate large numbers of Indonesian and Filipino workers during the 1997–99 Asian financial crisis, plantation employers requested the government to admit thousands of new workers, arguing that U.S.$500 million had been lost in 1997 due to labor shortages (Pillai, 1999). Western European governments claim they do not need low-skilled workers, yet carry out privatization and deregulation mea-sures which have led to a burgeoning informal sector (Reyneri, 2001).

Factors Linked to Globalization, Transnationalism and North-South Relationships

International migration has always been linked to trends towards cross-border activity and was especially marked in the early phase of accelerated globalization prior to 1914. However, the rapid economic, political, tech-nological and cultural changes associated with the current phase of global-ization have had important effects on the volume, directions and character-istics of migration.

Until recently, United Nations statisticians argued that international migrants only made up about 2 percent of the world's population and that most migration was intraregional – that is, within Africa, Asia or Europe, rather than from South to North (Zlotnik, 1999). Recent data from the U.N. Population Division makes it necessary to revise this view. In 2000, there were 175 million international migrants worldwide (defined as people who had lived outside their country of birth for at least 12 months). The global total has doubled since 1970. Sixty percent of migrants now live in developed countries, where one in ten persons is a migrant, compared with one in 70 in developing countries. Migrants make up about 3 percent of global population. From 1990 to 2000, the number of migrants increased by 21 million persons or 14 percent. The total net growth took place in de-veloped countries: Europe, North America, Australia, New Zealand and Japan registered an increase in migrant stock of 23 million, while the mi-grant population of less-developed regions fell by 2 million. Thus, the trend

is towards an acceleration of South-North Migration (United Nations Popu-
lation Division, 2002).

The North-South Divide Generates Migration. International borders help
maintain inequality (Zolberg, 1989:406). However, the most crucial borders
are no longer between nation-states, but those between North and South –
that is, between the powerful industrial nations (North America, Western
Europe, Japan, Australia and New Zealand), and the poorer countries of
Africa, Asia and Latin America.[3] In recent years, the disparities in income,
social conditions, human rights and security have increased. Despite some
areas of rapid growth, other parts of the South have become disconnected
from the global economy, leading to stagnation and conflict (Castells, 1998).
Since weak economies and weak states generally go together, people move
both to escape impoverishment and human rights abuse (Duffield, 2001).
Such 'multiple motivations' lead to a 'migration-asylum nexus,' which makes
it hard to distinguish clearly between economic migrants and refugees. Thus
the perceived migration crisis is really a crisis in North-South relations,
caused by uneven development and gross inequality. Migration control is
essentially about regulating North-South relations. Because northern coun-
tries are doing their best to stop migration – with the exception of the highly
skilled – movement can often only take place through means classified as
illegal by receiving countries.

*Globalization Creates the Cultural Capital and Technical Means Needed for
Migration.* Globalization essentially means flows across borders – flows of
capital, commodities, ideas and people. States welcome the first two types,
but are suspicious of the others. Especially the mobility of people is regulated
and differentiated. Bauman argues that, in the globalized world, "mobility
has become the most powerful and most coveted stratifying factor." The new
global economic and political elites are able to cross borders at will, while the
poor are meant to stay at home: "the riches are global, the misery is local"
(Bauman, 1998:9, 74). However, globalization also creates strong pressures
to move. Global media beam idealized images of First World lifestyles into
the poorest villages. Electronic communications facilitate the dissemination

[3]The North-South divide expresses not a geographical configuration, but a political and social
one. The North also includes areas and groups subject to social exclusion, while the South has
elite groups and enclaves which enjoy considerable prosperity. There are also important
regions and groups in intermediate or transitional positions.

of knowledge of migration routes and work opportunities. Long-distance travel has become far cheaper and more accessible than in the past.

Globalization Transforms the Character of Migration. The cultural and technological factors that drive migration also change its forms. People move farther, leading to greater ethnocultural diversity in receiving countries. In the past, migrants moved either with the intention of permanent settlement or of a temporary sojourn in one receiving country. Now it is possible to go back and forth or to move on to other countries. For example, recent research on trans-Mediterranean migration has revealed migrant careers which lead neither to permanent settlement nor permanent return, but rather to repeated sojourns of varying duration, punctuated by returns to the country of origin (Peraldi, 2001). Similarly, even classical migration countries like Australia now find that temporary entry for work and study exceeds permanent settler entry (DIMIA, 2001). At the same time, many young Australians discover that a period of work abroad is important for professional advancement. There is, however, no guarantee that the temporary migrants will not become settlers. Indeed, recent legal changes are designed to turn Asian students of information technology or business studies into permanent settlers (Birrell, 2001).

Transnational Communities. Globalization leads to changes in the ways immigrants are incorporated into society (*see also* Faist, 2004). In the past, most migrants were treated either as permanent settlers, who were to be assimilated, or as temporary sojourners, who were to be kept separate from the host population through special (and often discriminatory) legal regimes. The experience of community formation and ethnic mobilization led to the rise of a third approach – multiculturalism – in the 1970s. But all these approaches were premised on the idea that people would focus their social existence on just one society at a time and would therefore owe their allegiance to just one nation-state. The new ease of movement and communication has made it possible for many people to live their lives across borders. Transnational communities may be defined as groups based in two or more countries, which engage in recurrent, enduring and significant cross-border activities, which may be economic, political, social or cultural (Portes, Guarnizo and Landolt, 1999). If mobility across borders is a part of a group's economic, social, cultural and political life, this provides a powerful motivation to overcome barriers imposed by states.

National versus Transnational Logic. All the above factors connected with globalization and transnationalism can be summarized in the statement that state migration control efforts still follow a national logic, while many of the forces driving migration follow a transnational logic (*see also* Levitt and Glick Schiller, 2004 and Vertovec, 2004). It would be misleading to claim that the logic of globalization or transnationalism has fully superseded national logic. As already noted, only about 3 percent of the world's population are migrants, and most of these probably still see themselves either as settlers or sojourners. But there is a clear trend towards growth in transnational behavior and consciousness. Castells has written that globalization means a change in the spatial organization of the world from 'a space of places' to a 'space of flows' (Castells, 1996:Ch. 6). The new forms of mobility and transnational behavior fit this logic much better than do state migration rules.

Nonmigration Policies. Nonmigration policies may be more powerful in shaping South-North movements than explicit migration policies. Economists argue that the most effective way of encouraging development is through policies designed to bring about free trade and encourage foreign direct investment (FDI), thereby including less developed countries in global economic relationships (Martin and Straubhaar, 2002). This is likely to lead to increased migration in the short run (the 'migration hump') but should, in the long run, lead to greater equality and reduced pressure for South-North migration (Martin and Taylor, 2001:106). Similarly, when authoritarian regimes collapse, there may be a 'refugee hump' as people seize the opportunity to flee, but, in the long run, democratization and improved governance are likely to lead to reduced outflows and return of exiles (Schmeidl, 2001). The implication is that developed-country policies on trade, human rights and conflict prevention may be crucial in reducing migration – especially flows of undocumented workers and asylum seekers.

However, the record of developed countries and international financial institutions in this area is far from positive. Former World Bank Vice-President Stiglitz argues that free market ideologies and narrow financial interests have prevailed in the International Monetary Fund (IMF), leading to policies which exacerbated the crises in East Asia, Latin America and Russia in the 1990s (Stiglitz, 2002). Similarly, the World Trade Organization (WTO) is designed to free-up world trade by creating a system of fair and universal rules. Yet the developed countries continue to subsidize their own producers. U.S. subsidies to cotton farmers so depress world prices that

peasant farmers in Africa lose over $350 million a year – more than the entire U.S. aid budget for these areas (Stiglitz, 2002:269). Some West African farmers are likely to abandon cotton production and emigrate to Europe, due to historical links between countries like Mali and France.

Oxfam estimates that trade restrictions by rich countries cost developing countries around $100 billion a year – twice as much as they receive in aid. The EU's Common Agricultural Policy remains a major barrier to trade. EU agricultural products are exported at subsidized prices one third lower than production costs, causing considerable damage to producers in less developed countries (Oxfam, 2002:11). On a more positive note, the EU has built human rights clauses into its trade and cooperation agreements since the early 1990s (Castles *et al.*, 2003:34–35). Yet trade in oil, diamonds, timber and other commodities continues to fuel conflicts in Africa and Asia. ". . . Stopping arms exports to regimes that persecute their citizens and to countries engulfed in violent internal conflicts or wars of aggression against other countries could be the biggest single step towards reducing the number of asylum seekers" (UNHCR, 2000:22). The United States along with EU countries like the United Kingdom, France and Germany are among the world's largest arms exporters.

Overall, it could be argued that Northern policies in the areas of trade, international cooperation and foreign affairs are major causes of the very migratory flows that Northern migration policies seek to control.

Factors within Political Systems

The problems of migration policies arise largely from the interactions between the factors already mentioned and the political systems of the states concerned. However, political systems are complex and contradictory in themselves. This applies particularly to liberal-democratic receiving states, but countries of emigration also face contradictions, and even less-democratic receiving states find that migration control comes up against competing interests.

Political Conflicts in Emigration Countries. Structural dependence on labor export was referred to above. Some governments have encouraged labor migration, while others concluded that, since they could not prevent it, at least some form of regulation was desirable (Abella, 1995). Several sending countries have set up special departments to manage recruitment and to protect workers, such as Bangladesh's Bureau of Manpower, Employment and Training (BMET) and India's Office of the Protector of Emigrants. The

Philippine government takes an active role in migration management. Pro-spective migrants have to register with the Philippine Overseas Employment Administration (POEA), while the Overseas Workers' Welfare Administra-tion (OWWA) has the tasks of assisting and protecting workers abroad. But, as economies become dependent on remittances, it becomes increasingly difficult for governments to effectively regulate migration or protect their citizens. The result can be political mobilization around the idea that the inability to provide a decent livelihood at home is a major failure of the state (Aguilar, 1996). This was shown vividly in the Philippines in 1995 in the case of Flor Contemplacion, a Filipina domestic worker hanged for murder in Singapore, which became a major focus of political conflict (Gonzalez, 1998:6–7).

Interest Conflicts in Immigration Countries. Interest conflicts in immigration countries are also linked to the issue of structural dependence. Lobbying by plantation owners in Malaysia during the 1997–99 economic crisis was mentioned above. This was part of a trend to politicization of migration involving many interest groups (Pillai, 1999:182–186). By 1999, the gov-ernment was under pressure from the Malaysian Agricultural Producers Association, the construction industry and some state governments to bring in more workers. The Malaysian Trade Unions Congress opposed labor recruitment due to its effects on jobs and wages for local workers, while Chinese political groups feared that Indonesian immigration would alter the ethnic balance to their disadvantage. The government party, UMNO, and the main Islamic opposition party, PAS, both supported Indonesian entries as a potential boost to Malay and Islamic interests (Jones, 2000).

Interest Conflicts and Hidden Agendas in Migration Policies. Interest group politics are all the more important in Western democracies, where such groups are seen as legitimate actors in policy formation. Typically, employers (at least in certain sectors) favor recruitment of migrant workers, while competing local workers may be opposed. Unions are often ambivalent: they may wish to oppose immigration in the interests of local workers, but are reluctant to do so, because they see the need to organize the newcomers. At the social level, some people may oppose settlement of immigrants in their neighborhoods because they feel it will worsen their housing conditions and amenities, while others may see immigration as a source of urban renewal and a more vibrant cultural mix. Politicians, social movements and the media all have roles in shaping and directing people's reactions to migration (*see* Freeman, 2004). This topic cannot be explored further here because it

requires detailed analysis of varying institutional structures and political cultures (Baldwin-Edwards and Schain, 1994; Hollifield, 2000; Koopmans and Statham, 2000).

The main point is that the state cannot easily decide to favor the interests of one group and ignore others. There are examples, such as German guestworker policy that was overwhelmingly driven by employer interests. But more often, the state tries to balance competing interests, or at least to convince certain groups that their wishes are being considered (*see* Hollifield, 2004). The strength of nationalist and ethnocentric ideologies in immigration countries has made it easy to mobilize public opinion against immigration. The mass media have done much to create hostility to immigrants and asylum seekers. In response, politicians sometimes give lip service to anti-immigration rhetoric while actually pursuing policies that lead to more immigration, because it is important for labor market and economic objectives. This helps explain the frequent hidden agendas in migration policies – that is, policies which purport to follow certain objectives while actually doing the opposite. The tacit acceptance of undocumented labor migration in many countries despite strong control rhetoric is an example.

The Political Ability to Control Migration. The notion of hidden agendas could be cast differently as whether the state (or the political class) really has the ability and the will to control migration. Official rhetoric stresses the desire to manage flows, but the reality seems to contradict this. Why, for instance, did the 1986 U.S. Immigration Reform and Control Act (IRCA) lead to new streams of undocumented workers (Martin and Miller, 2000)? Was it because the authorities were unable to conceive of effective control measures, especially employer sanctions? Or was it because they lacked the political strength in the face of strong lobbying by employer groups? Similarly, one could ask why the 2002 U.K. Immigration and Asylum Act failed to set up a legal entry system for low-skilled workers, even though the need for them in such sectors as catering and the National Health Service was widely recognized? The reason surely lay in the heated polemics of Britain's tabloid press against immigration. In a wider sense, the growth of undocumented migration throughout Europe can be seen as a response to neoliberal trends towards labor market deregulation, which have led to a weakening of inspection systems and the decline of the trade unions. Growth of casual employment and subcontracting has led to a rapid growth in the informal sector, even in Northern European countries. This is a major source of

attraction for migrant workers. Thus, undocumented migration is an indirect effect of state policies which have quite different motivations (Reyneri, 1999).

Contradictions within the Policy Formation Process. Much of the above underlines the importance of economic and social interests and the way the state tries to balance these, or at least to convince the public that it is doing so. This leads to such ideas as 'clientelist politics,' according to which migration policymaking can be dominated by powerful organized interests, such as agricultural employers or the construction industry (Freeman, 1995). In a similar way, some Australian scholars believe that there is a 'new class,' consisting apparently of a mixture of employers and left-wing intellectuals, which has succeeded in imposing large-scale immigration on an unwilling public (Betts, 1993). Such critiques often take on a normative tone, with the implication that the state is somehow being captured or manipulated, yet surely this is how the liberal state is meant to function – as a mechanism for aggregating and negotiating group interests. Of course, in countries where immigrants can easily become citizens, they, too, can play a part in such politics.

     In any case, as Hollifield has pointed out, such approaches tend to portray the state as a mere reflection of powerful economic interests (Hollifield, 2000:144–146) He argues instead for the need to take the state itself as the unit of analysis in explaining policy formation processes and policy outcomes. This approach is also advocated by Sciortino. He seeks to explain the "low rationality of immigration policy in relation to its declared goals," by focusing on the "social structure of policymaking" rather than on group interests. Using Luhmann's model of the sociology of the political system, he argues that immigration policy is actually close to the 'unstable/unable pole' of policy, but is generally misunderstood as being close to the 'stable/able pole' represented by labor market or economic policy. This explains how migration policy could shift from being seen as an economic issue to a national identity issue in Europe over the last two decades (Sciortino, 2000). However, it is important to understand that investigating the political economy of interests and studying the political sociology of the state are not mutually exclusive (as Sciortino seems to imply). Both clearly influence policy outputs and outcomes. The interaction between the two is yet another factor which makes migration policy so complex and contradictory.

The Importance of Rights. In his 'liberal state thesis,' Hollifield draws attention to the importance of rights as a factor limiting the ability of the state to

manage migration (Hollifield, 2000). Similarly, Hammar has shown how
the acquisition of rights within receiving states led to a form of quasi-
citizenship which he called 'denizenship' (Hammar, 1990). Soysal (1994)
has emphasized the role of international legal norms in improving migrant
rights. Constitutional norms concerning protection of the family and role of
the courts in enforcing these helped to frustrate government attempts to send
guestworkers home in 1970s Europe. Today, the European Convention on
Human Rights is regularly invoked by migrants, often through appeals to the
European Court of Justice. In Japan, constitutional rights and the strong
legal system have been important in improving migrant rights (Kondo,
2001). As long-term immigrants acquire rights to employment and welfare
in liberal states, it becomes harder to see them as temporary outsiders in
society. This generates strong pressures for social incorporation and eventu-
ally for access to citizenship. It seems that inherent factors in the liberal state
lead to settlement, integration and even multiculturalism in the long run
(Bauböck, 1996; Castles and Davidson, 2000).

The Importance of Civil Society. Apart from the legal constraints, there has
always been an additional factor: civil society or nongovernmental organi-
zations (NGOs). In most immigration countries, movements have emerged
to campaign against discrimination and racism and for the rights of mi-
grants. Much of the motivation has been value- rather than interest-based,
although as migrants gain rights they have also played an important role
through their own associations. Civil society is also important in countries
where political systems are very resistant to the granting of rights to immi-
grants (Castles, 2001). In Malaysia, for instance, a growing number of
associations support migrants. The trial of Irene Fernandez, leader of the
women's rights organization *Tenaganita,* for exposing bad conditions in
migrant detention centers, became a major public issue in the late 1990s
(Jones, 2000). However, in October 2003, Ms. Fernandez was sentenced to
a year in jail "for publishing false news," showing the limits of civil society
action in authoritarian states (Sittamparam, 2003).

The Welfare State. Social rights are an important part of the bundle of
citizenship rights in liberal states. Some observers suggest that strong welfare
states tend towards closure to newcomers (Bommes and Halfmann, 1998).
This is born out by attempts to restrict access to welfare for recent immi-
grants in Australia and the United States. However, the welfare state has also
been a major factor driving incorporation of immigrants. This is because the
welfare state follows a logic of inclusion: failure to grant social rights to any

group of residents leads to social divisions and can undermine the rights of
the majority. The local state was far ahead of the national state in providing
integration programs in education and welfare in Germany. A de facto local
multiculturalism was evolving in the 1980s, long before it became a policy
issue at the national level (Cohn-Bendit and Schmid, 1993). In Japan, public
authorities are gradually including foreign residents – even irregular work-
ers – in health, education, employment and welfare services (Mori, 1997:
189–206; OECD, 1998:131).

LEARNING FROM POLICY FAILURE

The central argument of this article is not that all, or even most, migration
policies are misguided and unsuccessful. It would be equally possible – and
useful – to write an article about well-conceived and successful policies. I
have chosen here to focus on policy failures because of the widespread
perception that "the gap between the *goals* of national immigration policy
. . . and the actual results of policies in this area (policy *outcomes*) is wide and
growing wider in all major industrialized democracies" (emphasis in original)
(Cornelius *et al.*, 1994). This crisis of national migration policies is exacer-
bated by the relative absence of global governance with regard to interna-
tional migration, which contrasts with the development of global rules and
institutions in other areas of economic and political relations.

     Whether one focuses on policy success or policy failure, the point is to
realize that such outcomes are not coincidental, but systemic and potentially
changeable. If we possess a conceptual framework, which helps us to un-
derstand the basic dynamics of contemporary international migrations, then
it becomes easier to understand why certain policy approaches have failed.
This, in turn, should assist in working out more successful approaches to
policy formation. In this section, I briefly summarize some principles for a
conceptual framework. I go on to discuss ideas for possible improvements in
policy approaches.

     First, contemporary migrations should be analyzed within the context
of a broad understanding of migration as a social process, with its own
inherent dynamics. This can be summed up in three principles: the impor-
tance of migrant agency; the self-sustaining nature of migratory processes;
and the trend towards structural dependence of both emigration and immi-
gration countries on continuation of migration processes, once these have
become established.

Second, it is important to understand much of contemporary migration (and particularly those flows seen by some as constituting a 'migration crisis') as an integral aspect of North-South relations in the current phase of globalization. Policy in this area is doomed to failure unless it addresses the causes of both economic and forced migration in current patterns of global inequality. Globalization contains the inherent contradiction of producing both a North-South gap and the technological and cultural means of overcoming this gap. Migration networks based on transnational dynamics will undermine migration control as long as this is based on a narrow national logic.

Third, understanding of the migratory process and of transnational factors must be linked to an analysis of the way policy formation takes place in states and supranational bodies. This includes examining interests and the way they are articulated, as well as the way the political system functions. Many policy failures or unintended consequences of policy can be explained in this way. To this must be added the fact that migration processes are of a long-term nature, while the policy cycle is essentially short-term and often determined by the length of electoral periods.

Fourth, it is important to realize that the declared objectives of states are often misleading. Political agenda are shaped both by the need to maintain legitimacy and the unwillingness to face up to past policy failures. An important example is the policies that claim to exclude undocumented workers while often concealing practices that allow them to enter in covert ways, so they can be more readily exploited. This is one aspect of differential policies towards migrants with different levels of human capital, which seem to be generating a new transnational labor force, stratified not only by skill and ethnicity but also by legal status. Such hierarchies are a key element of global economic stratification. Control of mobility reinforces existing global hierarchies and helps maintain inequality between the rich and the poor. Thus migration control is often part of a broader (and often hidden) objective of regulating North-South relationships.

Finally, nonmigration policies may be more powerful in shaping migration than are migration policies. A major cause of both economic and forced migration is the huge gap between North and South in economic prosperity, social conditions, security and human rights. Foreign aid by rich countries can help reduce the gap, but even more important are measures to encourage international trade – especially by removing trade barriers – and to increase investment in developing countries. Conflict resolution and reconstruction measures can also play a part in reducing migration pressures.

This means involving ministries responsible for development aid, trade, finance, foreign affairs and even defense in strategies for addressing migration. It also means exercising patience, since the very policies that lead to long-term improvements may precipitate a short-term 'migration hump' (Martin and Straubhaar, 2002:13).

These elements of a conceptual framework should not be seen as stepping-stones towards some new general theory of international migration. Here it is advisable to remember Portes' warning not to expect a "grand theory" of migration that can explain every aspect in every place. Such a theory would be so general as to be vacuous. Instead, he advocates a set of "mid-range theories" that can help explain specific empirical findings by linking them to appropriate bodies of historical and contemporary research (Portes, 1997). This means replacing narrow and monodisciplinary explanations of migration with a sensitivity for the varied factors discussed above. It also means constantly analyzing the way such factors interact in specific contexts of economic, social and political change.

OPEN BORDERS?

What could such principles mean for a reform of migration policies? Is there some 'magic formula,' which could help us find a way out of the current dilemmas? One such sweeping solution is the idea of open borders – the removal of any form of migration control. Interestingly, this slogan comes from two normally very divergent schools of thought: neoclassical economists and left-wing critics of government migration policies. The former believe that leaving regulation to market forces will optimize the benefits of migration for both sending and receiving countries and help in the long run to equalize wages between them, leading to a new global economic equilibrium (Borjas, 1989; Chiswick, 2000; *see also* Martin and Taylor, 2001). Many people on the left think that freedom of movement will eliminate discriminatory and repressive state measures (especially detention and deportation) and enhance migrants' human rights. They also argue that the economies of both sending and receiving countries will benefit and that migration will not rise to insupportable levels because most people will prefer to stay at home (Harris, 2002; Hayter, 2001).

This belief in the beneficial effects of the 'invisible hand' of markets is understandable for neoclassical economists, but curious for the Left, which normally calls for state regulation and welfare measures to protect vulnerable groups. Open borders is a desirable long-term aim, but there are reasons to

think that eliminating all migration control at the present time would be downright harmful:

- Effectively, there is already free movement for the highly skilled. This allows rich countries to plunder the scarce human capital of poor countries. More – not less – regulation of highly-skilled migration is needed, perhaps through use of a taxation mechanism (analogous to the Tobin Tax) to compensate source countries for loss of skills.
- Employers often favor uncontrolled migration precisely because it leads to lower wages for competing local labor (especially for lower-skilled occupations). There is no guarantee of reaching equilibrium levels of wages, but if they are achieved they are likely to be at very low levels, which would significantly worsen conditions of local labor in receiving areas.
- The labor markets of developed countries could absorb only a small proportion of the unemployed or underemployed workers of the South. This is not likely to lead to significant improvements in wages or conditions in countries of origin.
- Labor inflows and pressure on wages in the North could lead to conflict between immigrant and local workers. In view of the existing anti-immigration mobilization by mass media and right-wing politicians, the consequences could be an upsurge in racism and violence, paving the way for extreme-right political gains.
- Open borders would eliminate the distinction between refugees and economic migrants – if there is no control of entry, the asylum determination process would become superfluous. Some people would welcome this, for the current process has many deficiencies. But in a situation of widespread conflict and human rights abuse, especially in less-developed countries, the international refugee regime remains the only means of protection for millions of vulnerable people.
- The elegant simplicity of the open borders slogan is deceptive, as it would create many new problems. In the current global context it could lead to an anarchic situation in which the weakest – in both sending and receiving countries – would be even more disadvantaged.

TOWARDS FAIRER AND MORE EFFECTIVE MIGRATION POLICIES

Reform will have to take the messier course of pursuing a variety of measures at different spatial and political levels and finding better ways of coordinating them. Increasingly, migration analysts and policymakers are using the term 'migration management' to refer to the "range of measures needed to

effectively address migration issues at national, regional and global levels" (IOM, 2003:53; *see also* Spencer, 2003). The term is helpful, as long as we exercise caution about its technocratic undertone: a top-down management process is exactly what we have now, and it cannot resolve the crucial issues at stake. Migration management should be understood as a cooperative process in which all participants have a voice, including the governments and civil societies of the sending countries, the receiving populations and above all the migrants themselves. To be effective, policies need to be fair and to be perceived as fair by all the groups involved. This requires changes in legal frameworks, institutional structures and specific policies.

National Measures

It is at the national level that migration policies often seem to be at their most ambiguous. Governments have found it hard to adopt balanced approaches in the face of the electoral threats posed by nationalism and anti-immigration mobilization. There is a need for public debate on the role of migration in open societies embedded in global relationships. This should be linked with regular public consultation to ensure that benefits for some are not at the expense of others. An example is to be found in the German government's commission on migration and integration, which effectively challenged outmoded but dominant ideas, and paved the way for major changes in thinking and policy (Süssmuth, 2001). The Australian government's annual public consultations on the level and composition of immigration are also a good example. Efforts do not always need to be on such a grand scale – sometimes officially commissioned studies on a particular issue (like the economics of migration) can be important for public perceptions and policy formation (Glover *et al.*, 2001; Smith and Edmonston, 1997).

Credible information and widespread consultation could pave the way for transparent policies, based on a balancing out of values (such as protection for refugees) and goals (such as economic growth and the safeguarding of labor standards). Specific measures would vary from country to country. It is important to assess demand for migration in terms of labor market needs, family reunion flows and trends in asylum seeker entries. These should be related to historical migration patterns and to the broader social, economic, cultural and political context. The policy issue is then how best to facilitate necessary movements while avoiding possible negative effects for particular groups.

A basic principle is that undocumented migration can best be avoided by providing mechanisms and incentives for legal entry. Where sanctions are needed they should not target the migrants, but rather those who profit from illegal movements – smugglers, traffickers and exploitative employers. This type of national migration management may require a reversal of trends to deregulation of labor markets, which have opened up the space for illegal employment (especially in Europe) in recent years.

Regional Regulation

Much international migration takes place at the regional level. Cooperation on migration has been discussed within such regional organizations as NAFTA, MERCOSUR and APEC, but only in the European Union have comprehensive common policies been adopted – and even here it has been a long process. Until recently, free movement only applied to citizens moving from one member state to another. Entry and integration of the much larger numbers of migrants from outside the EU was seen as a matter of national sovereignty. The 1997 Treaty of Amsterdam was path-breaking in its objectives for common policies on asylum and migration. The EU planned to introduce joint policies for 25 states (by May 2004), covering management of migration flows, common rules and standards for asylum, partnership with countries of origin and integration of third-country nationals.

There is no space to go into detail on the difficulties of EU policy formation and implementation here (*see* Castles, 2004; Castles *et al.*, 2003; Geddes, 2003). Progress has been slow and it proved impossible to introduce all planned policy components by the target date of May 2004. The question was whether the policies would follow the more open approaches developed within some member states, or adopt the lowest common denominator of the most restrictive approaches to asylum and migration. Over the last few years there has been a struggle between some European governments which have seen the main issue as one of greater control (for instance, through setting up a common border police force), and others which have emphasized integration policies and cooperation with countries of origin. Despite such problems, common European immigration and asylum policies may well offer a useful model for other regions.

Global Governance

Representatives of international organizations argue that international cooperation could help to ensure orderly movements and enhance the contribu-

tion of migration to development (Abella, 1995). However, it has not so far proved possible to create effective instruments for global governance of migration. The one significant exception is the 1951 Geneva Refugee Convention, signed by some 146 states. Its implementation is overseen by the Office of the UN High Commissioner for Refugees. Together, the Convention and the UNHCR provide the legal and institutional basis for defining who is a refugee and what this status means in international law.

Economic migrants lack comparable legal and institutional arrangements. Normative elements of an international regulatory framework do already exist in ILO Conventions No. 97 of 1949 and No. 143 of 1975 and in the 1990 United Nations Convention on the Rights of Migrant Workers and Members of their Families. These standards need to be linked together in a comprehensive framework to regulate the rights and conditions of migrant workers. However, relatively few countries have ratified or applied these instruments. The main reasons for this seem to be lack of long-term strategies on migration by both sending and receiving countries and the reluctance of immigration countries to take steps which might increase the cost of migrant labor to employers.

The demand for stronger rules and institutions to protect migrant workers was raised by a number of migrant-sending countries at the 1994 UN Population Conference in Cairo. They called for an international intergovernmental conference to map out basic principles and to discuss modes of regulation. The northern labor-importing countries – which often seem to dominate political agendas in international agencies – were not willing to accept this approach. However, in recent years the pressure for more cooperation on migration has grown. The establishment of a Global Commission on International Migration (GCIM), with the endorsement of UN Secretary General Kofi Annan, in 2004 is an encouraging sign. It remains to be seen whether there is more willingness today to make real changes than there was just a few years ago.

An effective international migration regime would need to include a new instrument of international law – analogous to the Refugee Convention – which would provide a declaration of the rights of migrants, together with definitions of the groups covered and procedural rules for international governance in this field. It could build on the ILO and UN Conventions mentioned above. Another possible analogy would be with the General Agreement on Tariffs and Trade (GATT), which led to the formation of the World Trade Organization (WTO) – Straubhaar has suggested the establishment of a General Agreement on Movements of People (GAMP)

(Straubhaar, 2002). Such a legal instrument would play a crucial role is setting standards for the treatment of migrants and management of migration.

A second crucial element of a global migration regime would be the establishment of an international migration agency – probably within the UN system – to act as an advocate and protector for migrants and to oversee the adoption of the international legal instrument into national law. Bhagwati speaks of a World Migration Organization (Bhagwati, 2003:104). Such an agency could be built by bringing together the migration functions of the International Organization for Migration (IOM), the International Labor Organization (ILO), the United Nations Population Division, UNHCR, UNESCO and similar bodies, but would need greatly enhanced responsibilities, funding and standing. However, the first problem may be that of overcoming interagency rivalries: there is considerable competition between certain existing agencies to take on the role, while others fear loss of their existing functions.

A third element of a global migration regime would be a set of policies designed to make migration into a tool for development of poorer countries. Recruitment of workers to fill vacancies in industrial economies could take place in the framework of bilateral or multilateral agreements, conforming with international law and watched over by the international migration agency. Such agreements would lay down wages and conditions (based on the national standards of the employment country), rules on residence, integration and family reunion. This could be linked to arrangements to support economic and social development of migrant-sending countries, including:

- Measures for cheap, safe and rapid transfer of remittances;
- Inducements for investment of migrants' remittances and savings in productive enterprises or infrastructure;
- Credit mechanisms and subsidies to multiply the effects of migrant transfers (like the Mexican '3 for 1' scheme);
- Compensation to countries of origin for loss of human capital;
- Schemes to provide migrants with education and training relevant to development needs while in receiving countries;
- Schemes to encourage 'return of talents' on a temporary or long-term basis;
- Support for transnational networks which maintain links between migrants and their areas of origin (*e.g.,* through hometown associations);

- Planning and advice mechanisms for migrants to help them develop long-term approaches to migration and return.

However, past experience shows that such measures do not in themselves ensure that migration will support development. If migrants come from impoverished areas with weak and corrupt governments, no amount of support measures will create a climate favorable to development. Moreover, one-sided measures to support migrants and returnees can increase inequality and arouse envy among nonmigrants. Migration policies must therefore always also be linked to measures designed to reduce inequality and improve governance, which address societies as a whole.

Why Should the Rich Cooperate with the Poor?

Finally, it is important to ask why those countries and groups which currently benefit from the inequalities of global migration should agree to change? Of course, there is a normative answer: the current system is unfair, discriminatory and morally wrong. But moral imperatives are rarely crucial in international politics. A more pragmatic, interest-based answer is that the current arrangements are unsustainable. Migration policies are failing because it is not possible to permanently impose the interests of relatively small privileged groups (especially in the North) on the rest of the world. The formal power of governments and bureaucracies is being subverted by the human agency embodied in migration networks and transnational communities. The failure of migration policies has become a major issue in many countries, with potentially high political costs for ruling parties and other powerful groups.

A more equitable system of migration management, which seeks common ground between the interests of all those involved, is more likely to lead to sustainable outcomes. In the long run it is the best way of avoiding exploitation, abuse and conflict. One could argue therefore that reform of migration policies is in everyone's long-term interests. However, it will only come about if there is genuine willingness to reduce global inequality and to work for greater democracy and participation in global governance. At present, the domination of global bodies like WTO and the IMF by northern elites does not augur well for the prospects of more equitable arrangements in the framework of some future global agreement on international migration.

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