

IMMIGRATION AND POPULISM IN CANADA, AUSTRALIA, AND THE UNITED STATES

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EXECUTIVE SUMMARY

In the second decade of the 21st century, the world experienced the rise of a global populist movement built around ethnic nationalism and hostility to foreigners and immigration. This movement has been led by the United States after the election of Donald J. Trump as President in 2016, and today includes leaders in Turkey, Hungary, Poland, Italy, Brazil, and a host of parties throughout Europe that challenge the liberal international order.

Canada, Australia, and the United States are three former British colonies that were settled by successive waves of immigrants from abroad. By 2017, the percentage of people born outside the country was nearly 22% in Canada, 29% in Australia, and 14% in the United States. Despite having higher levels of immigration, it is remarkable that neither Canada nor Australia has generated a strong populist movement, or a leader as has the United States. Both countries have achieved political consensus around policies that welcome substantial numbers of immigrants, while controlling their character through a point system and providing substantial support for their settlement and integration. The United States, by contrast, has tried repeatedly since the 1980s to establish a clear policy on immigration and has failed to do so. The US has neither been able to legalize the situation of the 11-12 million undocumented immigrants already in the country nor to effectively enforce its existing immigration laws. The country is highly polarized between pro- and anti-immigration camps, a polarization that has only deepened over time.

The three countries had very similar immigration policies up until the 1960s. All three sought to encourage immigration, but were highly selective in where those immigrants could come from: Canada's Immigration Act of 1910, the "White Australia" policy, and America's Reed-Johnson Act establishing national origin quotas strongly favored immigrants from northern Europe. All three countries gradually relaxed these controls in the 20th century, accepting first Southern and Eastern Europeans in the first half of the century, and then opening up their societies to immigration from other parts of the world in the 1960s.

Canada deliberately used non-European immigration from the 1970s on as a way of mitigating its binational division between Anglophones and Francophones, alternating between Liberal and Conservative governments that were sometimes relatively more or relatively less open to high immigration levels, multiculturalism, and refugees. Canada came to see its international role as a haven for the world's refugees, and today has one of the most welcoming postures of any advanced country.

Australia abolished the White Australia policy in the 1960s and has subsequently gone through a similar alternation as Labor and Liberal governments have succeeded one another, but has practiced a tougher line on refugees overall than Canada. Both countries, however, have achieved substantial political consensus on the desirability of immigration as well as the need for control over the process.

The United States, by contrast, has become more polarized over the issue of immigration over time, and has not been able to achieve consensus on immigration policy. After liberalizing its national origins quota system in 1965, it experienced a rapid rise in the number of immigrants

coming from poor countries and particularly from Mexico. Some entered the country illegally, while others entered on legal visas and stayed on past their expiration, leaving the country with a growing pool of undocumented individuals now estimated to be around 11-12 million people. Congress tried to reform this system in 1986 with passage of the Immigration Reform and Control Act (IRCA), whose enforcement provisions were widely perceived to be a failure. Several renewed efforts at reform were undertaken at both federal and state level in subsequent years, including a renewed push for comprehensive reform in the administration of George W. Bush, several state-level initiatives, and a partial reform effort aimed at undocumented children brought into the country by their parents (the DREAM Act). None of these measures passed Congress or survived review by the courts; the DREAM Act was implemented in the Obama administration by executive order (the Deferred Action for Childhood Arrivals, or DACA) and was just as quickly rescinded by the Trump administration. At present, there seems to be no prospect that the US will achieve consensus on immigration reform any time in the near future.

Among possible explanations for this divergence are: (1) physical geography; (2) rates and the nature of economic growth; (3) institutional features of the political systems; (4) social attitudes towards immigration; and (5) social structures and historical legacies underlying those attitudes. While physical geography makes it harder for the US to control immigration, the failure is as much one of policy as it is of location. Australia has seen continuous economic growth since the 1990s which might ease populist concerns about job loss, but Canada has been much more closely tied to the US economy and experienced similar variation in performance. The American political system does contribute to the ease with which well-organized lobbies can become veto players, but the existence of these lobbies is the product of a prior social polarization.

There is a path-dependent character to US polarization: having permitted the growth of a large undocumented population in the 1960s and 70s, both pro- and anti-immigration groups formed that were then able to subsequently block agreement on comprehensive immigration reform. Finally, US and Canadian attitudes towards immigration are not actually all that different in the aggregate; both countries shifted from majorities opposing immigration in the 1990s to increasing support for immigration ever since then. Where they differ is in way that immigration has become embedded in America's broader political polarization, and in extremism of opposition to immigration in the US, something that does not have a counterpart in either Canada or Australia. This extremism is due in part to the broader legacy of racial politics in the US, something that neither Canada nor Australia experienced.

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INTRODUCTION

Canada, Australia, and the United States are three former British colonies that grew into mature, wealthy democracies by the 20th century. All three were lands of “new settlement” in which indigenous peoples were pushed aside by European settlers, and where high levels of immigration continued to shape their societies. The influx of foreigners has continued up to the present: in 2017, the percentage of people born outside the country was nearly 22% in Canada, 29% in Australia, and 14% in the United States (Conner and Budiman 2019).

In the second decade of the 21st century, the world saw the sudden rise of a global populist movement that was most dramatically marked by the elections of Donald J. Trump as President of the United States, and the Brexit referendum to have the United Kingdom leave the European Union. Hungary, Poland, Italy, and Brazil all saw populist leaders come to power, while many other European countries have been struggling with new right-wing parties like the AfD (Alternative for Germany) challenging existing elites and attacking the European Union. Immigration is one of the most important threads linking all of these groups: hostility to migrants and the fact that the flow of refugees appeared to be uncontrolled during the 2015 Syrian refugee crisis became a rallying cry for populists across the developed world. Donald Trump as president has succeeded in shifting the Republican party from support for free trade and openness to immigration to a much more belligerent nationalism, a posture that will likely survive his tenure in office.

A question that immediately arises when comparing Canada, Australia, and the US is why the two former countries have not seen the emergence of a major anti-immigrant party or elected a populist leader like Trump despite the fact that they have significantly higher levels of foreign-born immigrants than the US. In Canada, the Ford brothers, Rob and Doug, have exhibited some Trump-like characteristics in their political styles, but have neither made

opposition to immigration the central issues in their policies, nor risen to national prominence. Michel Bernier's recently established People's Party of Canada is seen as populist in its anti-elitism and skepticism about immigration, but has been polling in the single digits. Australia had a minor anti-immigrant part, Pauline Hanson's One Nation party, but it failed to emerge as a serious force in Australian politics.

In other respects, the three countries bear extraordinary similarities. All three countries, while encouraging immigration, ran racially exclusionary immigration policies up until the middle of the 20th century, barring at different times immigrants from China, Eastern and Southern Europe, and from the colonial and later the developing world. All three shifted their policies dramatically in the 1960s, eliminating racial preferences and opening up their societies to non-European immigration. Since that time, immigration has been a controversial political issue for all three, with conservative parties wanting to tighten rules about the entry of foreigners, and liberal ones trying to loosen them.

But at a certain point in the 1980s, the US began to diverge from Canada and Australia. The latter two countries established clear rules for managing both immigrants and refugees, built around substantial political consensus on how well-managed immigration could be beneficial to their economic growth and social health. The United States, by contrast, became increasingly polarized around the issue of immigration, with the growth of highly mobilized and angry anti-immigrant forces on the right, and a variety of immigrants-rights groups on the left. The country found it impossible to agree on how to reform its immigration system: the last effort to do so, the Immigration Reform and Control Act (IRCA) of 1986, was widely perceived to be a failure, and all subsequent efforts to bring about immigration reform (including quite a number on a state level) have failed to become law or have been overturned in the courts. This polarization then

created the conditions under which Donald Trump could be elected in 2016—not, of course, by a popular majority (where he trailed Hillary Clinton by nearly 3 million votes), but in the electoral college, where support in some key swing states was enough to bring him the Presidency.

Trump's election did not, however, lead to successful policy making: his signature campaign promise, a wall along the entire US-Mexico border, has not materialized, and the fate of the 12 million undocumented immigrants in the US remains in limbo. The US does not appear likely to achieve consensus on this issue any time in the near future, and anti-immigrant populism remains a key feature of its domestic politics.

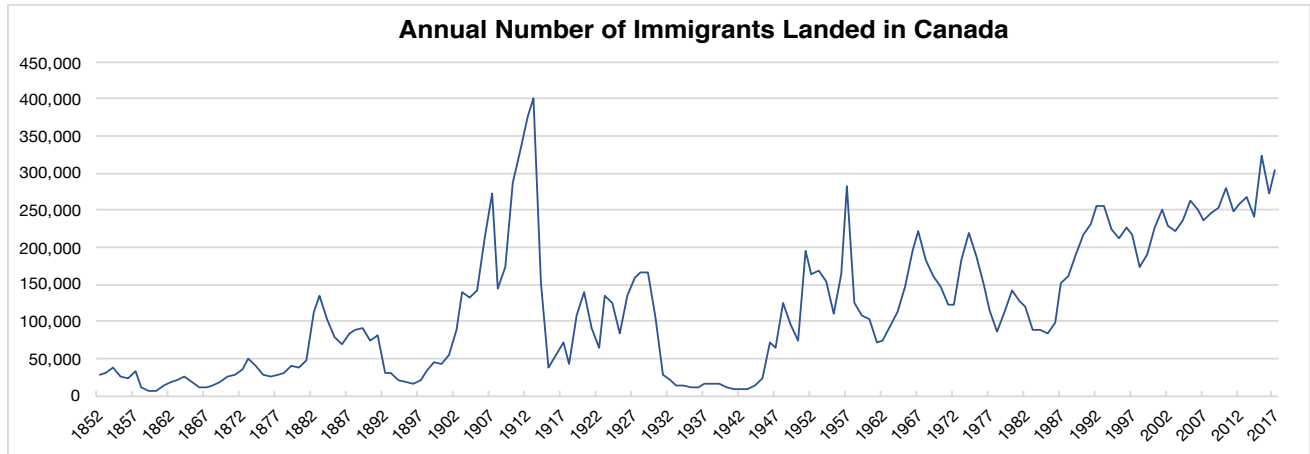
This study will provide historical accounts of both immigration and immigration policy in each of the three countries and will then note similarities and differences. One of the key differences, of course, has to do with simple size and geography: it is simply much harder to enter either Canada or Australia from the countries from which non-European immigrants are likely to depart than the US, with its 2000-mile border with Mexico. This has led to the growth of a very large population of immigrants who either entered the country illegally, or else remained in the country illegally past the expiration of their visas.

But geography is not destiny. The United States has had many options both to control the influx of people into its territory, as well as to regularize the status of those who managed to enter. The deeper problem is a political one, the failure to achieve a social consensus on what an appropriate comprehensive approach to immigration should be. This in turn reflects the nature not just of American society when compared to Canada and Australia, but also the nature of US institutions when compared to those in the other two countries.

IMMIGRATION IN CANADA

Figure I: Canadian Immigration 1822-2017

Source: Statistics Canada



1867 to 1900

Canada took its first steps towards nationhood on the first of July 1867, when the British North America Act consolidated the British colonies of Canada, New Brunswick, and Nova Scotia into the Dominion of Canada. The Act empowered the Canadian Parliament to make legislation governing immigration and allowed provinces to enact laws consistent with federal legislation.

Canada's first prime minister, John A. MacDonald, was committed to expanding transportation infrastructure and economic activity. However, he recognized that Canada's existing population would not be sufficient to realize those goals rapidly, which led him to establish an immigration regime defined by the pursuit of economic growth through the work of immigrant laborers and farmers. In this period, Canada received over a million immigrants, who were put to work on land, in factories, and in mines. Due to the prevalence of racial stereotypes at the time, a majority of these immigrants were from Europe and almost entirely white.

The first piece of federal immigration legislation was created only two years after federation. The Immigration Act of 1869 dealt primarily with the establishment of immigration agents, payable duties, travel conditions, and restrictions on passengers who were “lunatic, idiotic, deaf and dumb, blind or infirm.” The Act established immigration offices - staffed by agents that had a lot of discretion and little oversight - in the United Kingdom and Canada. The Act also gave certain government officials the ability to refuse entry to poor immigrants. The passenger restrictions were expanded in 1885, when the parliament imposed a head tax of \$50 on Chinese arrivals. In the meantime, people from Western Europe and America were continuously encouraged to immigrate to the new Dominion. When immigration levels were lower than expected, other European groups like Scandinavians and Hungarians were temporarily allowed to settle in designated plots of land.

The constant arrival of workers created conflict between employers and unions. The former group strongly supported immigration, especially in the form of contract labor, while the latter expressed concerns about immigrants depressing wages, not contributing to union activities, and displacing local employees. MacDonald’s government sided with the employers, even allowing major businesses and landowners to recruit large groups of workers from Europe. The reason for this decision was clear: a cornerstone of the administration’s policy was the completion of transcontinental railways to allow Westward expansion and the spread of agricultural activity. With this in mind, businesses involved in railway construction, manufacturing, and land development received generous subsidies and wielded a lot of power.

Economic immigrants were not the only ones arriving in the Dominion of Canada during its early years. During the late 19th century, Canada saw the arrival of Italians after the unification of Italy (especially farmers who had been forced off their farms) and Ukrainians

escaping oppression in Austria-Hungary. There were also smaller groups coming from the Russian empire, such as Jews fleeing pogroms and pacifist Doukhobors fleeing religious persecution and forced military service. In 1899, Quakers in Britain and North America helped settle 7,500 Doukhobors in Saskatchewan. However, Canada was not necessarily a welcoming place; in 1877, Chief Sitting Bull led the Sioux to Canada after their victory over American soldiers at the Battle of the Little Bighorn. The Canadian government not only refused Chief Sitting Bull's request for a reserve but also refused to provide food, leading many Sioux to return to America. It is important to note that Canada did not have an established refugee policy until the second half of the 20th century.

In the first few decades of its existence, the immigration policy of the Dominion of Canada was dominated by economic goals and racial concerns, with some consideration of humanitarian needs. More than a million European laborers and farmers arrived in Canada to support agriculture, industry, and Westward expansion. Immigration was primarily determined by market demand and supply rather than cultural or humanitarian goals.

1900 to World War I

Canada's pursuit of economic growth paid off in the period leading up to World War I. The young nation's agricultural production expanded at a time that coincided with high staple food prices, low transport costs, and a soaring demand for Canadian produce in Europe. In the meantime, intensive industrialization supported by major corporations continued. Consequently, there was a spike in the demand for labor, which resulted in the early 20th century having the highest level of immigration in Canadian history. From 1910 to 1913 alone, 1.4 million immigrants landed in Canada. However, this peak was not without ramifications: overcrowding

and poverty in major cities led to the creation of slums and overwhelmed the capacities of churches and other service providers.

The growing economy could no longer be supplied solely by Western or Northern European migrants, leading the government to ease restrictions on immigrants from Eastern and Southern Europe. While there was some diversification of European countries of origin, Canada was still off limits to a majority of the world, which was justified with racially-motivated appeals to nationalism. The Immigration Act of 1910 stated that policies should aim to “encourage immigration of farmers, farm laborers, and female domestic servants from the United States, the British Isles, and certain Northern European countries, namely, France, Belgium, Holland, Switzerland, Germany, Denmark, Norway, Sweden and Iceland. (...) keep out of the country undesirables (...) those belonging to nationalities unlikely to assimilate and who consequently prevent the building up of a united nation of people of similar customs and ideals” (Immigration Act of 1910). The Act codified the xenophobic criteria that targeted people of color. These criteria were enforced ruthlessly; in 1914, the SS Komagata Maru carrying hundreds of Sikh passengers escaping repression in colonial India was not permitted to dock in Vancouver. Upon their return, many of the passengers were killed by the British Indian police. Restrictions on immigration continued - and were even expanded - during labor shortages. In 1903, for example, the head tax on Chinese immigrants and financial requirements for people of Asiatic origin arriving in Canada were increased.

Another defining aspect of early Canadian immigration policy was extensive executive control of immigration. The Immigration Acts of 1869 and 1910 gave the Cabinet the authority to change policies via Orders in Council, which were not subject to debate before the House of Commons or public scrutiny. The 1910 Act expanded these discretionary powers. For instance,

courts were prohibited from reviewing ministerial decisions about immigration. Furthermore, the Cabinet had the authority to exclude groups it believed to be in the country's best interest.

World War I to 1930

There was a decline in immigration to Canada during World War I and immediately after it, as hundreds of thousands of soldiers returned home and war-related industries dwindled. The government continued to expand its powers over immigration; the Immigration Act Amendment of 1919 allowed the government to limit immigration or refuse admission if applicants did not seem suitable to the "climatic, industrial, social and educational, labor or other conditions or requirements of Canada" due to their "peculiar customs, habits, modes of life, and methods of holding property (...) probable inability to become readily assimilated." (Immigration Act Amendment of 1919). Groups such as Doukhobors, Hutterites and Mennonites were refused entry on this basis. The amendment introduced new literacy and visa requirement as well: in addition to being literate, prospective immigrants from the US and Britain had to have a passport, while continental immigrants required a visa. Another restrictive policy was the Chinese Immigration Act of 1923, which banned Chinese people entering the country.

The Great War had a significant impact on immigration policy. A key component of the Immigration Act Amendment motivated by the conflict was the prohibition of political dissidents suspected of having an allegiance to revolutionary ideologies like communism, and those belonging to nationalities that had fought against Canada in the war (Austrians, Hungarians, Turks). During the war, almost 9,000 individuals who were connected to Canada's wartime opponents were deemed "enemy aliens" and incarcerated.

The government attempted to balance increasing anti-immigrant sentiment and the demand for labor by creating agreements to ensure that it would be fulfilled by non-radical

European workers. To address this issue, the government made a deal with two major railway companies that required them to recruit and transport agricultural families and servants from Central and Eastern Europe to Canada. The Railway Agreement of 1925 benefited the companies, since they were given land and earned a substantial amount of money from ticket sales. The agreement was active until 1930 and brought over 185,000 immigrants to Canada. Similarly, the Empire Settlement Act of 1922 contained terms for various settlement schemes that provided incentives for Britons to move to Canada, including subsidized transportation, guaranteed jobs, financial aid, and job training. However, the settlement schemes were not particularly successful and ended up bringing only about 165,000 new immigrants.

Unsurprisingly, Canada did not look favorably upon offering refuge to those in dire need of a safe haven during and after World War I. The government refused to recognize the “Nansen Passport”, a League of Nations issued travel document given to refugees. Furthermore, a 1923 Order in Council prohibited immigrants “of any Asiatic race” from entering Canada, even if they were refugees. The government made an exception for white European Mennonites suffering in communist Russia.

1930 to the End of World War II

Unsurprisingly, the Great Depression and World War II led to a massive decline in immigration. In 1931, immigration came to a virtual standstill because the government limited immigration to wives or unmarried children of admitted immigrants, agriculturalists able to farm, and British and American citizens with means to support themselves. Moreover, the devastating economic situation prompted a debate on poor and/or unemployed immigrants; many political officials and Canadians were concerned about the welfare system being stretched too thin, and some even suggested deportation as a remedy. Denial of admission and deportation remained a

reality for radical labor activists and suspected communists, especially under the leadership of aggressively anti-communist conservative Prime Minister R.B. Bennett.

Similar to its predecessor, World War II brought about another round of nationalist sentiment and crackdown on “enemy aliens”. Those of Japanese descent were among the hardest hit by the government’s policies, especially after the attack on Pearl Harbor. In 1942, the government used the War Measures Act to demand that all Japanese Canadians within 160 km of the Pacific coast be removed; consequently, over 20,000 people of Japanese ancestry were sent to internment camps, road camps, and farms across Canada. The properties of many Japanese Canadians were confiscated, then liquidated. In 1945, the government went a step further, presenting Japanese people in Canada - regardless of nationality - with two choices: repatriation or relocation to Canada’s eastern provinces. In 1946 alone, over 4,000 Japanese Canadians were deported to Japan. Decades later, the Canadian government formally apologized for its shameful treatment of Japanese Canadians during World War II and signed a redress agreement with the National Association of Japanese Canadians.

With nationalist sentiment came two more decades of cruel treatment of refugees. Throughout the 1930s, Jews in Canada and human rights groups tried to persuade the government to welcome those running from fascism and genocide; these efforts largely fell on deaf ears due to the prevalence of anti-Semitism. In 1939, Cuba, the US, and then Canada turned away the SS St. Louis, which was carrying 900 Jewish refugees from Nazi Germany. Hundreds of the ship’s passengers were killed after returning to Germany. In 2018, Prime Minister Justin Trudeau formally apologized for the incident, stating, “To harbor such hatred and indifference towards the refugees was to share in the moral responsibility for their deaths... We refused to

help them when we could have. We contributed to sealing the cruel fates of far too many...”
(Chase, 2018).

1947 to 1960

This time period opened with Prime Minister W.L. Mackenzie King’s speech on the country’s postwar immigration policy before the House of Commons. Although King’s speech contained priorities similar to those of John A. MacDonalD’s, his ideas would manifest quite differently. Like MacDonalD, King argued that immigration ought to be a source of population and economic growth, but should not change the character of the country. King’s government took an important step towards nation-building and entrenching what Ottawa viewed as the character of Canada by introducing the Citizenship Act of 1947. Prior to 1947, Canadians residents were either British subjects living in Canada (usually British citizens) or aliens. Although the Immigration Act of 1910 had introduced permanent residency that could be obtained after 3 years, there was still no concept of Canadian citizenship. The Citizenship Act established Canadian birthright citizenship, and King received citizenship certificate 0001.

The Immigration Act of 1952 confirmed the power of the executive branch over immigration and expanded the authority of the Minister of Citizenship and Immigration over deportation and admissions decisions. The ever-expanding authority granted to the minister made immigration proceedings significantly more inefficient, as his decision was required in almost all cases. The judicial branch was still barred from interfering in proceedings, though the Act did create an immigration appeals board for those facing deportation.

Although admission was still very restrictive for most people from non-white countries, the experience of Nazism during World War II did lead to some reconsideration of racial claims. The formal ban on Chinese immigration came to an end in 1946, sponsorship rights for those of

European origin were extended, and refugees from oppressive regimes around the world were slowly welcomed. That being said, a vast majority of immigrants (around 80%) that came to Canada in this time period were still European.

The 1950s ushered in a new era of industrial growth that decreased unemployment and increased real incomes, reducing immigration-related tensions between employers and laborers. Between 1951 and 1971, there was a net gain of 3.3 million jobs and the labor force grew by 3.6 million people due to natural population increases, immigration, and female participation. While there were still arguments against contract labor and assisted passage schemes, there was more recognition of immigrant contributions to economic growth and job creation.

King's speech at the House of Commons also contained the first formal (albeit imprecise) articulation of Canada's refugee policy. He argued that the government "should take account of persons who are displaced and homeless, as an aftermath of the world conflict" although Canada is "not obliged (...) to accept any specific number of refugees or displaced persons. We have, nevertheless, a moral obligation to assist in meeting the problem, and this obligation we are prepared to recognize" (Knowles 2006, p.163). King's declaration was marked the entry of "displaced person" into Canada's vocabulary. In the aftermath of World War II, Canada worked with the United Nations (UN) Relief and Rehabilitation Administration and its successor the UN High Commissioner for Refugees to admit over 165,000 displaced persons from Europe.

Canada came to be known as a safe haven for many running from oppression. Through the 1950s, many Palestinian Arabs displaced by the Israeli-Arab war of 1948 arrived in Canada, followed by Jews from the Middle East and North Africa. Cold War politics influenced Canada's actions as well; when the Soviets brutally crushed the Hungarian Uprising of 1956, the government - motivated by the Cold War and domestic pressure - chartered around 200 planes to

carry more than 37,000 Hungarian refugees to Canada. This was the first use of chartered flights to bring refugees to Canada, a practice which has now become a defining part of Canadian refugee policy.

1960 to 1970

The decade from 1960 to 1970 marked a notable shift from a mostly race-based immigration policy to a more meritocratic one. The first step towards this shift was taken in 1960, when the government established occupational requirements for sponsored relatives who were not dependents (children, spouses, older parents). These requirements drastically decreased the influx of unskilled labor. Another important step was taken in 1962, when the government revoked one of the favored admission provisions that applied to immigrants from Britain, France and the US, and replaced it with one prioritizing immigrants with educational and professional qualifications. There were also measures implemented to stop adjudicating sponsorship decisions solely on the basis of the country of origin. In the meantime, Québec set up its own department of immigration and focused on recruiting French-speaking immigrants.

The true watershed moment came in 1967 when Prime Minister Lester B. Pearson's government established the point system. For the first time in Canada's history, immigration decisions would be made based on qualifications rather than an applicant's racial background or country of origin. Applicants could earn a maximum of 100 points across 9 categories: education and training, occupational demand, job skills, age, character, pre-arranged employment, presence of a relative in Canada, French and English skills, and employment opportunities. Those who received over 50 points could be admitted as independent immigrants. There were two other categories of immigrants established by the new regulations to formalize earlier efforts to cut unskilled immigration: sponsored immigrants, who were immediate relatives of Canadian

citizens and permanent residents, and nominated immigrants, who were not immediate relatives. The point system greatly increased the number of non-European immigrants; for instance, over 20% of immigrants who arrived in Canada from 1968 to 1978 were from Asia.

There were a few different factors that led to the creation of the point system. During his terms as Secretary of State for External Affairs, the President of the United Nations General Assembly, and Prime Minister, Pearson worked tirelessly to promote internationalism and make Canada a credible middle power in a globalizing world. He was a firm believer in meritocracy and egalitarianism, two important principles behind the points program. The new scheme was the tangible outcome of a task force responsible for making immigration criteria more objective. Another factor behind the establishment of the point system was economic competition. The booming US economy added to the North American demand for skilled laborers. In 1965, the United States established its own qualification-based immigration system, which attracted many would-be Canadian immigrants and even some who were already in Canada. Across the Atlantic, postwar economic recovery and industrial expansion provided more local opportunities to Western Europeans. Thus, Canada became more reliant on workers from Southern and Eastern Europe, along with those from the Global South. There were also domestic factors at play; the populous immigrant communities in Canada established ethnic, religious and other organizations that advocated for a more egalitarian approach to immigration and put effort into demonstrating immigrants' contribution to the cultural fabric and economic wellbeing of the country.

Canada's more open and globalist approach to immigration was reflected in its refugee policy. In 1969, Canada finally became a signatory of the UN Refugee Convention and its accompanying protocol, thereby committing the government to welcoming and protecting refugees. Throughout the 1960s, many Chinese refugees fleeing the Cultural Revolution settled

in Canada, along with 11,000 Czechs who escaped the Soviet invasion of Czechoslovakia in 1968. Between 1965 and 1975, Canada also became home to many Americans who refused to serve in the army; there is very little data on this, as they entered as American immigrants or visitors, not refugees.

1970 to 1990

The Liberal government of Prime Minister Pierre Trudeau continued to advance the core tenets of Canada's immigration policy from 1968 to 1984. A key document that reflected many of these modifications was the Immigration Act of 1976, which was created after multiple rounds of public consultation. The Act was the first of its kind to clearly state the goals of Canada's immigration policy, including family reunification, fairness, upholding humanitarian principles, and supporting Canada's economic and social aims. The first change implemented by the Trudeau administration was shifting immigration policy from the executive domain to the legislative one. The act required the minister in charge of immigration to work closely with the provinces to plan and manage immigration, regularly inform Parliament about those plans, and prepare detailed annual reports on immigration. Furthermore, the act set up three distinct classes of admissible immigrants: independent (selected via the point system), family (immediate family members of citizens and permanent residents), and refugees. The formal establishment of the refugee classes ensured that Canada was fulfilling its legal duty as a signatory to the UN Refugee Convention. The 1976 Immigration Act received broad support from the public and parties across the political spectrum.

Trudeau's government introduced multiculturalism as an aspiration and guiding philosophy based on the recommendations of the Royal Commission on Bilingualism and Biculturalism. The Commission was tasked with exploring ways to recognize and bridge British

and French contributions to Canada, along with those of other ethnic groups; it made various recommendations to this end, most of which were implemented in the Canadian Multiculturalism Policy of 1971. Multiculturalism became an official policy of the government and the Trudeau administration committed itself to the idea that all cultures and lived experiences should be valued and respected. In practice, the government helped groups develop their identities via small grants, opposed discriminatory legislation and rhetoric, promoted forums for cultural celebration and exchange, and emphasized the coexistence of Canadian and other identities. Having said that, the official languages of Canada remained French and English, and the government continued to promote the acquisition of both languages.

The multiculturalism policy was partially a response to the pressure from various ethnic groups who wanted official recognition, such as Ukrainian Canadians. However, it was largely driven by political concerns regarding Trudeau's home province of Québec. The Québec independence movement had been gaining support throughout the 1960s, manifesting in the establishment of the separatist Parti Québécois in 1967. Liberal Party leaders were concerned about losing their strong base in the primarily francophone province. The party wanted to broaden its appeal to earn the votes of ethnic communities and more urgently, to crackdown on increasingly dangerous separatist tensions in order to maintain support in Québec.

The dangers of radical separatism became apparent in October 1970, when the members of the Front de liberation du Québec (FLQ) kidnapped the province's Deputy Premier Pierre Laporte and British diplomat James Cross. The FLQ was already responsible for over 200 bombings since 1963. The terrorist group murdered Laporte but agreed to release Cross in exchange for the kidnappers' exile to Cuba. Trudeau invoked the War Measures Act during the October Crisis, making it the first time civil liberties were formally limited in peacetime. The

political tumult experienced by Trudeau made multiculturalism and the resolution of ethnic tensions an important priority. He saw an increase in different cultural groups coming to Canada and integrating well as something that would help dilute the binary ethnolinguistic division of the country.

Canadian multiculturalism policy was broadly well-received, although it was criticized in Québec for not focusing enough on Canada's British and French roots. A further policy meant to advance multiculturalism was the Citizenship Act of 1977, which formally permitted dual citizenship and put an end to the revocation of citizenship due to treason or terrorism. The second component was re-enacted by the Conservative government in 2014, only to be eliminated by the Liberal government in 2017.

Although there were severe recessions in the early 1980s and 1990s, support for immigration remained strong across unions, parties and employers. The point system was often adjusted to reflect economic conditions; for example, applicants who applied during periods of high unemployment could lose points for not having an offer of employment. The point system was gradually modified to increase the proportion of points for categories related to education and employability. In the same time period, programs to attract business owners and potential investors were implemented. In 1978, the government permitted some entrepreneurs and self-employed applicants to immigrate regardless of occupational demand or arranged employment. A few years later, the Immigrant Investor Program was introduced: investors who met various net worth and business experience requirements (along with other immigration criteria) and who pledged to invest a specific sum in the Canadian economy were eligible to apply for permanent residency. The program was terminated in 2014.

Between 1970 to 1990, Canada became a safe haven for hundreds of thousands of refugees from all over the world. In 1970 and 1971, 240 Tibetan refugees settled in Canada. They were followed by 5,700 Ismaili Muslims who were expelled from Uganda after Idi Amin's seizure of power, and thousands of Bengali Muslims in the wake of the Bangladesh Liberation War. After the 1973 military coup in Chile, Canada welcomed over 7,000 Chilean refugees. Many criticized the government not accepting more Chilean refugees for fears of left-wing ideology.

As mentioned above, the Immigration Act of 1976 (and its subsequent regulations) was a watershed moment for refugee policy. To begin with, the act stated that one of the government's central goals must be to "fulfill Canada's international legal obligations with respect to refugees and to uphold its humanitarian tradition with respect to the displaced and persecuted" (Immigration Act of 1976). In addition to adopting the definitions set out in the 1951 UN Refugee Convention and its 1967 Protocol, the 1976 Immigration Act established a special category (Designated classes) for those who the Convention did not define as refugees but would be deemed in need of protection by Canada.

Perhaps the most groundbreaking aspect of the act was the creation of the legal framework for the Private Sponsorship of Refugees (PSR), a program that has earned Canada international acclaim. Sponsors are responsible for funding the first year of an individual or family's resettlement, while the government provides healthcare and education. Since 1978, Canada has become home to over 200,000 privately sponsored refugees. The new Immigration Act allowed Canada to respond to the Indochinese refugee crisis efficiently and effectively. From the late 1970s to the early 1980s, more than 60,000 Vietnamese, Cambodians, and Laotians arrived in Canada. During the same time period, Canada also welcomed Iranian refugees who

had left the country after the overthrow of the Shah. Canada's efforts did not go unnoticed; in 1986, the UN awarded Nansen Refugee Award to the people of Canada in "recognition of their major and sustained contribution to the cause of refugees" (Knowles 2006, p. 223). That was the first and only time the award has been given to the entire population of a country.

There were two critical legislative changes that affected asylum seekers in Canada during Brian Mulroney's prime ministership. In the *Singh v Canada* case of 1985, the Supreme Court ruled that all asylum seekers have the right to an in-person appeal if their claim is denied. This was based on the finding that the protections of the Charter of Rights and Freedoms applies to everyone present in Canada, and that the lack of an oral appeal constituted a violation of the Charter. In response, the government created the Immigration and Refugee Board (IRB) in 1989 and gave all claimants the ability to have an in-person hearing before an IRB panel. This policy increased the costs of the IRB and created a massive backlog of hearings. The IRB panel was also criticized for consisting of easily influenced political appointees and not experts (which was eventually changed). The second important piece of legislation affecting refugees was Bill C-84, also known as the Refugee Deterrents and Detention Bill. The proposal - which came into effect in 1989 - stemmed from unexpected irregular arrivals at Canada's borders. There were many concerns about queue jumping and the possibility of a refugee "crisis". Bill C-84 introduced tougher penalties for "smuggling" or aiding irregular or undocumented arrivals, implemented discretionary detention measures for asylum seekers who immigration officials suspected of being a security or flight risk. Overall, these bills expanded the rights of asylum seekers arriving in Canada through official ports of entry, but also made it more difficult and time-consuming to claim refuge in Canada.

1990 to 2000

Integration was the main immigration policy priority of the Canadian government throughout the 1990s. Some studies suggested that immigrants were not doing as well as the native-born population, mainly due to language barriers and their unrecognized credentials. In response, the government increased spending on settlement services such as language training and job search assistance. The administration of such services was also transferred from the federal level to the provincial and municipal levels to promote efficiency. Volunteer organizations were bolstered by this transformation as well; Prime Minister Jean Chrétien's government established a \$95 million Voluntary Sector Initiative to support organizations contributing to integration efforts. The decentralization of integration services complemented the earlier increase in provincial input about migration policy. This time period also saw the establishment of the Metropolis project promoting immigration and integration research funded by Citizenship and Immigration Canada and the Social Sciences & Humanities Research of Canada.

There were a lot of mixed sentiments about immigration when Chrétien took office, driven by economic issues in the preceding decades and the growing popularity of the right-wing populist Reform Party. Consultations throughout 1994 revealed that the public was not opposed to immigration per se; many argued that Canada should prioritize attracting self-sufficient and/or affluent immigrants. To that end, the government increased the annual intake of economic class immigrants at the expense of the humanitarian and family classes. In order to address contentions about immigrant integration and other services being a burden on the budget, a Right of Landing Fee was introduced in 1995. All adult immigrants (including refugees) were charged \$975 when they arrived in Canada and the revenues from the fee were spent on social and settlement services. The fee was abolished for refugees in 2000. The Chrétien government also modified the

immigration and point systems to become more efficient and flexible. The immigration program was altered to respond to market needs more quickly via the creation of a designated occupations list containing jobs that needed to be filled in specific provinces. Applicants who fit those job descriptions were given higher processing priority. Besides the designated occupations list, the point system became more focused on human capital rather than narrowly defined employment opportunities; categories about education, French and English skills, and personal suitability accounted for more points than previous iterations of the system.

During this time period, Québec expanded its control over immigration matters. Premier Jean-Jacques Bertrand had already set up a provincial ministry of immigration in 1968. French Canadians were adamant on maintaining their identity and admitting primarily francophone immigrants. Shortly after its founding, the ministry opened offices in France and Italy, and established French learning centers. Since 1971, multiple agreements between Québec and the federal government have given the province the power to choose independent immigrants through a modified point system, subject to some federal oversight. In 1991, the Canada-Québec Accord relating to Immigration and Temporary Admission of Aliens was signed, giving Québec more control over the immigrant and refugee selection and integration process.

Canada remained a safe destination for refugees fleeing conflict throughout the 1990s and early 2000s, welcoming thousands from Sudan, Bosnia, Kosovo, Afghanistan, Bhutan, Somalia, and Sri Lanka. The northern nation demonstrated its dedication to refugees during the disintegration of Yugoslavia and subsequent conflicts; in 1992, over 5,000 Bosnian Muslims were admitted to Canada, and over 5,000 Kosovars were welcomed in 1999. Moreover, Canada continued being a leader in progressive refugee policies by becoming the first country to create gender-based guidelines for refugee admission procedures.

2000 to 2015

The impacts of the September 11 attacks were felt around the world and Canada was no exception. The new millennium opened with a tragedy that influenced Canadian immigration policy for years to come. In 2001, the Chrétien government replaced the Immigration Act of 1976 with the Immigration and Refugee Protection Act (IRPA). Although the Act was certainly guided by security concerns, most of it had been drafted prior to 9/11. The new legislation toughened admission requirements for refugees, entrepreneurs, and investors. More contentiously, it gave the executive branch more power over immigration matters, including the power to detain and deport permanent residents considered a threat to national security. Correspondingly, deportation provisions were expanded, and due-process guarantees were reduced. The government was also criticized for not implementing the Refugee Appeals Division outlined in the Act. The controversy surrounding IRPA eventually reached the Supreme Court of Canada in 2007. In *Charkaoui v. Canada (Citizenship and Immigration)*, the Supreme Court unanimously ruled that IRPA's provisions authorizing the government to issue a certificate declaring a foreigner or a permanent resident inadmissible due to national security concerns were unconstitutional. The government later amended IRPA to be consistent with the Charter.

9/11 prompted the government to establish stricter travel and border security policies. Canada and the US signed the Smart Border Declaration in 2001 to boost efficiency, information sharing and law enforcement collaboration. The Declaration had an Action Plan that proposed many of the changes that were subsequently implemented at Canada-US borders, including the use of biometric identifiers. Similar to the US, there was a notable decrease in Canadian visas granted to travelers from Middle Eastern countries.

Conservative Party leader Stephen Harper took office in 2006. His administration continued to make immigration policies stricter and more restrictive, especially towards

refugees. Conservative leaders often defended their policy decisions by pointing to efficiency, security, budgetary concerns, and “Canadian values”. Permanent resident status became harder to obtain and maintain, and the government introduced legislation that placed sponsored spouses and common-law partners on conditional permanent resident status for up to 2 years, instead of obtaining the status on landing. This meant that partners could have their status revoked if the relationship with their sponsor ended in that time period, barring extenuating circumstances such as abuse. The Faster Removal of Foreign Criminals Act made it more difficult for permanent residents convicted of crimes to appeal their deportation. Additionally, the administration created a special visa that allowed parents and grandparents to stay in Canada for up to 6 months at a time for as long as 6 years, conditional on the family covering their healthcare costs. This policy came at a cost, however, as the government made it harder for parents and elderly relatives to immigrate as part of the family class. There were changes in the process of obtaining citizenship as well. For instance, the residency requirement of permanent residents wishing to apply for citizenship was increased. More controversially, the Harper administration attempted to bar women from wearing the niqab at citizenship ceremonies and passed Bill C-24 revoking the Canadian citizenship of dual citizens convicted of treason or terrorism. The niqab ban was struck down by the Federal Court of Appeal, and Bill C-24 (along with many of the permanent resident restrictions) was revoked by Justin Trudeau’s Liberal government.

The Express Entry program was an important initiative launched at the end of Harper’s second term. The online Express Entry system is used to manage applications for four categories of applicants (excluding Québec’s economic immigration programs): Federal skilled worker, federal skilled trade, Canadian experience class, and part of the provincial nominee class. Applicants who meet the criteria for those classes are evaluated and ranked by a point-based

system; those who receive the highest scores are issued an invitation to apply for permanent residency. Employers can also make job offers through a job bank that is part of the system, though highly ranked applicants usually have an offer of employment. This program was intended to prevent backlog, since applications are deleted after a year (though re-application is allowed) and applicants join a pool rather than a queue. Other economically-motivated immigration policies included the elimination of over 100,000 unprocessed applications deemed unsuitable (usually too old) for present-day market demands, and the creation of programs to encourage qualified international students at Canadian universities to apply for permanent resident status after graduation.

Stricter immigration legislation was partially guided by the Conservative Party's desire to attract immigrant voters. Citizenship and Immigration Minister Jason Kenney noted that economic immigrants from China, Philippines, and India came from more conservative countries and would likely support stricter legislation to disincentivize potential abuses of the system, because they had gone through the system honestly. Kenney was not wrong; various public opinion polls in 2011 found that immigrant voters (especially those in middle-class suburbs) tended to be more economically and socially conservative. In the 2011 federal election, the Conservative Party swept the seats in majority immigrant communities in the suburban ridings outside Toronto.

Refugee admission procedures were toughened under the Harper government. In 2002, Canada signed the Safe Third Country Agreement with the US, which required asylum seekers to submit their claim in the first of the two countries they arrive in (with some exceptions for unaccompanied minors, public interest cases etc.). The agreement does not apply to those who enter Canada at unofficial crossings. Recently, some Canadian human rights organizations have

been calling for the Safe Third Country Agreement to be suspended in order to disincentivize entries outside official ports of entry, which can be incredibly dangerous due to the Canadian weather and fauna. Many organizations also argue that Canada should not return asylum seekers to the US, because it cannot be considered a safe country for certain groups of asylum claimants due to the high likelihood of detention, poor detention center conditions and difficulty accessing legal representation.

In 2010, the government introduced Bill C-49, the Preventing Human Smugglers Act. The proposal defined “irregular arrivals” as those coming without prior authorization (usually as a group), who are difficult to identify in a timely manner, and whose arrival was likely facilitated by human smuggling or other related criminal activities; such arrivals could be subject to a year of detention. Additionally, the bill contained tougher sanctions for those engaged in smuggling. The introduction of Bill C-49 was a response to the MV Ocean Lady incident of 2009 and the MV Sun Sea incident of 2010. Both ships arrived on Canada’s West Coast from Sri Lanka, carrying 76 and 490 Tamil asylum seekers respectively. The government saw this surge in “irregular arrivals” as deeply problematic (although many of the passengers were eventually accepted as refugees) and placed the two incidents in the broader context of fears about human smuggling, terrorism, and fraudulent claims. Bill C-84 was fiercely opposed by many human rights groups and lawyers, and ultimately failed. However, similar (though less draconian) bills were passed later. For instance, Bill C-31 (Protecting Canada’s Immigration System Act) created “Designated Countries of Origin” (DCOs): countries that had a high percentage of rejected refugee claimants and were determined by the Minister of Immigration as having an independent judiciary and a basic respect of democracy and human rights. This legislation resulted in a significant decrease in applications from the 38 DCOs. A few years after Bill C-31, the

government reduced the healthcare rights of rejected claimants and asylum seekers from DCOs. The Federal Court did not agree with Harper when it ruled on the policy in 2015, when it found that the limitation of certain asylum seekers' healthcare unnecessarily cruel and that it would not make a significant financial difference. The Harper government was forced to restore some benefits, which were fully reinstated by the next administration.

Although restrictions on refugee admissions were tightened, the government did initiate large scale resettlement initiatives of Bhutanese and Iraqi refugees. These multi-year programs began during the Harper administration and were completed in Trudeau's first year in office. By 2016, Canada had resettled over 25,000 refugees from Iraq and 6,500 from Bhutan.

The Conservative government created Blended Visa Office Referred (BVOR) sponsorships to make up for new reductions in the PSR and Government-Assisted Refugee (GAR) programs. In BVOR sponsorships, the government and private sponsors share the costs of refugee resettlement. Refugees in the program are referred to Canadian visa offices abroad by the UNHCR, and the visa office determines whether the asylum seeker is eligible for BVOR. Another institutional change made by Harper was the establishment of the Refugee Appeal Division of the IRB, which meant that asylum seekers whose claims were refused at first instance were not limited to their case being reviewed at the Federal Court. However, the Refugee Appeals Division was not accessible to irregular arrivals and claimants from DCOs.

2015 to Present

Justin Trudeau led the Liberal Party to victory in the 2015 federal election, with a platform that sharply contrasted that of the previous Conservative government. The Liberals had a few main immigration policy priorities. First, they wanted to expand the Canada's commitment to refugee resettlement. To this end, the government restored the Interim Health Program

mentioned in the previous section, provided a right of appeal for asylum seekers from DOCs, added more experts to the IRB, pledged over \$250 million to improve refugee processing and sponsorship, and welcomed over 40,000 Syrian refugees. Settlement and integration funding has also been increased by 30%. Additionally, the government has hired new adjudicators to reduce the growing wait times for asylum hearings. The second priority of the Liberal Party was to increase family reunification. The government doubled the number of applications allowed for parents and grandparents, and the budget for processing family class sponsorship. A third, ongoing priority, is attracting international students through programs that make it easier for recently graduated foreign students to find work and stay in Canada, through the Canadian Experience Class and Post-Graduate Work Permit Program. The government has also worked towards increasing oversight of other immigration programs; for instance, the Temporary Foreign Work Permit system now has a complaint tracking system and more audits. The fourth priority is incorporating more First Nations history and culture into the citizenship process. The government is currently working on a proposal to add more information about Indigenous Peoples into the citizenship exam, and to amending the citizenship oath to read “I will faithfully observe the laws of Canada *including treaties with Indigenous Peoples* and fulfill my duties as a Canadian citizen.” Many policies enacted during Harper’s two terms were quickly repealed or countered, including Bill C-24 and the conditionality of permanent resident status for sponsored spouses.

An important symbolic gesture that reflected the Trudeau government’s commitment to refugee resettlement was the renaming of Citizenship and Immigration Canada, which is now Immigration, Refugees and Citizenship Canada (IRCC). For the first time in history, the immigration department’s name includes refugees.

Fortunately, the government has done much more than symbolic gestures. One of Trudeau's key commitments leading up to his election was the resettlement of Syrian refugees. He kept this promise; between November 2015 and February 2017, over 40,000 Syrian refugees arrived in Canada. Approximately 14,000 were privately sponsored, while close to 4,000 were BOVR. The government prioritized "vulnerable families" which were unlikely to be a security risk, such as single mothers and their children. Very few single men came to Canada through government sponsorship, though some were admitted via the BOVR category. The positive role of private sponsorship in refugee resettlement came under the global spotlight during the Syrian refugee crisis. In 2016, UNHCR High Commissioner Filippo Grandi suggested that the system should be replicated around the world because "it adds more places for resettlement, but it also contributes to create this sense in civil society that is a positive thing to do" (Levitz 2016).

Canada's response to the Syrian crisis has not been without controversy. The prioritization of Syrian refugees, who were considered *prima facie* refugees until September 2017, was criticized for creating a backlog of non-Syrian applicants. The resettlement of Syrian refugees has exacerbated tensions between the Liberal federal government and the Conservative provincial government in Ontario. In 2018, the federal government was forced to place some asylum seekers in hotels in the Greater Toronto Area due to the overwhelmed shelter and public housing system. During the summer of 2018, their stays were extended until January 2019, which led Ontario Premier Doug Ford to demand funding in addition to the \$11 million already given to Toronto for resettlement purposes. Ford argued that Ottawa had created the problem and thus, should be the one to deal with it; he also criticized what he perceived as a crisis of irregular arrivals from the US border, which the government disputed. Trudeau criticized Ford for not understanding that Canada is required by the Convention on Refugees to provide shelter (which

is a provincial responsibility) and healthcare (federal responsibility) for asylum claimants who are waiting to be heard (Forrest 2018). There have also been problems to the East of Ontario; anti-immigrant attitudes have been on the rise in Québec, as evidenced by the success of the Coalition Avenir Québec (CAQ) - the first right-wing party to lead the province since 1970. CAQ has pledged to cut immigration by 10,000 people per year, implement a Québec values and French language test for newcomers, and prohibit public servants from wearing visible religious symbols. Many other parties in the province remain in favor of immigration, especially in the face of the province's labor shortage. (Add people's party)

Broadly, the Trudeau government has focused on re-establishing Canada's reputation as a leader in humanitarian affairs and building the multicultural Canada his father envisioned many years ago. To that end, the Liberal party has (thus far) focused on increasing the admission of refugees, bolstering funding for integration and settlement programs, and abiding by Canada's international obligations. These policies continue to be criticized for financial and cultural reasons, primarily by government officials in Québec and Ontario. Trudeau and his administration have also worked on combating anti-immigration rhetoric through campaigns and official statements emphasizing the economic and social benefits of being a diverse and welcoming country. In addition to promoting humanitarian policies (especially PSR) and family reunification, the administration has strengthened the incentives for foreign students to stay in Canada and contribute to the economy. These incentives, along with Express Entry, continue to make Canada an attractive place for economic immigrants.

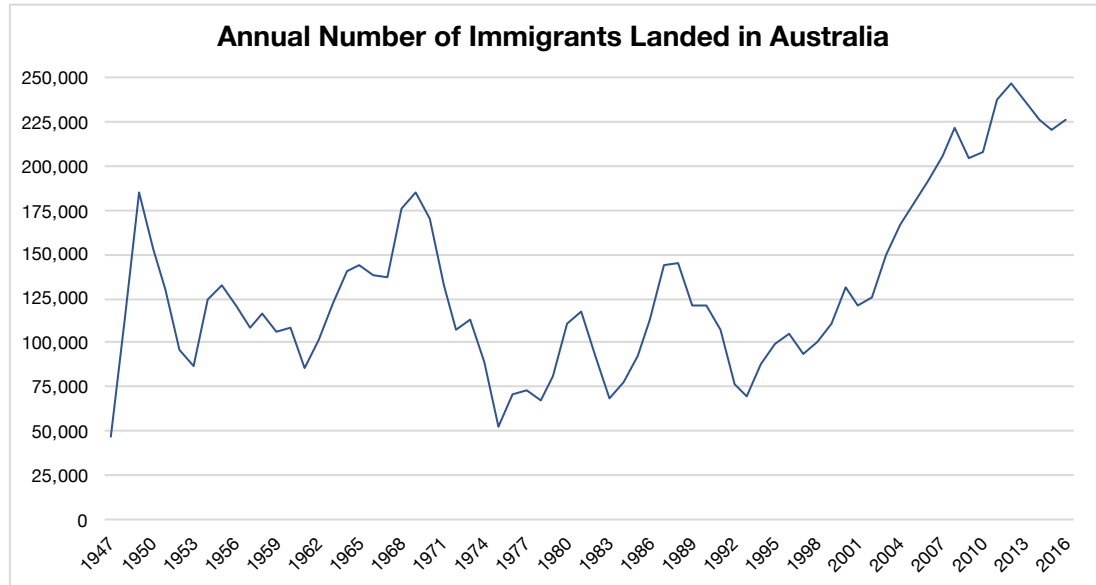
According to recent surveys, most Canadians believe that immigration has positive cultural and economic effects, though some are concerned about asylum seekers entering the country irregularly. This is in sharp contrast to public opinion in many other Western nations,

where people are compelled by narratives about high immigration leading to a loss of sovereignty and control. This contrast is likely caused by Canada's integration programs focused on values and rights, skill-based immigration system, and refugee programs that prioritize the most vulnerable. The country's hard to reach northern location also plays an important role, as it makes irregular entry unfeasible and unlikely. Therefore, compared to their neighbors in America and allies across the Atlantic, Canadians can more clearly see the benefits immigrants provides, while fewer groups feel disadvantaged by immigrants. There is no doubt that immigration will be an important topic in the upcoming federal election. It will be interesting to see which other policies the Trudeau government will manage to implement until then, and how the Canadian public will vote on October 21st.

IMMIGRATION IN AUSTRALIA

Figure II: Australian Immigration, 1947-2016

Source: Australian Department of Home Affairs



1788 to 1900

The British colonization and settlement of Australia began with the establishment of a penal colony in New South Wales (NSW) in 1788. Unlike Canada, most of the first “immigrants” to Australia were convicts from Britain, Ireland, Wales, and Scotland; between 1788 and 1868, over 160,000 convicts were transported to the colony. Voluntary immigration did not begin until the 1830s, when adventurous young men from Britain and Ireland arrived in search of new opportunities. Many Britons were impoverished during this time period and felt uncertain about their future in the aftermath of the Napoleonic Wars, Enclosure Acts, and the spread of Malthusian ideas about overpopulation.

Immigration skyrocketed after the discovery of gold in 1851; over 600,000 people moved to Australia in the 1850s in search of fortune. Although most of these new arrivals were from Britain, Ireland, and elsewhere in Europe, there were 60,000 immigrants from China, 42,000 from the US, and a few thousand from New Zealand and the South Pacific. Similar to the early

years of immigration to Canada, the arrival of foreign laborers created tensions between employers and unions; employers wanted more non-British laborers to come to Australia to keep wages low and unions weak, which organized labor deemed unacceptable. Unions began to produce anti-immigration propaganda that heavily targeted Chinese workers, accusing them of hurting wage growth and bringing crime and disease. The growing antagonism caused the colonial governments in Victoria, NSW, and South Australia to implement policies restricting Chinese immigration, including a head tax on Chinese arrivals. Overall, the first years of voluntary immigration to Australia and Canada foreshadowed decades of restrictive immigration policies driven by economic interests.

1900 to 1945

Australia gained its independence on January 1st, 1901, when the six colonies were federated into the Commonwealth of Australia. As a result, immigration became the domain of the federal government. Less than a year after federation, the government passed the Immigration Restriction Act, which came to be known as the foundation of the “White Australia Policy”. The Act shared the same goal as Canada’s Immigration Act of 1910: to keep non-white people out of the country. Unlike its Canadian counterpart, the Immigration Restriction Act did not explicitly state which races or ethnicities should be allowed to immigrate. Rather, the Act and subsequent amendments empowered immigration officers to make immigrants (except white Britons) take a 350-word dictation test in a European language selected by the immigration officer. Even if a non-white applicant passed the initial test, they could be re-tested in different languages. Thus, the Act provided a more indirect way to build “White Australia”. This goal was furthered by the Pacific Island Laborers Act of 1901 and the Naturalization Act of 1903. The former banned Pacific Islanders from entering Australia and facilitated the deportation of many

Pacific Islanders who worked in the sugar industry in NSW and Queensland. In the meantime, philanthropic groups and the federal government established assisted passage schemes to incentivize Western Europeans - especially those from Britain - to immigrate to Australia.

In the course of the Great War, people from the Central Powers were deemed “enemy aliens” and faced with internment in Canada and Australia, and immigration came to a virtual standstill. Over 7,000 Turks, Bulgarians, Austro-Hungarians and Germans were imprisoned in Australia during this time period. Internment was followed by prohibition, as the government amended the Immigration Act to ban the admission of people from those countries until 1926 (1930 for Turks).

Immigration schemes continued after World War I, as the post-war economic boom increased the demand for farmers, laborers, and domestic workers in Canada and Australia. The British government funded many assisted passage programs to bring more people to Australia. For instance, one program gave veterans a free passage to the Commonwealth countries; close to 17,000 ex-servicemen immigrated to Australia through this scheme. Most of these arrivals were sponsored by churches and community organizations. The most impactful scheme was the Empire Settlement Act of 1922, which committed the British government to providing assisted passages to Scots and the English wishing to immigrate to Australia or Canada. Over two thirds of those who immigrated to Australia in the 1920s came via the Empire Settlement Act. The British government tended to fund and promote immigration to Australia more, since many people preferred to move to Canada as it was a cheaper and easier to reach.

Mass migration and economic boom were followed by a bust. The Stock Market Crash combined with the subsequent Great Depression and World War I halted sponsored migration programs for almost a decade. The Second World War had similar effects on Australia and

Canada's immigration policies as the first one: thousands of German, Japanese, and Italian descent were labeled enemy aliens and became victims of internment and surveillance. Unlike Japanese Canadians, however, Japanese Australians were not disproportionately targeted by deportation or property confiscation programs.

It must also be noted that there were very few refugees who came to the Australia during its first two decades of independence. There were some Russian, Bulgarian, Armenian, Jewish, and Greek immigrants who could be classified as refugees, but were only admitted because they met the regular migration criteria. There was no clear refugee criteria or policy at that time. Overall, Australia's immigration policy in the first half of the 20th century closely mirrored that of Canada. Immigration was largely motivated by economic growth and restricted by racism. Discriminatory immigration provisions were expanded during the two world wars, where opponents of the Australian army were declared opponents of the people and subjected to internment.

1945 to 1970

The second half of the twentieth century began with a massive spike in immigration, managed by the newly established federal Department of Immigration. Similar to Prime Minister King and his Cabinet in Canada, Australian leaders saw immigration as a useful population growth tool. The threat of invasion by Japan during World War II led the government to conclude that Australia needed a bigger population and a powerful manufacturing sector. Immigration was seen as the perfect means to this end, as immigrants could also help post-war reconstruction. The government of Prime Minister Ben Chifley created the "populate or perish" slogan, and established the goal of 2% annual population growth, half of which would be through immigration. The first Immigration Minister, Arthur Calwell, thought population growth

was a vitally important and argued, “We have 25 years at most to populate this country before the yellow races are down on us” (Verghis 2009). There were many assisted passage schemes established to achieve this goal, including the “Ten Pound Pom” program that charged healthy white adults from Commonwealth countries 10£ to immigrate to Australia. The new arrivals had to be under 45 years of age and willing to work; in exchange, the government would give them access to employment and housing. The scheme peaked in 1969, when 80,000 people took advantage of it to move to Australia. While such schemes were successful, they did not come close to bringing enough Britons to meet the government’s goal of having 9 out of 10 immigrants be British. The demand for workers consistently exceeded the supply of British immigrants. As a result, Australia began to accept more Southern and Eastern European immigrants. This change in immigrants’ countries of origin had happened in Canada in the 1910s, when Western Europeans and Britons did not meet the demand for new laborers. Eventually, population growth and economic goals forced the Canadian and Australian governments to make immigration policies more inclusive.

The Liberal-Country government of Prime Minister Robert Menzies that came to power in 1949 continued many of its predecessor’s policies. New schemes targeting the British were established, like the 1957 “Bring out a Briton” campaign that encouraged Australians to sponsor British families. In the meantime, Southern Europeans continued to arrive in Australia, even outnumbering British immigrants in certain years. In the early years of the Menzies administration, Australia entered into migration agreements with the Netherlands, Italy, Austria, Belgium, West Germany, Spain, the United States, Switzerland, Denmark, Norway, Sweden and Finland. These agreements were mainly aimed at bringing young single men to work in Australia’s booming economy. The government overcame union and public opposition to these

arrangements by arguing that the young immigrants would not cost the taxpayers because they did not have children or elderly parents and would work unskilled jobs that would not displace Australians. The government also established some migrant reception centers to provide medical services, skills training, and English lessons to new arrivals.

Australia's immigration policy inevitably began to look more favorably upon Southern and Eastern European immigrants and their contributions to the economy. During the mid-20th century, both Canada and Australia started to make strides towards a more inclusive immigration regime. In 1956, the Menzies government gave permanent resident status to non-Europeans who had immigrated as refugees or had resided in Australia for at least 15 years. Two years later, the Migration Act replaced the Immigration Restriction Act and made it easier for non-British Europeans to come to Australia. The new act also signaled the beginning of the relaxation of the White Australia Policy, as it abolished the notorious dictation test. Furthermore, legislation passed in the same time period allowed non-Europeans to apply for permanent residency and citizenship.

Another important stride came in 1966, when a government review suggested that immigrants should be judged on economic and integration potential rather than their countries of origin or race. This was around the time that Canada established its point system, motivated by similar findings and the reality of the globalizing international economic and humanitarian order. Shortly thereafter, Australia signed its first migration agreement with a non-European nation (Turkey). As the number of non-British immigrants in Australia increased, so did the strength of their communities. Immigrant groups used their newfound numerical strength to advocate against discriminatory policies and campaign for the expansion of social policies to help immigrants.

This time period also saw the emergence of a refugee policy, motivated by the need for more laborers and the growing international and domestic consensus on the importance of helping refugees. Like Canada, Australia was not committed to welcoming refugees until the mid-20th century. Australia only resettled around 3,500 refugees between 1921 and 1938; although the government agreed to accept 15,000 Jewish refugees in 1938, less than 8,000 were admitted before World War II erupted. During the Pacific War, Australia admitted 6,269 non-Europeans - mainly Chinese evacuees and crews of stranded Asian ships - who were later voluntarily and involuntarily repatriated. The Chifley government signaled a turning point in refugee policy in 1947, when it concluded an agreement with the International Refugee Organization to resettle refugees who were part of the organization's Displaced Persons Scheme. This was the same year that Prime Minister King committed Canada to working with similar international organizations to aid European refugees. By 1954, over 170,000 European refugees had arrived in Australia (mostly Poles, Yugoslavs, Ukrainians and Hungarians). The Menzies government demonstrated Australia's commitment to helping those fleeing conflict in 1954 by becoming a signatory to the UN Refugee Convention. Canada adopted the document only a decade later, initially refusing to do so out of concern that the Convention may curtail the government's power over asylum policy (especially regarding deportation and detention). Between 1953 and 1973, Australia welcomed nearly 200,000 refugees through Intergovernmental Commission for European Migration programs. Both Australia and Canada combined their humanitarian goals and anti-communist Cold War stances by enthusiastically welcoming refugees from Hungary and Czechoslovakia following Soviet interventions.

1970 to Present

A watershed moment in the history of Australian immigration policy took place in 1972, when Prime Minister Gough Whitlam's Labor government abolished the White Australia Policy. A series of amendments halted the enforcement of the racial provisions in immigration legislation and declared that race should not play a role in immigrant selection or the provision of citizenship. In 1973, Minister of Immigration Al Grassby declared, "[The White Australia Policy] is dead, give me a shovel and I will bury it" (Mence, Gangell and Tebb 2015, p. 51). The Australian Citizenship Act of 1973 and the Racial Discrimination Act of 1975 further codified these changes and moved Australia's immigration system closer to Canada's. Additionally, the government signed the Trans-Tasman Travel Agreement, permitting the free movement (including residence and work rights) of New Zealanders and Australians in each country.

During the 1970s, both the Whitlam government in Australia and the Trudeau government in Canada promoted multiculturalism and integration. Although Canada had a unique concern regarding separatism in Québec, Whitlam and Trudeau shared many motivations: both leaders wanted to decrease marginalization and isolation of ethnic communities via education, the provision of social services, and the celebration of cultural diversity. They acknowledged that promoting assimilation (as opposed to integration) was often offensive and ineffective, as it did not address the main challenges faced by immigrants (e.g. language training, job search skills, and community ties). Furthermore, both leaders' parties sought to gain the electoral support of immigrant communities. To this end, the Australian government created a Settlement Services Branch within the Department of Immigration, instituting the idea that the government should help in the integration of newcomers.

During the 1980s, the Canadian and Australian governments began to prioritize meritocratic, flexible high-skilled immigration to improve the countries' banking, information

technology, and insurance sectors. Australia formalized its point system in 1989, over two decades after Canada. The Migration Legislation Amendment Bill introduced in the same year also removed ministerial discretion, created clear rules for visa categories, introduced mandatory deportation, and a two-tier system for reviewing migration decisions. The decrease in ministerial discretion and the establishment of clear categories mirrored some of the changes implemented by Canada's Immigration act of 1976.

In the meantime, there was a growth in nationalist and anti-immigrant sentiments in Australia, especially against Asians. In 1984, historian Geoffrey Blainey denounced multiculturalism, specifically accusing Asians of not assimilating to Australia. In his book, *All for Australia*, he argued that immigration policy should be designed to serve national interests, not to reflect racial or ethnic equality. His controversial statements caused debate across the country and led to a polarizing nationwide discussion on immigration policy. As the economy slowed, more and more people turned against multiculturalism. In 1988, the Liberal-National opposition (known as the Coalition) revealed the "One Australia" policy, which promoted curbing Asian immigration and moving away from multiculturalism. In response, the Labor government introduced a motion rejecting the consideration of race in immigrant selection; three Liberal Members of Parliament crossed the floor to support the motion.

Concerns about immigration did not subside in the following decade, which opened with a devastating recession. In 1996, the Liberal-National government of Prime Minister John Howard came to power and reversed many policies supporting multiculturalism and immigrant rights. His initial policies were comparable to those of the Harper government in Canada: family reunion was cut in favor of skilled migration, welfare for immigrants was reduced, and asylum policies became more restrictive. The increase in unemployment among skilled migrants led the

government to pass legislation mandating potential immigrants to have their capabilities recognized by professional or trade bodies prior to immigrating. On the other hand, new legislation allowed recent foreign graduates of Australian universities to change their immigration status without leaving the country or having comprehensive professional experience. Multiculturalism was replaced by an emphasis on a more creedal national identity. In 1999, the government published *A New Agenda for a Multicultural Australia*, which shifted away from the cultural diversity celebrated in the decade old Labor agenda. Instead, the Howard administration promoted “civic duty, cultural respect, social equity, and productive diversity” (Castles, Vasta, and Ozkul 2014, p. 144). It should also be noted that another factor in the rise of anti-immigrant sentiment in this time period was the One Nation Party, which was founded in 1997. The right-wing populist party opposed most forms of immigration and multiculturalism. Although it never won a seat in the federal House of Representatives, the party attracted a lot of media attention and won a few seats in various state bodies. Around the same time of the founding of One Nation party, the right-wing populist Reform Party of Canada (founded 1987) began to gain traction and media coverage.

The 1970s opened with conflicts that led many to seek refuge outside of their home countries. Similar to Canada, Australia accepted refugees who were expelled from Uganda, followed by thousands of Chileans, Vietnamese, Lebanese, East Timorese, and Cypriots. In 1973, Australia signed the 1967 Protocol to the UN Refugee Convention, which removed the geographic and temporal limitations of the Convention. Shortly thereafter, over 2,000 Vietnamese asylum seekers fleeing Vietnam after the Communist Party victory headed for Australia by boat.

The initial wave of unauthorized maritime arrivals in Australia - sometimes referred to as “boat people” - began in the mid-1970s. The first unauthorized boat arrived in Darwin in April 1976; 56 such boats arrived over the next six years. The Fraser government and the public recognized the importance of helping asylum seekers. In addition to those arriving by boat, the government welcomed more than 50,000 Vietnamese refugees between 1975 and 1982. Canada accepted a similar amount of Southeast Asian refugees in those years, making use of its newly established private refugee sponsorship program. The high number of asylum claimants from Southeast Asia and Eastern Europe, pushed Australia to formalize its asylum policies. The government established procedures governing asylum application processing, refugee selection, and resettlement assistance, along with the Determination of Refugee Status Committee. Canada’s refugee policy was formalized in the same time period, via the 1976 Immigration Act.

Australia continued to develop its new refugee policy through the 1980s; in 1981, the government introduced the Special Humanitarian Program (SHP) for those who are facing persecution or oppression but are not considered refugees by the UNHCR; the SHP is essentially Australia’s version of Canada’s Designated Classes. Many Soviet Jews and other Eastern Europeans arrived via the SHP during the program’s first years. The following year, the government published *Guidelines for the Determination and Processing of Refugees* that interpreted the UN Refugee Convention and placed it in the context of Australia’s priorities. Towards the end of the decade, Australia established a new category for single women and their families determined to be particularly vulnerable.

During the 1990s, Australia saw an increase in unauthorized asylum seekers - primarily from Southeast Asia and Somalia - arriving at its shores. Many politicians and public figures began to label such asylum claimants “queue jumpers” and accused them of threatening

Australian sovereignty. In response, the Keating government enacted the Migration Amendment of 1992 which declared that non-citizens who arrived without a valid visa would be detained while their asylum applications were processed. Two years later, the 273 day detention limit was removed. The government continued to enact hardline policies, especially towards the end of its first term. Under Howard's leadership, the Coastal Surveillance Task Force was created, and the Border Protection Legislation Amendment Act of 1999 and Crimes at Sea Act of 1999 were passed. The Acts expanded the power of immigration and customs officers to board, search, and seize ships and aircrafts suspected of being used in human smuggling operations. Shortly thereafter, the detention of unauthorized immigrants was made mandatory, and the government replaced the Permanent Protection Visa for unauthorized arrivals determined to be refugees with the three year Temporary Protection Visa, which limited their travel and family reunification possibilities. Many of these measures were criticized by human rights organizations, left-wing parties, and refugee activists. Unlike Australia, unauthorized arrivals were never a numerically significant challenge faced by Canada due to its isolated northern location, which makes it difficult to reach with a boat from most conflict zones. In spite of that, human smuggling and unauthorized arrivals were salient political topics in the 1990s and the early 2000s. The Mulroney and Chrétien governments cited those concerns while justifying the Refugee Deterrents and Detention Bill of 1989 and signing the Safe Third Country Agreement with the US. However, this did not change attitudes about refugees in the 1990s, as Canada continued to welcome thousands fleeing the Balkans, Sudan, Somalia and Afghanistan.

As the 2001 election neared, Howard decided to make a hardline refugee policy a key part of his re-election campaign. In his campaign launch speech, he referenced the events of 9/11 and connected national security to immigration policy by declaring "National security is

therefore about a proper response to terrorism. It's also about having a far sighted, strong, well thought out defense policy. It's also about having an uncompromising view about the fundamental right of this country to protect its borders. It's about this nation saying to the world we are a generous open-hearted people, taking more refugees on a per capita basis than any nation except Canada, we have a proud record of welcoming people from 140 different nations. But we will decide who comes to this country and the circumstances in which they come” (Barkham 2001). 9/11 and national security considerations also influenced immigration policy in Canada; the Chrétien government toughened admission requirements for various classes of immigrants, expanded executive power of immigrant detention and deportation, and increased border collaboration with the US. Similarly, Stephen Harper and members of his Conservative government frequently cited security and sovereignty to promote bills such as The Faster Removal of Foreign Criminals Act and policies allowing the revocation of the Canadian citizenship of dual citizens convicted of treason or terrorism.

Prior to the 2001 election, the Liberal-National Coalition demonstrated its commitment to hardline asylum policies by implementing the controversial Pacific Solution. In August 2001, the Norwegian freighter MV Tampa rescued around 430 asylum seekers who had gotten lost at sea. The ship's crew attempted to take the mostly Afghan asylum seekers to the nearest port of Christmas Island, but was prohibited from docking by the Australian government. Instead, the government dispatched the military; commandos boarded MV Tampa and threatened to charge its captain with people smuggling. Royal Australian Navy Vessels transported the ship's passengers to detention camps in Nauru. A month later, the government introduced the Pacific Solution through a set of amendments: unauthorized asylum seekers arriving by boat would be transported to detention centers on Nauru and Manus Island in Papua New Guinea (PNG) and

they would be detained until their claims were adjudicated. The government also excised Australia's Indian Ocean Territories (including Christmas Island) to prevent asylum seekers arriving on those territories from applying for asylum in Australia. These measures were complemented by the Border Protection Bill, which empowered authorities to use reasonable force to remove any ships in the country's territorial waters.

The Pacific Solution slashed the number of boats carrying asylum seekers that made it to Australian shores; from 2001 to 2007, less than 500 asylum seekers landed in Australia without authorization. In 2002, MV Tampa's captain, crew and owners were awarded the Nansen Refugee Award for "demonstrating courage and a unique degree of commitment to refugee protection" (Cue 2002). The same year, the Bali bombings killed 88 Australians and led to a rise in Islamophobia in Australia.

Similar incidents took place in Canada in 2009 and 2010, though they were met with a different response. When the MV Ocean Lady and MV Sun Sea arrived on the West Coast carrying asylum seekers from Sri Lanka, the government expressed comparable concerns about human smuggling, security, sovereignty, and fraudulent claims. Subsequently, the Conservative Party introduced a controversial bill that criminalized certain forms of irregular arrival and toughened sanctions for human smugglers. Although the bill ultimately failed, the government succeeded in passing other bills restricting certain judicial and healthcare rights of asylum seekers and establishing Designated Countries of Origin. That being said, the Harper government's decisions must also be viewed in the context of his party's goal of winning over immigrant voters who supported a tougher law and order approach.

The Coalition continued to govern Australia until it was unseated by the Labor Party in the 2007 federal election. The new government kept the guiding principles of the Coalition's

immigration policy (prioritizing skilled migration over family reunification and focusing on increasing temporary labor migration) but made changes to asylum policy. Labor had made shutting down Australia's offshore detention centers a central part of its campaign and implemented it shortly after it came to power; Immigration Minister Chris Evans called the Pacific Solution "a shameful and wasteful chapter in Australia's immigration history" (Bradley, Chagas-Bastos, and Minns, 2018, p.5). Prime Minister Kevin Rudd's government also replaced Temporary Protection Visas with permanent ones and stopped charging asylum seekers for detention costs. The Labor government was challenged by an increase in irregular maritime arrivals in its second term. In 2010, 134 boats with over 6,500 passengers arrived in Australia; the next year, 69 boats carrying over 4,500 people came, followed by 278 boats with over 17,000 passengers in 2012. Between 2011 and 2012, maritime arrivals of asylum seekers outnumbered those arriving by air for the first time. The government suggested that conflicts in neighboring countries were to blame, rather than the abolition of the Pacific Solution. In 2010, Australia celebrated resettling its 750,000th refugee. The same year, the government temporarily stopped processing asylum applications from Sri Lanka and Afghanistan.

Rudd's successor Julia Gillard attempted to create alternatives to the Pacific Solution with little success. In 2011, Australia made an agreement with Malaysia to take 4,000 UNHCR recognized refugees in exchange for 800 asylum seekers. However, the Australian High Court struck down the agreement, finding that it would be illegal for Australia to send asylum seekers to a country that is not a signatory to the UN Convention on Refugees. Other failed projects included the establishment of a detention center in East Timor and collaborating with Indonesian authorities to prevent boats from departing for Australia. A small - albeit contentious - success was the Memorandum of Understanding with the Afghan government enabling the involuntary

repatriation of unsuccessful asylum seekers from Afghanistan. In 2012, the Gillard government reinstated the Pacific Solution and offshore processing, once again leading to a decrease in unauthorized arrivals. The next year, Prime Minister Rudd returned to power and announced that “any asylum seeker who arrives in Australia by boat will have no chance of being settled in Australia as a refugee”, a policy which subsequent governments have kept (“Australia to send asylum-seekers,” 2013). Another important break from the Rudd era that took place during the Gillard government was the abandonment of the “Big Australia” policy. While her predecessor supported the projection of the population reaching 36 million by 2050, Gillard stated, “I don’t support the idea of a big Australia with arbitrary targets of, say, a 40 million strong Australia or 36 million strong Australia. We need to stop, take a breath and develop policies for a sustainable Australia... I don’t want businesses to be held back because they couldn’t find the right workers... That’s why skilled migration is so important. But I also don’t want areas of Australia with 25% youth unemployment because there are no jobs” (“Gillard shuts door,” 2010).

Although Labor became increasingly tough on asylum policy, it continued to promote migration as a whole. The government worked to emphasize the economic, cultural and social benefits of immigrants while condemning intolerance and discrimination. These efforts were partially a response to earlier violent incidents motivated by racism, such as the 2005 Cronulla riots and the attacks on Indian students in 2009. Additionally, the government sought to make economic immigration more efficient and demand-driven by replacing the “Migration Occupations in Demand List” with the shorter and clearer “Skilled Occupations List”. Similar to Labor, Harper’s Conservative government in Canada established the Express Entry program to manage skilled immigrant applications more efficiently and effectively and promoted a values-based identity rather than a multicultural one.

The Coalition returned to power in 2013 and Tony Abbott became Prime Minister. Immediately after the election, the government established Operation Sovereign Borders (OSB), a border protection operation headed by the Australian Defense Force. The Operation, which has been shrouded in secrecy, is aimed at stopping unauthorized maritime arrivals and people smuggling. OSB has empowered authorities to turn back boats and coordinate the immediate return of passengers and increased the capacity of offshore detention centers. As part of the operation, the Coalition reintroduced Temporary Protection Visas and reaffirmed the Rudd government's policy of denying successful claimants in offshore detention centers resettlement in Australia. There have been claims made that OSB has turned back or intercepted over 33 boats carrying thousands of passengers and stopped close to 80 people smuggling operations. The Abbott administration also created the Fast Track Assessment Process, which reduced certain asylum seekers' appeal rights; the new program processed a backlog of 30,000 undetermined applications of unauthorized maritime arrivals between August 2012 and January 2014. In the meantime, Australia continued to grant refugee status to people escaping the Syrian Civil War, especially persecuted minorities like the Maronites, Yazidis, and Druze.

Throughout the Coalition's period in office, international scrutiny of Australia's offshore detention centers increased. There were multiple incidents of rape, self-immolation, hunger strikes, and suicide that made international headlines. In 2013, a UNHCR review concluded that the conditions constituted arbitrary detention, and therefore violated international law. The Australia Human Rights Commission published the "Forgotten Children Report" in 2014, criticizing the devastating impact of asylum detention on children. Abbott called the report "a blatantly partisan politicized exercise" and suggested that the "Human Rights Commission ought to be ashamed of itself" (Bradley, Chagas-Bastos, and Minns 2018, p.8). There have been a

number of other studies from NGOs and intergovernmental organizations condemning the dismal conditions in the detention centers. The Australian government has spent over AU\$5 billion on detaining irregular maritime arrivals, and faced multiple lawsuits challenging its policies. In 2016, the PNG Supreme Court declared that the Manus detention center had to be shut down because it violated numerous rights and freedoms. Although the center has been shut down, many detainees - most of whom have been granted refugee status - remain on the island in transition centers and “alternative accommodations”. The Australian government refuses to let them resettle in Australia. The Obama administration agreed to resettle up to 1,200 refugees from Nauru and Manus Island in return for Australia resettling some (approximately 20 to 50) Central American refugees, though it is unclear where the deal stands under the Trump administration; thus far, less than 500 refugees have been resettled in the US as part of the deal. Around the same time, Australia signed a Memorandum of Understanding with Cambodia to resettle refugees from Nauru in exchange for AU\$ 40 million aid. By the time the deal lapsed, less than 30 refugees had arrived in Cambodia. Additionally, the Turnbull government twice rejected New Zealand’s long-standing offer of accepting 150 refugees annually from Nauru and PNG.

Australia, unlike Canada, refused to adopt the non-binding UN Global Compact for Migration due to concerns about compromising border security and control over immigration policy. In a joint statement, Morrison, Home Affairs Minister Peter Dutton, and Foreign Affairs Minister Marise Payne argued that the compact is “inconsistent with [Australia’s] well-established policies and not in Australia’s interest” and “directly conflicts with important principles that have underpinned [Australia’s] successful approach” as may “risk encouraging illegal entry... reverse Australia’s hard-won successes in combating the people smuggling trade” (Karp 2018). These statements were likely referring to the part of the agreement that suggests

migration detention should be “a measure of last resort... in full compliance with due process and procedural safeguards... not promoted as a deterrent” (Karp 2018).

Australia has been experimenting with a private refugee sponsorship program similar to the Canadian one since 1979. From 1979 to 1997, the Community Refugee Settlement Scheme (CRSS) helped thousands of refugees by moving them into welcoming communities that provided initial accommodation, employment, and social support. The more recent iteration of CRSS, the Community Proposal Pilot, was established in 2013 and replaced by the Community Support Program in 2017. The Program is allocated approximately 1,000 places in the offshore component of Australia’s Humanitarian Program. It is very similar to Canada’s private sponsorship scheme and encourages communities and businesses to support refugees by providing employment, skills, financial support, and so on.

Although changes to asylum policy have been in the spotlight in Australia, there have also been a few alterations to work visa policies that have made headlines. Most notably, Turnbull’s Coalition government abolished the 457 visa - also known as the Temporary Business (Long Stay) visa - which allowed employers to sponsor foreigners to work in Australia for up to four years. The visa was replaced by the short (two year) and medium-term (four year) Temporary Skills Shortage visa which has more stringent requirements (e.g. mandatory work experience, higher English language skills, skills assessment prior to application). The government also significantly condensed the occupation list for skilled migration visas. Similarly, the Coalition tightened eligibility requirements for the permanent skilled stream visas: applicants must have at least three years of work experience, be under 45 years old, and meet higher English requirements. Turnbull promoted these changes by saying “We’re putting jobs first. We’re putting Australians first... We will no longer allow 457 visas to be passports to jobs

that could and should go to Australians” (Karp 2017). These policies have made it harder for international students to immigrate to Australia due to their lack of work experience. On the other hand, Canada has been working towards encouraging foreign students to join the Canadian workforce via the Canadian Experience Class and Post-Graduate Work Permit Program.

The current Australian government led by Prime Minister Scott Morrison has promoted decentralizing and cutting immigration. His platform differs significantly from that of the Trudeau government, which has increased Canada’s intake and continuously promoted the benefits of immigration. The Morrison administration is planning on reducing the annual intake of immigrants by almost 30,000, which the treasury estimated would cost the budget over AU\$500 million per year due to the loss of immigrants’ consumption, income, and taxes. On the other hand, Australia’s regions are demanding more skilled migrants; South Australia Premier Steven Marshall recently stated that the region would welcome an additional 15,000 migrants per year. These demands have motivated the government to work towards extending the Designated Area Migration Agreements (DAMAs), which are negotiated between business leaders in an area (e.g. the West Australian goldfields) and the Department of Home Affairs. There have been proposals made about creating regional migration agreements with lower application criteria to encourage workers to immigrate to the Northern Territory and South West Victoria.

Morrison has conflated his concerns about immigration with those about infrastructure and economic challenges. Australia’s economy has been growing without a recession for almost three decades. Nevertheless, some studies have suggested that immigration has increased unemployment and wage stagnation in certain industries (accounting, IT, business) by creating an “oversupply” of qualified workers. While the impact of immigration on specific industries has been a topic of debate, it is clear that Australia is facing infrastructure and congestion issues.

About 40% of Australians live in Sydney or Melbourne; most immigrants settle there or in South East Queensland. This crowding has led to a rapid rise in housing prices (up to 20% in one year in Sydney), which has been correlated with higher household debt. Moreover, public transit is struggling to accommodate an increasing number of passengers, and traffic has increased. The government is considering a proposal to make people immigrating through certain visas live in less populated areas for up to 5 years after their arrival. However, immigration is not the only factor that has increased the demand for services; poor urban planning and internal migration have also played a role in creating infrastructure challenges.

The Coalition has extended the wait time for immigrants to access welfare benefits; new arrivals will have to wait up to four years to access certain welfare programs such as Newstart (income support for those who are unemployed and looking for work) and concession cards. The Greens have heavily criticized this deal, accusing it of punishing migrants. In the meantime, the Trudeau government has reinstated many of the rights and benefits that were cut under the Conservatives, including the Interim Health Program, and the right of appeal for asylum seekers from DOCs. Moreover, Canada has increased funds allocated to refugee processing and sponsorship.

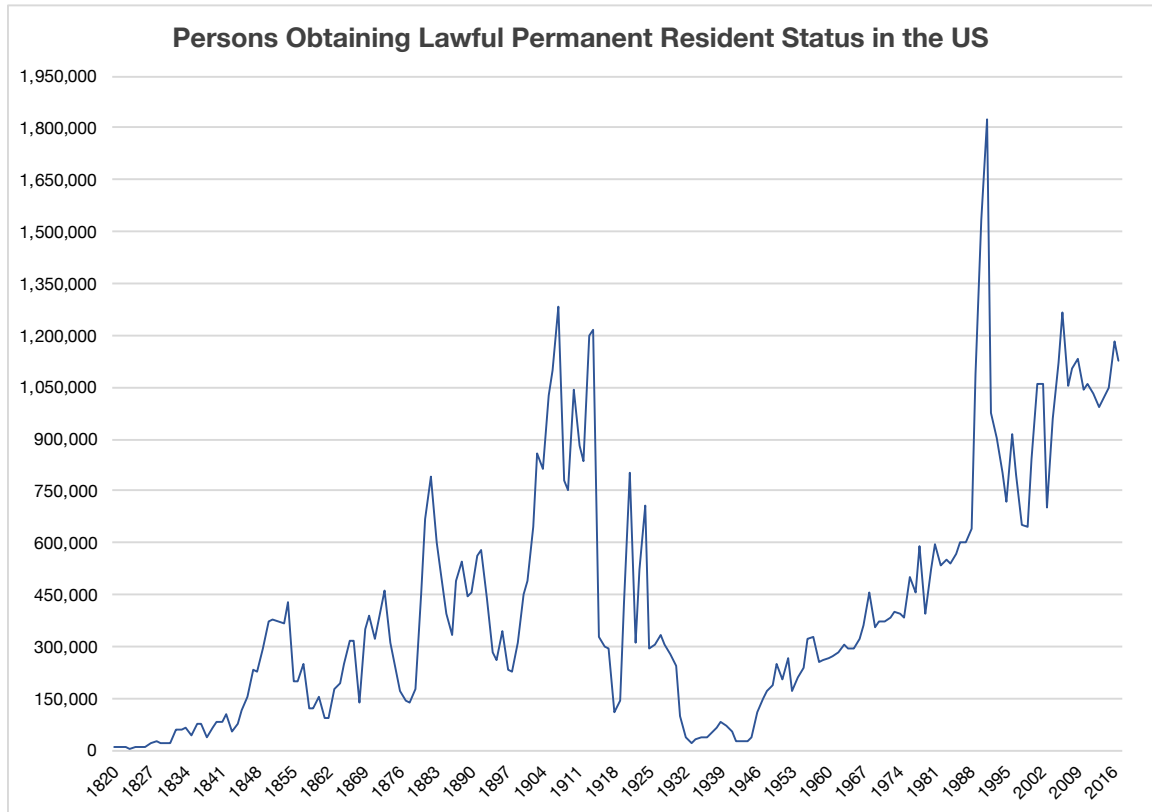
The Liberal-National coalition cemented its position in the May 2019 election. After trailing Labor in the polls for the last two years, Morrison pulled off a surprise victory over Bill Shorten by winning a combined 77 seats to Labor's 66. While some US media suggested that Australia was now jumping on the global populist bandwagon, the election probably represented a desire for continuity by sticking with a familiar center-right government. While Labour had favored accepting more refugees overall, it is not clear that this was a critical issue determining the vote outcome (Cave 2019). According to recent public opinion polls, a majority of

Australians - like Canadians - support and value immigration, though there is some disagreement about the immigration intake. The 2018 Scanlon Foundation Mapping Social Cohesion Report found that 80% of Australians believe immigrants are “generally good” for the economy; most Australians say immigrants make the country better off by bringing “new ideas and cultures”. Around 45% of Australians believe that the current intake should be reduced. A recent poll by the Guardian obtained similar findings, reporting that 55% of Australians believe immigration should be slowed. 65% of Scanlon respondents expressed that they were concerned about Australia’s harsh treatment of asylum seekers and refugees, with a quarter expressing a “great deal” of concern. However, immigration policy does not seem to be at the forefront of people’s minds; only 7% of respondents to the Scanlon survey listed immigration as the most important problem facing the country. Australians are more concerned about the economy, the environment, and the quality of government.

IMMIGRATION IN THE UNITED STATES

Figure III: US Immigration, 1820-2016

Source: United States Department of Homeland Security



Like Canada and Australia, the United States is a land of “new settlement” where the dominant population is descended from European immigrants who arrived in a period of historical memory. Many of the broad features of this experience are similar to those of the other two countries: high levels of immigration relative to the native-born population, shifting concerns over the ethnic characteristics of the new arrivals, and broad success in assimilating earlier generations of immigrants. Where the United States differs markedly from Canada and Australia is in its continuing failure, stretching now over three decades, to successfully formulate policies that would regulate the inflow of newcomers.

The United States was from its beginning a “nation of immigrants.” The country saw huge increases in its foreign-born population from the inception of the Republic, but particularly in the period from 1880-1930 when 28 million people arrived. In most years the annual total exceeded 400,000 and never fell below 200,000. The rate accelerated in the first three decades of the 20th century and reached a peak in the year 1907 when 1.3 million immigrants arrived. Foreign-born at that point constituted about 15% of the total population.

High rates of immigration provoked great anxieties over how immigrants were changing the character of American society, as the character of both the native-born and new arrivals changed. The British Protestants who dominated the original colonies were suspicious of the Catholic Irish and Germans who arrived in the 1830s and 40s. As these groups slowly assimilated, they in turn worried about the turn-of-the-century immigrants from southern and eastern Europe, as well as those from Asia who started arriving after the settlement of California. The United States then passed a Naturalization Act in 1790 to create the first rules for citizenship, opening it up to “free white persons” of “good moral character” after two years of residence, and the Alien and Sedition Act of 1798, which allowed the President to deport foreigners deemed dangerous to the US. The arrival of Chinese workers in the late 19th century prompted the Chinese Exclusion Act in 1882 (subsequently renewed several times until its final repeal in 1943), the Anarchist Exclusion Act of 1903, and the “Gentlemen’s Agreement” in 1907 to limit Japanese immigration (Ewing 2012).

The Closing and Re-Opening of America

It was however the huge influx of European foreigners in the early 20th century that triggered a nativist backlash that led to the Quota Law of 1921 and the National Origins Act (the Reed-Johnson Act) of 1924. These laws set national-origin quotas for new immigrants and

dramatically lowered the total number of legal immigrants accepted. Annual numbers subsequently fell to an annual rate of 185,000 in the period from 1931-1970 after the Reed-Johnson Act came into force (Massey 1995). As in the case of comparable legislation in Canada and Australia, the purpose of the policy was not simply to reduce levels of immigration, but to ensure that it came from the right parts of the world, in particular northwestern Europe. As in Canada, residents of Japanese origin were interned during the Second World War. The McCarran-Walter Act of 1952 eliminated the explicitly racial basis of the earlier legislation, but retained their essence through national-origin quotas set as percentages of the existing population.

The national origins of new arrivals nonetheless began to change dramatically in the middle of the 20th century for economic reasons. Immigration from Europe dwindled due to the World Wars and shifted to Latin America and, to a lesser extent, Asia (Ewing 2012). The quota laws did not apply to people from Latin America. Western farms and factories began to experience huge labor shortages during the Second World War, leading to the *bracero* program that brought 5 million Mexican field workers to the US. Like comparable guest worker programs in Europe, these arrivals were envisioned as temporary, and the federal government sought to forcefully expel those who overstayed in a program called “Operation Wetback” beginning in 1954. Nonetheless immigration from Mexico rose from 61,000 in the 1940s to 454,000 in the 1960s (Massey 1995).

Policy was liberalized during the 1960s in conjunction with the ongoing Civil Rights movement with passage of the Immigration Act of 1965. This law eliminated the national-origin quota system, replacing it with a preference system of family and occupational categories and overall regional caps on migration. Numerical caps for overall immigration were set, with

170,000 permitted from the eastern hemisphere and 120,000 from the western hemisphere. The Asian exclusion limits were finally abolished, and it was the Asian rather than the Latino immigrant population that began to swell in the immediate aftermath of the new law. The ending of the Vietnam War in 1975, and settlement of the various wars in Central America in the 1980s led to changes in refugee law that permitted settlement of large numbers of people from those countries as well (McCabe and Meissner 2010). Total numbers of immigrants increased dramatically beginning in the 1970s, the inflow averaging 675,000 in the period from 1965-1990.

It was in this period that the problem of undocumented immigrants emerged. By one estimate, the undocumented population reached around 3.3 million by 1990, with an annual flow of around 854,000 per year (Massey 1995). Perhaps 55% of these were Mexican. One obvious reason why illegal immigration became a large problem in the US was due to the fact of the nearly 2,000 mile border between the two countries. It is much harder for people in poor countries to reach Canada and Australia. However, the border is only part of the problem. It is estimated that nearly half of all the undocumented in the US came into the country on legal visas, and simply overstayed. The United States, unlike Canada and Australia, has no equivalent of a national ID card that would reliably certify a person's legal status in the country.

The rapid growth of the undocumented population, as well as increasing numbers of legal immigrants, established an unhealthy equilibrium that has made comprehensive immigration reform nearly impossible to achieve in the decades following the 1965 Act. On one hand, there was a growing conservative backlash against immigration. Some of this was due to fears that the ethnic makeup and culture of the country was being altered by the newcomers. Others did not necessarily oppose immigration per se, but were concerned that the country had lost control over its borders and could not enforce existing immigration laws. On the other hand, as in earlier

backlash periods, there were worries about the ability of the current wave of immigrants to assimilate into the broader American society.

The other half of the new equilibrium revolved around the growth of new lobbies in favor of immigration, many of whom became protective of all immigrants whether they entered the country legally or not. The often overtly racist opposition to immigration made protection of immigrants and refugees a moral priority for many. Hispanic voters emerged as an important new political bloc, one that tended to align with the Democratic Party; legalization of the immigrant population became a priority for this group. The other major lobby that wanted to preserve the status quo was important parts of the business community. From growers in California to food processors and manufacturers throughout the Midwest, many business owners relied increasingly on immigrant labor. In the absence of stronger enforcement measures, they actually preferred to hire the undocumented, since it lowered their labor and compliance costs. Lacking legal protections, undocumented workers were easier to exploit.

Reform Efforts

These two groups, opposing and supporting immigration, grew increasingly entrenched over time, and continue to dominate much of the public discussion of the issue in the US, and the politics of the two major parties. There have been repeated efforts to pass comprehensive immigration reform from the 1980s onwards, and numerous partial efforts at reform (Johnson 2009). Overall, however, the US has been stuck in a low-level equilibrium where compromise solutions to the immigration problem have been impossible to achieve due to the veto power of key constituencies. This is illustrated by the fate of the 1986 Immigration Reform and Control Act (IRCA). This bill was the last comprehensive measure to get through Congress, but it failed dramatically to achieve its objectives and set the stage for future gridlock.

The fundamental deal enshrined in IRCA was the same that would underlie all subsequent efforts at comprehensive immigration reform. On one hand, it promised stricter enforcement of existing immigration laws through a combination of tougher border enforcement, and employer sanctions that subjected businesses that knowingly hired undocumented workers to criminal penalties. On the other hand, it offered a path to legalization to those undocumented immigrants who could prove continuous residence in the country since at least 1982 (Bean, Vernez, and Keely 1989; Vernez 1994; Phillips and Massey 1999; Baker 1997).

Both wings of this policy were very unpopular with the two sides of the debate. Tougher enforcement was opposed by immigrant-rights organizations that felt it reflected a racist attitude toward newcomers, and would have devastating effects on immigrant communities. Many of the undocumented had been living peacefully in the US for years if not decades, raising children who were American citizens and contributing in positive ways to American society. Clamping down on their means of livelihood and potentially forcing millions of people out of the country would be traumatic on a massive scale and could have negative consequences for an economy that depended on immigrant labor.

On the other hand, legalization was extremely unpopular with large parts of the public. Many regarded “amnesty” as rewarding law-breakers and weakening the rule of law as such; it was feared, moreover, that legalization would simply encourage further illegal immigration in the future. For some conservatives, the fact that a family had entered the country illegally made them criminals likely to then go on to violate other American laws (Baker 1997).

The only conceivable way of reconciling these positions was to explicitly link them to one another, which is what IRCA and all subsequent comprehensive reform acts sought to do (Lee 2006, Johnson 2009). In 1987, Congress was able to pass IRCA because an important part

of the Republican Party was at that point still welcoming to immigrants and prepared to seek bipartisan consensus on this issue. The bill itself was co-sponsored by a Republican, Alan K. Simpson of Wyoming, and Peter Rodino, a New Jersey Democrat; it was signed into law by President Ronald Reagan.

Unfortunately, IRCA failed in several key ways that made future comprehensive immigration reform much harder to achieve (Vernez 1994). It did succeed in legalizing some 2.7 million of the estimated 3-5 million undocumented in the country at the time. On the other hand, it did little to reduce the flow of new illegal migrants; after falling slightly in the immediate aftermath of the bill's passage, numbers began to swell once more to even higher levels (Donato, Durand, and Massey 1992). The law also failed to produce the kinds of labor market gains for newly legalized immigrants that some had predicted, since the mere act of legalization did little to improve a worker's skills (Massey, Phillips, and Lee 1999). One important reason for the failure of enforcement was the absence of a reliable type of ID card that would certify to employers that the individual in question was legally in the country. IRCA's passage saw a large increase in fraud and the development of a market for fake IDs (Wishnie 2007). Another reason for enforcement failure had to do with the economic incentives facing employers: legalization often increased labor costs and reduced flexibility; businesses were happy to look the other way and resented being asked to serve as policy enforcers (Calavita 1989, Marshall 2007).

American reluctance to adopt a single secure national ID card is a reflection of American exceptionalism and is not shared by either Canada or Australia, not to mention other developed democracies. It arises out of suspicion of the state that is characteristic of both left and right in the US: the left tends to worry about surveillance of dissidents and the right worries that an ID

card would give the government too much power. As a result, subsequent efforts to create the equivalent of a national ID have been done on a state-by-state basis.

The fact that the enforcement part of the IRCA bargain failed to materialize then hardened the conservative opposition to any future bargain involving legalization. In the two decades after IRCA, “enforcement first” became the mantra of immigration opponents; most new measures were not comprehensive but focused on restricting the scope of either legal immigration or refugee status. Bills included the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (a.k.a. welfare reform) that restricted access to public benefits by various categories of immigrants, and the Illegal Immigration Reform and Immigrant Responsibility Act that made it easier to deport the undocumented. As in Canada, the September 11 attacks prompted new legislation like the Patriot Act that increased border security and put foreign nationals under greater scrutiny. The US merged several agencies including the Immigration and Naturalization Service into a gigantic Department of Homeland Security, and created the Customs and Border Protection (CPB) and Immigration and Customs Enforcement (ICE) bureaus within it (McCabe and Meisser 2010).

The last big effort to achieve comprehensive immigration reform was undertaken in George W. Bush’s second term. Senate Republicans had introduced several failed “enforcement first” bills, like the Comprehensive Enforcement and Immigration Reform Act of 2005 introduced by John Cornyn and Jon Kyl. Democrat Ted Kennedy and Republican John McCain led a bipartisan group that pushed S. 1033, The Secure America and Orderly Immigration Act (S. 1033), a bill very similar to IRCA in overall structure that coupled legalization of existing undocumented immigrants with tougher border enforcement measures. After failing in the Senate by a large majority, it was revived in 2007 as S. 1639, with strong support from President Bush.

The new bill incorporated parts of the DREAM Act (Development, Relief, and Education for Alien Minors), which focused legalization efforts on the children of undocumented aliens who had been brought to the country by their parents (Keyes 2013).

These new bills once again traded off provision of a path to citizenship for the undocumented already in the country in exchange for stricter future enforcement of existing immigration laws. S.1639 would have created a new “Z visa” that would give anyone living in the US on Jan. 1, 2010 the right to remain legally in the country for the rest of their lives, as well as access to a Social Security number. After 8 years, holders of a Z visa would be entitled to apply for permanent resident status; they could then apply to become US citizens after paying a penalty, back taxes, and meeting certain other requirements. The bill would have restricted family reunification qualifications to only an immigrant’s spouse and children rather than to his or her extended family and would have created a Canadian-style point system for those seeking to immigrate legally. On the enforcement side, the bill would have increased the number of border patrol agents and fencing and would have created an “Employment Verification System” to facilitate sanctions against employers who hired illegal immigrants. No part of the bill would be enacted without passage of the other provisions.

Despite the internal logic of the proposed bill that gave both sides of the debate part of what they wanted, S. 1639 failed in the Senate, with a final cloture vote of 46-53.

The reasons for the failure of this renewed effort at comprehensive immigration reform was rooted in the new dysfunctional equilibrium that had been established in American society. The number of undocumented immigrants had increased from 3-5 million in the late 1980s to around 11-12 million by the late 2000s. Opposition to any form of legalization had hardened over time with the failure of IRCA; proponents of the 2006-2007 reform had a hard time credibly

claiming that the new efforts at enforcement would be feasible. The Republican Party had begun its long march to the right. Republican supporters of immigration reform like George W. Bush, John McCain, Chuck Hagel, and Lindsay Graham were losing ground among the party's base voters to firebrand opponents like Representative Tom Tancredo or Senator Dave Vitter of Louisiana (Wroe 2008). On the Democratic side, the burgeoning Hispanic population had become a key constituency for the party, one that could be de-mobilized by any policy promising tough enforcement. Immigrant rights groups and their supporters were among the most vocal members of the party's coalition, and they tended to be firmly opposed to the new enforcement provisions that would have made it more difficult for the undocumented to find work.

Obama, Trump, and the Current Impasse

In the wake of the failure of comprehensive immigration reform during the administration of George W. Bush, the agenda shifted to less ambitious objectives. On the pro-immigration side, reformers began focusing on a subset of undocumented immigrants: children who had been brought to the US by their parents and had grown up, essentially, as Americans. The 1982 Plyler v. Doe Supreme Court decision had given these minors access to public education, and by the early 2000s many were ready for college but unable to receive tuition relief or other benefits because of their legal status. The Development, Relief, and Education for Alien Minors (DREAM) Act that focused on this group had been incorporated into the failed 2006 reform but was broken out as a separate piece of legislation which was regarded as easier to pass (Olivas 2009).

On the anti-immigration side, a number of conservative states began passing legislation designed to toughen federal enforcement actions. Arizona, for example, passed S.B. 1070, the Support Our Law Enforcement and Safe Neighborhoods Act, which was signed into law by

Governor Jan Brewer in 2010. Among other things, the law allowed police officers to demand proof of legal status from individuals they suspected of being illegal aliens. S.B. 1070's constitutionality was immediately challenged and eventually worked its way up to the Supreme Court, which ruled that parts of the law were superseded by federal law, but left other parts standing (Gilbert 2013).

President Barack Obama was elected in 2008 along with Democratic majorities in both the House and Senate, and hoped to regain the momentum on comprehensive immigration reform (Dorsey, Diaz-Barriga, Gilbert and Keyes 2007). However, he became president in the midst of the greatest economic recession since the Great Depression, and in any event was more interested in pushing for healthcare reform. During the two years of unified Democratic control, the party spent its political capital on pushing for bank regulation and universal health care, resulting in the passage of the Dodd-Frank banking regulation act and the Affordable Care Act.

Immigration reform was put, for the moment, on a back burner. The Obama administration, hoping to get to the issue later, continued enforcement of existing immigration laws in hopes of establishing its credibility in light of the legacy of IRCA. Policy shifted to focus on removals of undocumented aliens with criminal records and recent arrivals, leading to complaints from immigrants' rights groups and other actors on the left wing of the Democratic Party that Obama had become the "enforcer-in-chief" (Chishti, Pierce, and Bolter 2017).² Meanwhile, the administration sought to pass some version of the DREAM Act, rather than reviving a more comprehensive bill like the 2006 initiative, in the belief that the children of the

² Aggregate removals and returns actually fell under Obama relative to earlier administrations, not so much as a result of policy, but due to a strong Mexican economy and a relatively weak American one.

undocumented who had come involuntarily would gain more general sympathy than their parents.

Such a reform never became a legislative reality, because the Republicans took back control of the House in 2010. The party as a whole was moving steadily to the right, partly as a response to passage of the Affordable Care Act; centrist Republicans of the sort that had backed the 2006 reform were being challenged and defeated in primaries by candidates from the newly organized Tea Party wing. For many in this group, opposition to what they called “amnesty” was a core issue and the DREAM Act a nonstarter.

For the remaining six years of his administration, President Obama faced gridlock that came out of divided government in an increasingly polarized political climate. As is the case in many presidential systems, his administration responded to this legislative failure by issuing an executive order that bypassed Congress. The Deferred Action for Childhood Arrivals (DACA) executive order instructed local authorities to defer enforcement of immigration laws against children who had been brought to the US by their parents. The timing of this order was determined by an impending Supreme Court decision on the constitutionality of Arizona’s S.B. 1070 that strengthened the state’s enforcement mechanisms. As it was, the Supreme Court soon after struck down three of the four major provisions of the state law as unconstitutional; however, the constitutionality of DACA itself was immediately challenged in the courts by immigration opponents like Kansas Secretary of State Kris Kobach and other officials in conservative states (Gilbert 2013).

The issue of DACA’s constitutionality is a complex one. Prosecutorial discretion — the ability of a local state’s attorney to decide not to enforce a given law — is a deeply embedded part of the Common Law. Enforcing compliance with every law on the books is impossible in

most countries, given limited time and resources on the part of the state. Prosecutorial discretion is usually applied, however, to individual defendants in the course of plea bargains. With DACA, the Attorney General of the United States was ordering local prosecutors to suspend enforcement against a very large class of potential defendants, a class that potentially numbered in the millions. This would seem to be a policy issue that normally should be decided by Congress. On the other hand, DACA's constitutionality was upheld in a petition circulated by a large number of law professors who cited precedents for this kind of action (Gilbert 2013).

With the election of Donald Trump in 2016, an already intractable problem became even harder to resolve. From the very beginning, Trump made immigration his signature issue, and advocated the building of a wall across the entire US-Mexican border as his solution to the problem of illegal immigration. He also tried to use executive orders to ban various classes of people, particularly those from Muslim-majority countries, from entering the US. He similarly used his own executive powers to end DACA, and ordered the Immigration and Customs Enforcement bureau to step up the pace of deportations of the undocumented. In 2017, the Department of Homeland Security began separating the children of undocumented arrivals from their parents, a policy designed to act as a deterrent to crossing the border. As it turned out, this harsh policy had little apparent effect as levels of asylum seekers from Central America increased and reached crisis levels in 2018-2019.

Even with the Republicans controlling both houses of Congress, Trump was no more successful than his predecessor in getting his way on most immigration policy issues. His initial orders banning travel to the US were quickly overturned by the courts and had to be re-written more carefully to avoid excluding people on the grounds of religion. The Republicans in Congress failed to pass funding for the border wall (Mexico, unsurprisingly, having declined to

pay for it); they were more intent on repealing the Affordable Care Act and implementing a tax cut. By the time Trump finally turned his attention to funding for the wall, the Democrats had recaptured the House of Representatives in the 2018 midterm elections. In December 2018, Trump shut down the US government to force the Democrats' hands but failed miserably in doing so. Stricter border enforcement was not by and large a controversial issue for many Democrats who had offered more funding for fencing and electronic surveillance in the past. In any event, a wall would have solved only part of the problem of illegal immigration since as many as half of the undocumented had entered the country legally but overstayed their visas (Warren and Kerwin 2017). Trump however had made a literal wall such a central symbolic issue for his own base that the Democrats were loath to accommodate him, leading Trump to declare a national emergency so that he could find the funding in other parts of the government. To a greater extent than DACA, this use of executive power raised clear constitutional issues regarding separation of powers.

By early 2019, the United States had failed, over a period of many decades, to deal seriously with immigration policy. Neither the restrictionist nor the pro-immigration sides were happy: the US continued to deal with a flood of people on its southern border seeking asylum (coming more, this time, from Central America rather than Mexico), while the growing population of undocumented immigrants continued to exist in an increasingly perilous state where they had no path to eventual legal status and had to worry about arbitrary arrest and deportation. Public opinion had not moved towards consensus, but rather the opposite, towards an ever more extreme polarization fed, this time, by a president who seemed to be doing everything he could to stoke fear and hatred of immigrants among his followers.

IMMIGRATION POLICY IN COMPARATIVE PERSPECTIVE

There are many similarities in the ways that Canada, Australia, and the United States have approached immigration that become evident when comparing them as a group to other developed democracies. As lands of “new settlement,” all three have been generally much more open to immigration than other parts of Europe or Asia with long-established native-born populations. Indeed, these three former British colonies were highly dependent on immigration from Europe as a means of populating their territories, growing the economy and establishing their hegemony over the indigenous peoples who preceded them. All three eventually extended birthright citizenship to anyone born on their territory, rather than the more restrictive *jus sanguinis* citizenship practiced by countries like Germany or Japan. However, race and ethnicity played important roles in determining who was allowed to immigrate and become citizens, and the right to citizenship was the object of political struggle in their histories.

The difference between immigrants and refugees was important for both Canada and Australia, but less so for the United States. The first two countries set strict criteria for legal immigration, with the result that immigrants tended to come with skills and other assets that were useful to economic development. Refugees on the other hand tended to come from poor developing nations and had fewer skills and lower levels of education; they were often racially and culturally distinct from the native-born population. Refugees were also governed by a different set of laws; Canada and Australia both signed the international covenant on refugees that restricted their parliaments’ ability to regulate numbers. Hence, taking legal immigrants was always much less controversial than taking refugees. In the United States, by contrast, both legal and illegal immigration was dominated by people from Mexico and Latin America, so Americans tended not to see immigration and refugee policy as distinct areas.

Controlling the racial/ethnic mix of immigrants was central to the policies of all three countries in the period up until the 1960s. Canada passed its first immigration law in 1869, which paved the way for a steady flow of immigrants that reached a peak in the period just before World War I. Immigrants were regarded as critical to the settling and economic development of the country, but were restricted by law in 1910 to people from Britain, the US, and certain selected northern European countries. Australia was settled by involuntary immigrants—convicts from the British Isles, soon to be supplemented by voluntary ones drawn to the country by the discovery of gold in the 1850s. Shortly after Australia became an independent country in 1901, it passed an immigration act that effectively restricted immigration to people from European countries and was to become the basis of the “White Australia” policy. Among Europeans, Canadian and Australian policy showed a marked preference for northern Europeans, something that was increasingly challenged by the arrival of immigrants from Southern and Eastern Europe in the years prior to and after World War I. The United States was initially more open to the latter group during the huge wave of immigration that occurred between the 1880s and 1920s, but it sought to close its doors retrospectively with the passage of the 1924 Reed-Johnson act, which established quotas for immigrants based on their existing proportions in the population.

All three countries made efforts to specifically restrict immigrants from Asia: in Canada, parliament imposed a head tax on Chinese arrivals; Australia passed a similar head tax on Chinese immigrants and passed the Pacific Island Laborers Act in 1901 which banned Pacific Islanders from entering Australia. The United States for its part passed the Chinese Exclusion Act in 1882, even as large numbers of Chinese workers arrived to help build the western railroads and negotiated a “Gentleman’s Agreement” in 1907 to limit immigration from Japan.

During World War II, both the United States and Canada interned people of Japanese descent, regardless of their citizenship status.

All three countries began to dramatically liberalize their immigration policies beginning in the 1960s, shifting from a race-based policy to one based on skills and education. Canada's Citizenship Act of 1947 established a separate Canadian citizenship for the first time and put it on a *jus solis* (birthright) basis. The ban on Chinese immigration ended in 1946. In 1960, the Canadian government established occupational requirements for sponsored relatives who were not dependents, and in 1962 revoked rules that favored immigrants from Britain, France and the US, and replaced it with one prioritizing immigrants with educational and professional qualifications. Canada's major reform came in with the establishment under the Pearson government in 1967 of the point system, which prioritized immigrants on the basis of nine categories deemed important either as desirable economic attributes or as contributors to eventual assimilation. The point system had an immediate effect of dramatically increasing the number of immigrants from Asia. Pearson justified the new policy both on economic grounds, and in terms of Canada's leadership as a credible middle power in the international community.

Australia's "White Australia" policy continued in the period after World War II, when the country created large incentives for white immigrants to settle there from other parts of the British Commonwealth. This was done as an explicit response to the threat posed by Japan and other "yellow races" to the country's security. Policy began to liberalize slowly by the late 1950s, as the mix of immigrants shifted to Southern and Eastern Europeans. Australia signed its first agreement to regulate immigration with a non-European country after a 1966 government review concluded that preference should be given to economic and integration potential rather than to race or country of origin. The big change came in 1972 when the government of Gough

Whitlam abolished the White Australia policy altogether and declared that race should not play a role in immigrant selection. Like Canada, Australia adopted a point system for prioritizing skills and education, something that was finally formalized in 1989, two decades after Canada had adopted such a measure.

The United States liberalized its immigration system with passage of the Immigration Act of 1965 that abolished the national origin quota system, and replaced it with preferences for family reunification and occupational categories. The Asian exclusion laws were eliminated, and numerical caps were set not for countries but for entire hemispheres. From a situation in which immigration was virtually ended after the 1920s, the country opened itself up to a new wave of immigrants that would eventually rival the levels achieved in the period between 1880s and 1924.

Canada, Australia, and the United States all began to confront the challenge of refugees in the course of the 20th century. Refugees occupied a different status from other immigrants by the fact that their status was often regulated by international agreements and not simply by domestic law. Refugees sought to enter all three countries in the wake of the two World Wars that entailed persecution and the displacement of huge populations. In Canada, Prime Minister King told parliament in 1947 that the government “should take account of persons who are displaced and homeless, as an aftermath of the world conflict...,” and his government began to work with the UN High Commissioner for Refugees to resettle displaced persons from Europe. This opened the door to Arab refugees from Palestine, Jews from the Middle East and North Africa, and Europeans fleeing Communism in the Soviet sphere. Australia’s policy shifted at around the same time, when the Chifley government concluded an agreement with the International Refugee Organization to resettle displaced persons first from Europe and then from

other parts of the world. The United States, for its part, shifted to greater openness in the wake of the Holocaust and Nazism, taking Eastern Europeans, and then refugees coming out of its own Cold War conflicts in Southeast Asia and Central America. Refugees in the early Cold War period tended to come from Europe and did not raise the kinds of racial and ethnic issues of those who would come later from the developing world.

In the decades immediately following World War II, the Overton window for the immigration policy debate stretched from racially or ethnically-based policies to ones based on merit or family reunification in Canada, Australia, and the US. After the 1960s and the progressive movements that were spawned in that decade, the window shifted dramatically. Racially-based policies were no longer deemed acceptable: the left edge of the window was defined by an enthusiastic embrace of multiculturalism, while the right edge was defined by emphasis on the eventual integration of immigrants and a focus on economic criteria for admission.

In Canada, the shift towards multiculturalism occurred under the prime ministership of Pierre Trudeau, marked by the Multiculturalism Policy of 1971 and passage of the Immigration Act of 1976. In the former, the government committed itself to the idea that all cultures and lived experiences should be valued and respected, and promoted policies to support the coexistence of multiple cultures in Canada. This shift grew out of the specific history of Canada and the long-standing tensions between Anglophones and Francophones: the Parti Québécois had started pushing for Québécois separatism accompanied by a surge of violence early in the decade. Promoting cultures other than those of France and Britain were thus seen as ways of mitigating polarization around this historical antagonism.

In Australia, the Whitlam government shifted to support for multiculturalism at roughly the same time. Australia did not have the same binational issues that Canada did, but it did have a history of mistreatment of its indigenous population that had been subject to forced assimilation in earlier historical periods. In addition, as in Canada, immigrant communities that had settled earlier began to gain citizenship, organize, and vote, which increased pressure for the recognition of multiple cultural traditions and communities. The Australian government thus established a Settlement Services Branch within the Department of Immigration to provide assistance to newly arrived immigrants.

In the United States, a similar cultural shift was taking place towards acceptance of multiculturalism and away from the focus on assimilation that had dominated the period prior to 1965 when immigration was largely closed off. American federalism meant that education policy was formulated not in Washington but in the fifty statehouses and by local municipalities and counties around the country, that remained in control of education, police, and a wide range of social services. Many states and cities began to shift away from English-only education to bilingual or, in the case of large cities like New York and Los Angeles, multilingual public education. There was also a shift in cultural values as the children of immigrant communities sought increasingly to hold onto their ethnicity and culture rather than seeking to become “Americanized,” though the degree to which this occurred varied by ethnic group.

But the American situation began to diverge from the experience of Canada and Australia in this period as well. Although rates of immigration increased dramatically following the 1965 legislation, it was dominated by arrivals from a single country, Mexico, and by the fact that many of the new arrivals had either crossed the border illegally or had been brought in legally through initiatives like the Braserio program, but had stayed on past the expiration of their work

visas. By the mid-1980s there were an estimated 3-5 million undocumented immigrants who had come to the country seeking work, often with the active collaboration of US employers who benefitted from the cheap labor they provided. This gave the immigration issue a distinct ethnic cast and created interest groups both pro- and anti-immigration that began to harden over time into a partisan political divide. Opposition to immigration, and particularly to illegal immigration, became a rallying cry for many on the right. So, while Canada used multiculturalism and greater openness to immigrants as a way of softening an existing political polarization, immigration in the US had the effect of first creating and then widening a fundamental division in American society.

In both Canada and Australia, a backlash against immigration and multiculturalism occurred in the 1990s and 2000s, though in much milder forms than in the US. In response to shifting public sentiments, the Chrétien government began prioritizing economic class immigrants at the expense of the humanitarian and family classes, and began charging a Right of Landing Fee to cover the costs of immigrant services. The province of Québec, which had considerable autonomy in setting its own immigration policy, tightened its rules on admissions and emphasized the learning of French on the part of new arrivals. These policies were further toughened under Stephen Harper's Conservative government in the late 2000s, which focused heavily on restricting entry by asylum seekers.

In Australia, the conservative Howard government began to reverse a number of the multicultural and immigrant rights policies pioneered by previous Labor governments, shifting criteria away from family reunification and towards skills. The government began to emphasize a more creedal national identity in place of the celebration of multiculturalism, perhaps in response to the emergence of Pauline Hanson's One Nation party on the far right in the late 1990s. The

Howard government also faced a sharp increase in the number of refugees and asylum seekers arriving in Australia from places like Southeast Asia and the Middle East, and responded with a harsh policy of intercepting and detaining refugees before they arrived in Australia. Following the September 11 attacks on the World Trade Center, it along with the Chrétien government in Canada, increased scrutiny of both immigrants and refugees. In Australia, the Howard government used the attacks to support a broad policy of acting as regional “sheriff” to police places like Papua New Guinea and the Solomon Islands to stop terrorism at its source.

In the most recent period from the late 2000s to the present, there has been something of a divergence between Canadian and Australian immigration and refugee policies. In Canada, the Liberals reclaimed the government from Harper’s Conservatives in 2015 and refocused their emphasis on multiculturalism and making Canada a haven for refugees. This occurred in the midst of the Syrian refugee crisis, which allowed Canada to demonstrate its leadership in this area, though the policy itself did not go without criticism. In Australia, by contrast, governments have shifted between Labor and the Liberals, and has been under Liberal control since 2015. The Labor governments of Kevin Rudd and Julia Gillard initially sought to shift refugee policy in a more welcoming direction, but found themselves implementing a very similar hardline policy of keeping refugees bottled up offshore in other South Pacific Islands in the face of considerable public pressure.

What is notable about both Canada and Australia, however, is the fact that the policy differences were restricted to a relatively narrow band of disagreement: the degree of symbolic emphasis to place on multiculturalism compared to integration, specific rules for the admission of refugees and their numbers, and criteria for admission of legal immigrants. Both countries managed to maintain broad public support for relatively high levels of legal immigrants; both

countries have been able to agree on a single coherent immigration policy; both have been relatively successful in integrating newcomers; and neither country has seen the emergence of a powerful populist party or has elected a populist leader whose primary voter appeal has been opposition to immigration.

The situation is very different in the United States. The last time the country succeeded in enacting a broad immigration reform was in the 1987 Immigration and Reform Act (IRCA) which promised stricter future enforcement of immigration laws in return for providing a path to citizenship for undocumented immigrants without criminal records. IRCA was widely regarded as a failure, especially by those on the right: it succeeded in legalizing some 2.7 million of the estimated 3-5 million undocumented immigrants, but failed in enforcing employer sanctions (its primary mechanism of control). In the years following IRCA the undocumented population swelled to the current level of 11-12 million. There were several subsequent efforts to address immigration policy, including S. 1033 and S. 1639 under the George W. Bush administration, and the DREAM Act that had the more limited goal of legalizing the children of the undocumented. None of these acts passed Congress; while President Obama tried to implement the DREAM Act by executive order, this action was challenged in the courts and eventually rescinded by another executive order from President Trump.

At the present moment, Americans are more polarized than ever over the question of immigration and immigration policy. President Trump has used this issue to fire up his base, using ICE to deport more people and promoting a wall as a solution to the immigration problem. This has provoked a backlash on the left, with liberal cities like San Francisco declaring themselves “sanctuary cities” that would in effect help shield the undocumented from federal law enforcement. The obvious compromise that would go far to solving the immigration problem—a

trade of much stricter enforcement in return to giving the vast majority of undocumented immigrants a path towards legalization—is as far away as ever. This situation satisfies no one: some on the right still dream about deporting all 12 million undocumented immigrants, while some on the left feel that enforcement of existing laws is either cruel or unworkable.

EXPLAINING THE DIFFERENT OUTCOMES

The dependent variable we are trying to explain is why populism has appeared in the United States, but not in Canada or Australia, and the subsidiary question of why the US — unlike Canada or Australia — has failed to come to a consensus around a single coherent immigration policy. There are several categories of explanation for the differing political outcomes with regard to immigration in Canada, Australia, and the United States. The major ones have to do with (1) physical geography, (2) economic growth, (3) the structure of the democratic institutions, (4) underlying social attitudes in the three countries, and (5) social factors that may explain differences in attitudes. We will examine each of these in turn.

Of the three explanations, physical geography is obviously one of the major factors that distinguish the three countries. The United States shares a 2,000-mile border with a relatively poor country, Mexico, while Canada shares an even longer border with a rich one, the US. Australia by contrast is in effect a continent-scale island that is relatively difficult to get to. Many people simply assert that in today's world it is physically impossible to control the flow of people across international borders, and that under these conditions it is natural that the US has a large undocumented population given its proximity to a less developed country.

While it is true that the US has a much more difficult task in controlling immigration than either Canada or Australia due to physical geography, this is not an unsolvable problem. The border with Mexico has become far better policed over the years; today, relatively small numbers of people succeed in getting around the natural and man-made obstacles that have been raised. Despite the greater difficulty of reaching either Canada and Australia, the two countries have *higher* levels of foreign-born population than the US, while other hard-to-reach places like Japan or Korea have much lower levels of immigration. The US-Canadian border is nearly twice the

length of the US-Mexican border and much less heavily policed; why don't large numbers of undocumented immigrants enter Canada from the US?

Clearly, immigration *policy* continues to exert a large influence on the levels of immigration, regardless of physical geography. It has been understood for some time now that the most effective, and most humane, way of enforcing existing immigration laws is through a system of employer sanctions, under which US employers would have to prove that their employees had a legal right to work in the US or face criminal sanctions. This was attempted under IRCA, but failed due to the absence of a national ID system. Today, biometric technology exists that would permit the creation of a national ID card that would be very hard to fake. Such systems are in use in a whole variety of countries, including poorer ones like Afghanistan and India. Unlike citizens of almost every other democracy, however, Americans have been very reluctant to permit the creation of a national ID card system for fear that the government will misuse it. This fear is shared by partisans on both the left and the right. As a result, recent efforts to create the equivalent of a national ID system have had to rely on state-level IDs like E-Verify that make use of driver's licenses.

The bigger issue preventing use of employer sanctions, however, are the employers themselves. Many employers rely on the cheap labor represented by undocumented workers, while others do not want to bear the burden of having to enforce employment rules. These groups include not just large agribusinesses in states like California, but millions of individual households around the country that hire undocumented nannies and gardeners and do not want to have to pay the social security taxes and benefits that would be required if their employees were part of the formal economy. These pressures perhaps explain the curious outcome that the anti-immigration Trump administration has promoted a wall, which would not deal with the millions

of visa overstayers in the country, rather than a far more effective system of employer sanctions based on a national ID.

The second explanation for the relative success of Canadian and Australian immigration policy has to do with economic factors, and particularly the decline of as working-class incomes as globalization has shifted manufacturing to Asia and other parts of the developing world.

Canada and Australia are similar to one another and different from the United States insofar as both have higher ratios of exports to GDP than the US and rely to a higher degree on commodity exports than the US.

Figure IV: GDP Growth Rates, 1991-2017

Source: World Bank

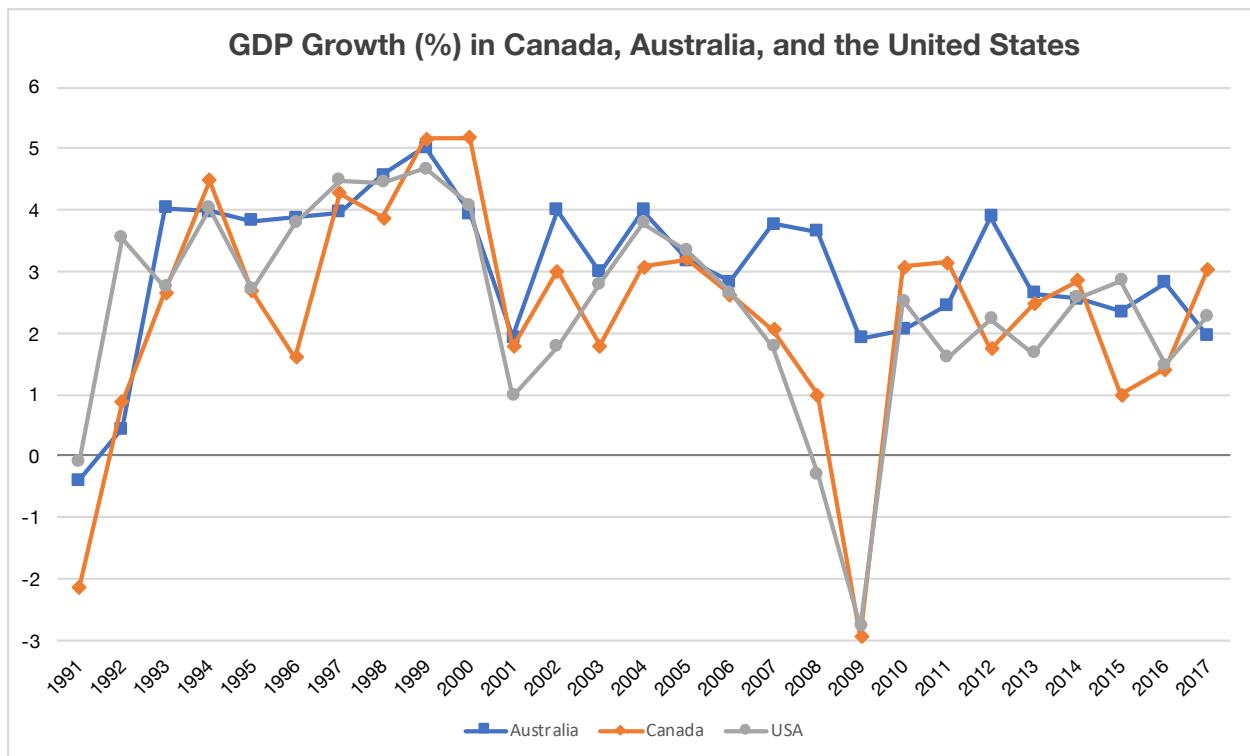


Figure IV presents GDP growth rates for the three countries in the period from 1991 to 2017. All three have seen consistent GDP growth over this period, punctuated by sharp recessions and periods of slowdown. Australia stands out because it has succeeded in avoiding a

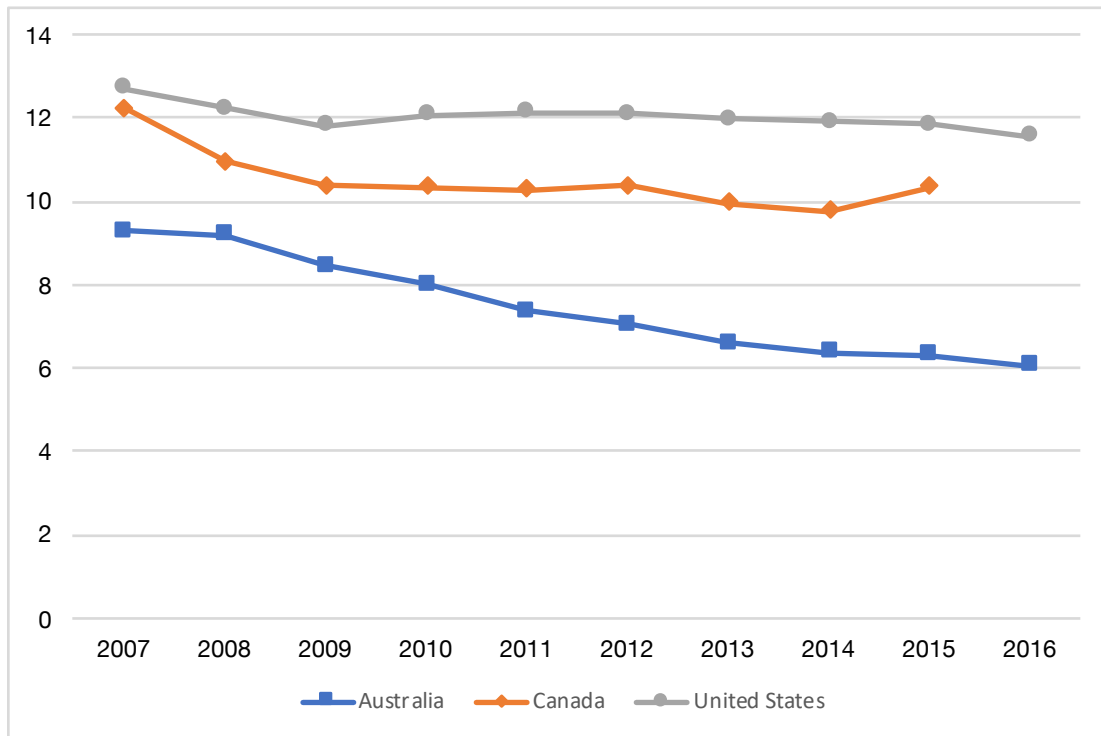
lot of the variance in growth experienced by the US and Canada; it has not suffered a recession since 1991, on the back of steadily increasing exports of coal, wheat, and beef to China.

Canada's economy is naturally more highly correlated with that of the US, its largest trading partner; though Canadian banks did not engage in the risky behavior of US ones that triggered the Great Recession, it nonetheless suffered a sharp downturn in 2008-2009. It is not obvious that Canada's aggregate economic performance is a good predictor of populism.

Deindustrialization and the decline of manufacturing have both been cited as one of the sources of populism. Figure V shows manufacturing value added as a percentage of GDP for the three countries. Manufacturing is the most robust in the US, and actually has not declined substantially in the past decade and a half. The same may not be true for manufacturing employment, however; factories are today increasingly automated and trends in employment have been negative in this sector.

Figure V: Manufacturing value added as percentage of GDP

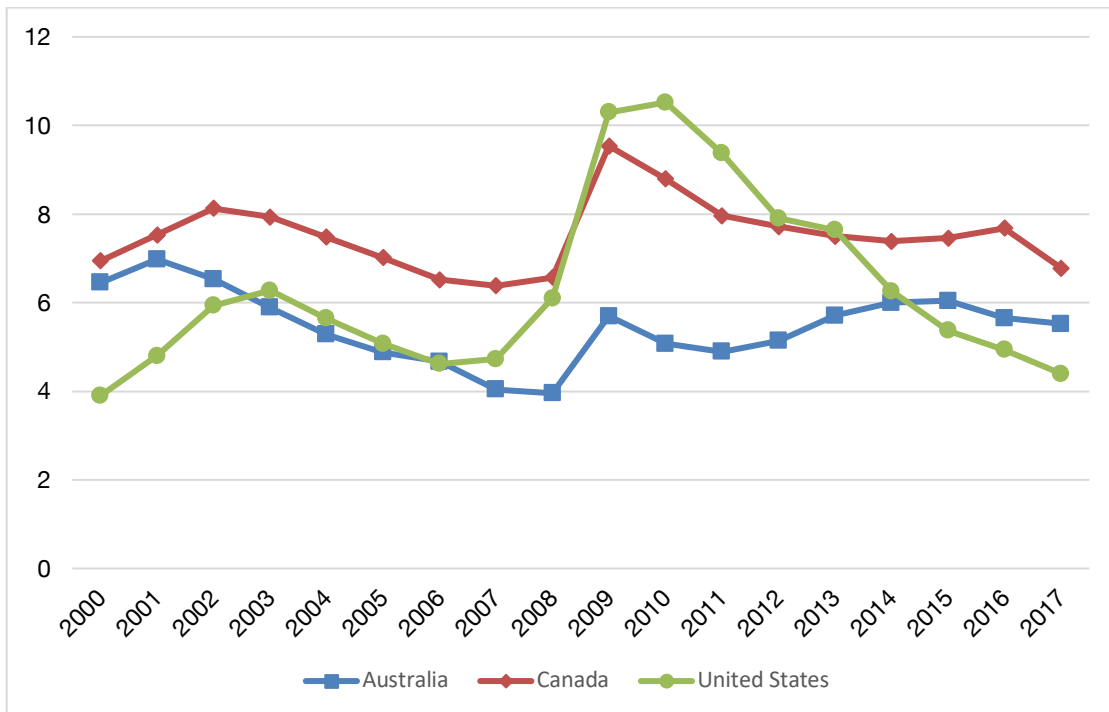
Source: World Bank



Overall employment rates for males over a somewhat longer time period are given in Figure VI. Populist voters have tended to be male, so this statistic may be of more relevance than aggregate unemployment rates. As in the per capita income statistics, the US and Canada are more highly correlated with one another than with Australia, but the US male unemployment rate has also been more volatile than Canada's over this period, rising during the financial crisis to over 10%, then falling subsequently to 4% in 2017.

Figure VI: Male unemployment as a percentage of male labor

Source: World Bank

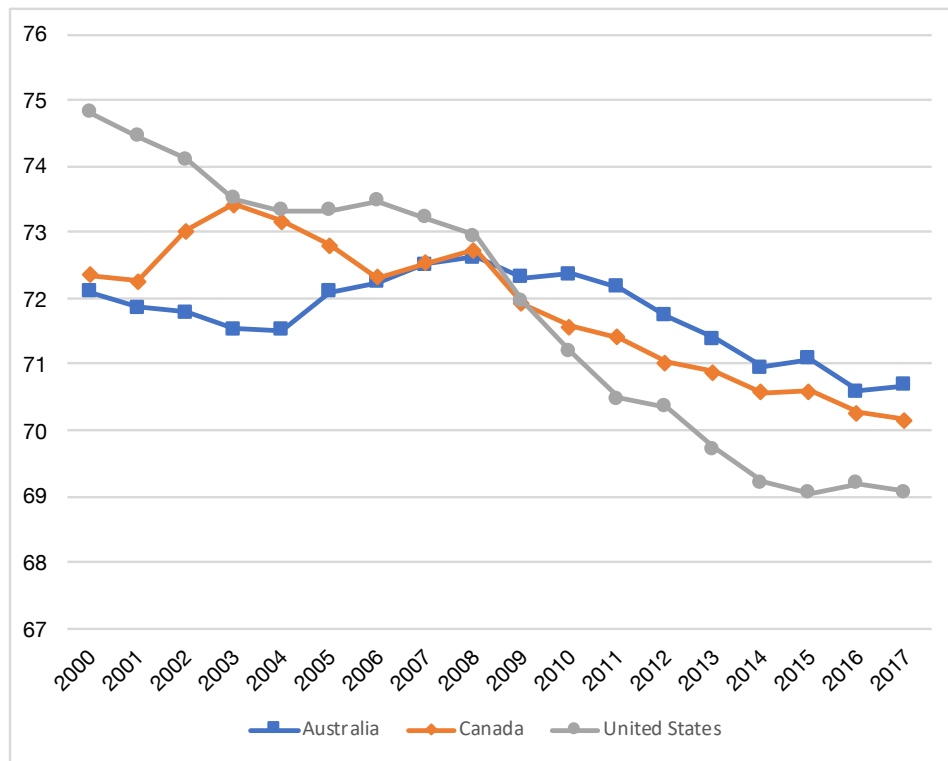


Finally, other trend that sets the US off from either Canada or Australia has to do with male labor force participation. As indicated in Figure VII, this rate has been declining in all three countries, but most steeply in the United States. There has been a prolonged discussion as to the reasons for this decline; possible factors include some unique to the United States, like the large

number of African-American males in criminal detention or unable to find work because of criminal records (Eberstadt 2016). Whether any of these factors can be correlated with attitudes towards immigration in the three countries in question is beyond the scope of the present study, but they do suggest that economic factors probably do play some role in shaping attitudes towards immigrants and the latter's impact on labor markets.

Figure VII: Male Labor Force Participation (% of Male Labor Force)

Source: World Bank



A third reason for the differing outcomes between Canada and Australia, on the one hand, and the US on the other, could be the nature of their respective democratic political systems (see for example Adams 2017). While both of the two former countries have periodically shifted their policies towards more open or more closed policies in the period since the broad liberalization of the 1960s, they have at least been able to agree on a policy. The US, by contrast, has been

marked by repeated failure to enact comprehensive immigration reform, and then by a failure of achieve partial reform at a national level. Some individual states like Arizona on the right and California on the left have tried to chart their own course, but they too have faced challenges from the courts in their ability to do so.

Canada and Australia both have parliamentary systems with electoral processes that make third party voting more feasible. Because of the concentration of third-party voters in particular provinces (e.g., the Parti Québécois in Québec and the NDP in Ontario), Canada has avoided two-party polarization that often characterizes such electoral systems despite the fact that it has a single-member plurality system like the United States. Australia has a preferential (or ranked choice) voting system that allows voters to select smaller parties as their first preference. The US, by contrast, has a presidential system in which the executive has a separate and equal legitimacy from the legislature, making possible the kind of partisan gridlock that characterized the last six years of the Obama administration and the second two years of the Trump administration, in which at least parts of the legislature were held by the opposite party from that of the president. In the US case, this gridlock has prevented the emergence of clear policy in immigration, leading both presidents Obama and Trump to resort to executive orders, or in Trump's case, the declaration of emergency powers, as a tactic to get their way. In addition, the US system creates other strong veto players: a powerful upper house of Congress that does not have a counterpart in either Canada or Australia, a Supreme Court that has played a strong role in policy issues, and a federal system that delegates significant powers to states and localities.

The differing electoral systems may also play in role in affecting these outcomes. As Duverger's Law predicts, the US plurality voting system encourages the emergence of a two-party system and discourages the formation of third parties. The multi-party systems made easier

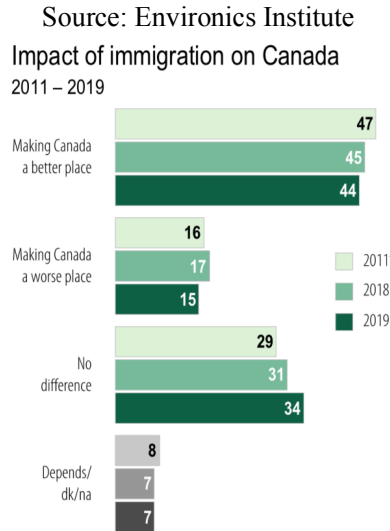
by the electoral laws in both Canada and Australia encourage the formation of coalition governments in situations where a single party does not win a majority of seats either at a national or a federal level, and also allows fringe parties to form like Pauline Hanson's One Nation party. The existence of single-issue third parties like hers may help in the emergence of political consensus by bleeding off extremist votes and providing an outlet for disaffected voters while not changing underlying policy.

Before we accept an institutional argument for the differing outcomes, however, we need to look at a factor that may be influencing outcomes, which are attitudes towards immigration in the three countries. No political system works terribly well when the underlying society is highly polarized over a particular issue. Britain has a parliamentary system that has far fewer checks and balances than in the US, and yet has been completely unable to reach consensus on how to leave the European Union after the Brexit referendum. Europe's proportional representation systems have not blocked the emergence of populist governments there; the ability to vote for new populist parties has either allowed them to come to power, as in Italy since 2017, or has forced mainstream parties to move sharply to the right, as in the cases of Denmark and Austria.

One theory about why Canadians have not experienced an American-style backlash against current levels of immigration is that their underlying attitudes are simply more favorable to immigration than is the case in other countries. In the words of Michael Adams, "While much of the world seems to be feeling cranky about cross-border flows of people, Canadians are still welcoming newcomers, mostly with open arms, and definitely with little hesitation when it comes to immigration levels" (Adams 2017). This is unfortunately not the case if one looks at aggregate levels of support or disapproval for immigration. It is true that a majority of Canadians think that immigration has had a good effect on their country; a 2018 poll shows that 45% of

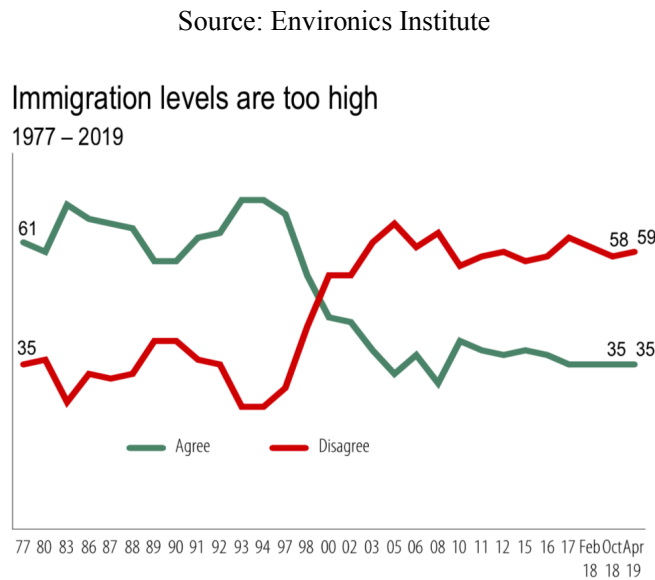
Canadians think it has had a good effect, with only 17% thinking it made Canada a worse place (see Figure VIII).

Figure VIII: Canadian Attitudes towards Immigration



If one looks at longer-term trends, attitudes towards immigration have become more positive over time. In the 1980 and 1990s, far more respondents thought that immigration levels were too high than the reverse; these sentiments began to change in the early 2000s and today 58% disagree with this view, while 35% agree (see Figure IX).

Figure IX: Canadian Attitudes towards Immigration

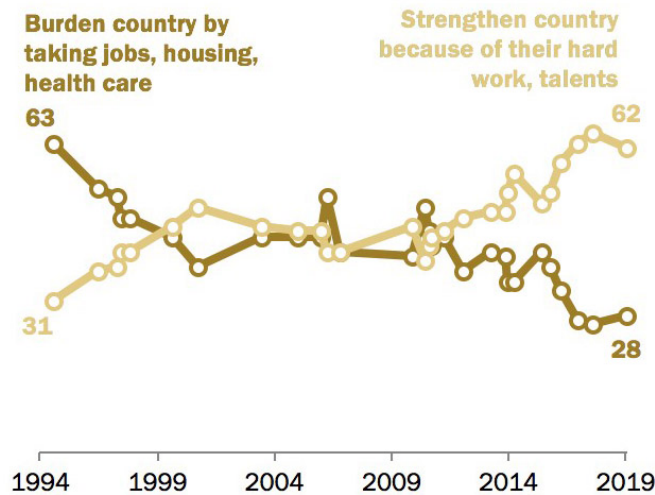


The problem with a narrative that says that Canadians are simply more accepting of immigrants is that these figures are not too different from those of the United States. As Figure X indicates, American views on whether immigrants were a benefit or burden to the country flipped at roughly the same time as Canadian ones, going from net negative to positive sometime in the early 2000s. According to Pew, by 2019, 62% of Americans thought that immigration strengthened their country overall, while only 28% thought that immigrants were a burden on the country or took jobs away from Americans. These data belie the view that pro-immigrant sentiment has been gaining strength the US, despite Donald Trump.

Figure X: US Attitudes towards Immigration

Source: Pew Research Center

% who say immigrants to the U.S. ...



These sentiments are reflected in other data. Like Pew, Gallup shows support for increased levels of immigration increasing and opposition declining since the late 1990s; in 2019 68% of Americans thought immigration should either be increased or stay at the same level, while only 31% thought it should be decreased (see Figure XI). In a poll taken during the

January 2019 government shutdown and confrontation over funding Trump’s border wall, 58% of Americans opposed the building of the wall, while only 40% were in favor (Gramlich 2019).

The US differs from Canada in two respects. The first has to do with the degree of polarization over the question of immigration, and the way that this issue has become intertwined with the overall Red-Blue divide that has become such a striking feature of US politics. As Figure XII shows, the increases in favorable views of immigration have occurred primarily among Democratic or Democratic-leaning voters, with 83% of Democrats thinking it has benefited the country. Republican or Republican-leaning voters have remained largely constant in their level of opposition over time, with only 38% believing that immigration was positive. What the aggregate data do not show is the intensity of feeling of the minority of Americans who are opposed to immigration: over the years, and especially under Donald Trump, they have become more resolutely opposed to any compromise on immigration.

Figure XI: US Support for Immigration

Source: Gallup

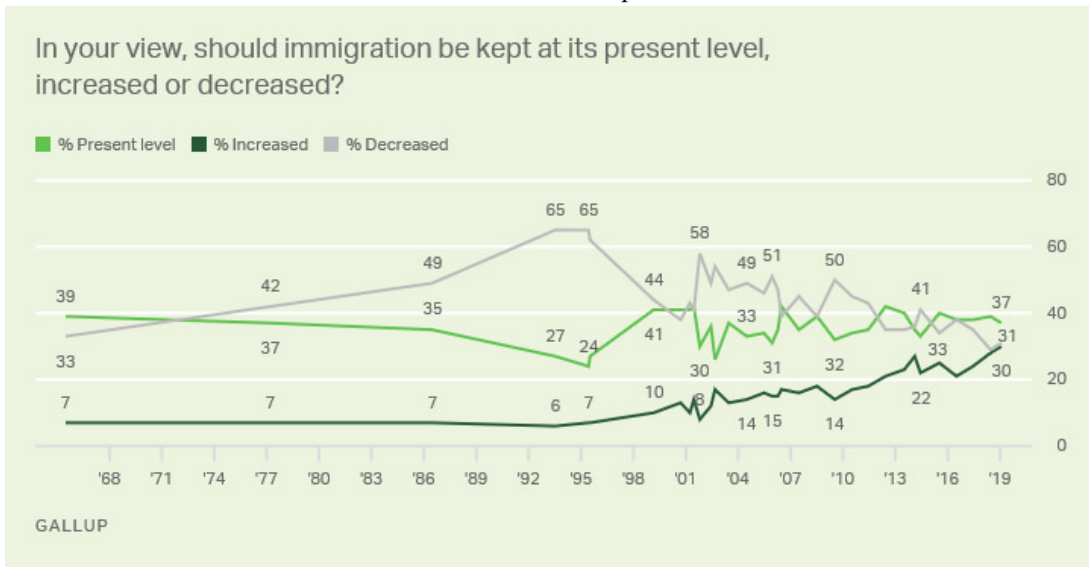
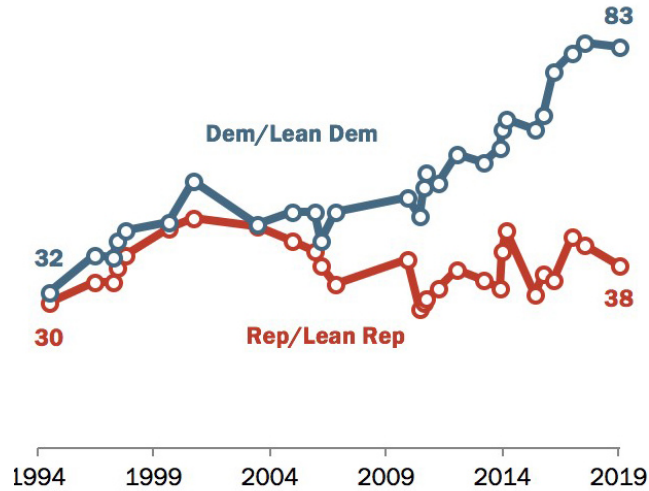


Figure XII: Partisan Views on Immigration

Source: Pew Research Center

% who say immigrants strengthen our country because of their hard work and talents



Data on Australian attitudes towards immigration show some similarities with those of the US and Canada. Opposition to immigration was high in the mid-1990s and support low; since then, those who favored increasing levels of immigration have increased over time while opposition has weakened. A majority of Australians in 2016 felt that immigration levels should either be increased or kept about the same (58%), while a smaller proportion felt it should be decreased (42%, see Figure XIII). Other poll data show smaller and declining support for immigration, in contrast to trends in the US and Canada (Figure XIV).

Figure XIII: Australian Attitudes towards Immigration

Source: Australian National University

Attitudes towards the level of immigration into Australia

- Increase immigration
- Keep immigration levels the same
- Reduce immigration

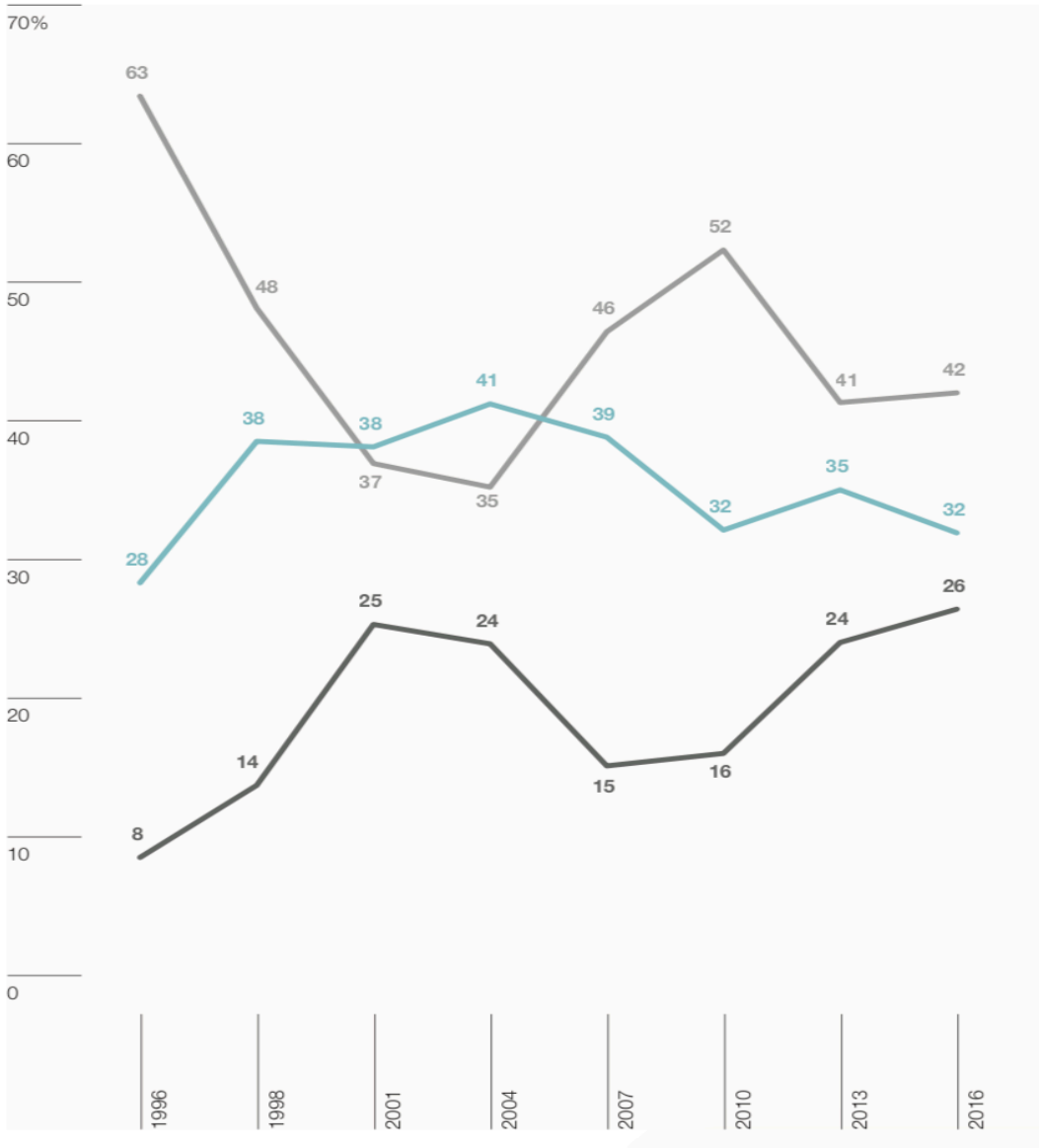
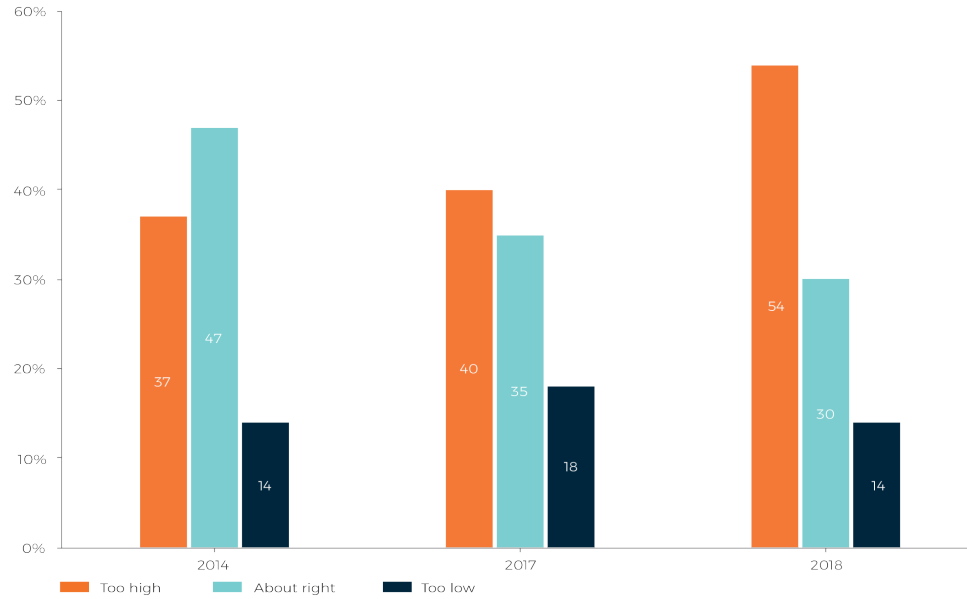


Figure XIV: Australian Attitudes towards Immigration

Source: Lowy Institute

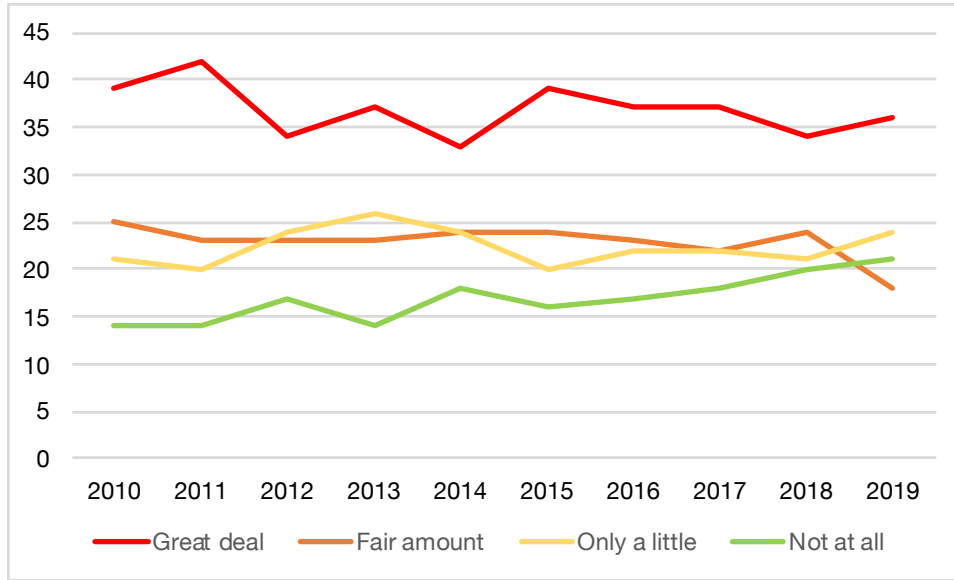
Thinking now about Australia's immigration program. Do you personally think that the total number of migrants coming to Australia each year is too high, too low, or about right?



The second way in which the US differs from Canada is with respect to *illegal* immigration. Gallup has been polling Americans on this question for some time, and illegal immigration matters to Americans a great deal. Figure XV tracks over the past decade to the following prompt: “I’m going to read a list of problems facing the country. For each one, please tell me if you personally worry about this problem a great deal, a fair amount, only a little or not at all? How much do you personally worry about illegal immigration?” The data show that a majority of respondents were concerned either a great deal or a fair amount about illegal immigration, and that those numbers have not changed significantly over the past decade.

Figure XV: Concern about Illegal Immigration (%)

Source: Gallup



In another poll question, Americans were asked “I am going to read you a list of possible threats to the vital interests of the United States in the next 10 years. For each one, please tell me if you see this as a critical threat, an important but not critical threat, or not an important threat at all. Large numbers of undocumented immigrants entering the United States.” The number of respondents seeing it as either a critical or important threat to the United States has remained over 80% since 2004 (Table I).

Table I: Critical Threats to the US

Source: Gallup

	Critical	Important	Not Important
2019	47	30	22
2018	39	31	29
2004	50	35	14

We cannot find a Canadian poll posing these questions in quite the same way, but other data suggest that Canadians are significantly less concerned with illegal immigration than are Americans. Only 5% of respondents indicated that this was their top concern in 2018 (see Figure

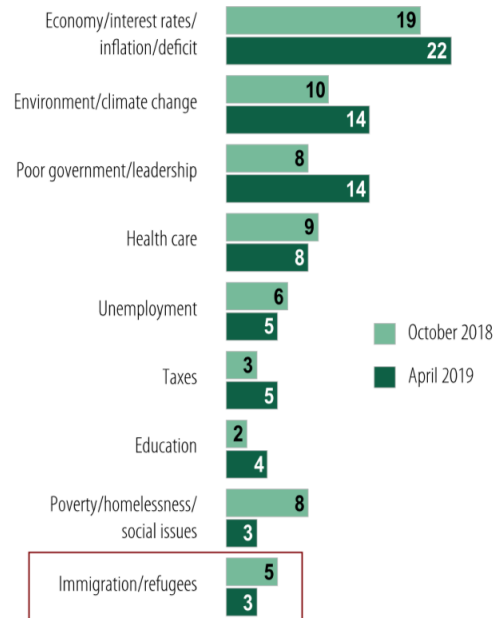
XVI). It stands to reason that this should be a much smaller problem in Canada than in the US, since the number of illegal immigrants there is significantly smaller.

Figure XVI: Important Problems Facing Canada

Source: Environics Institute

Most important problem facing Canada today

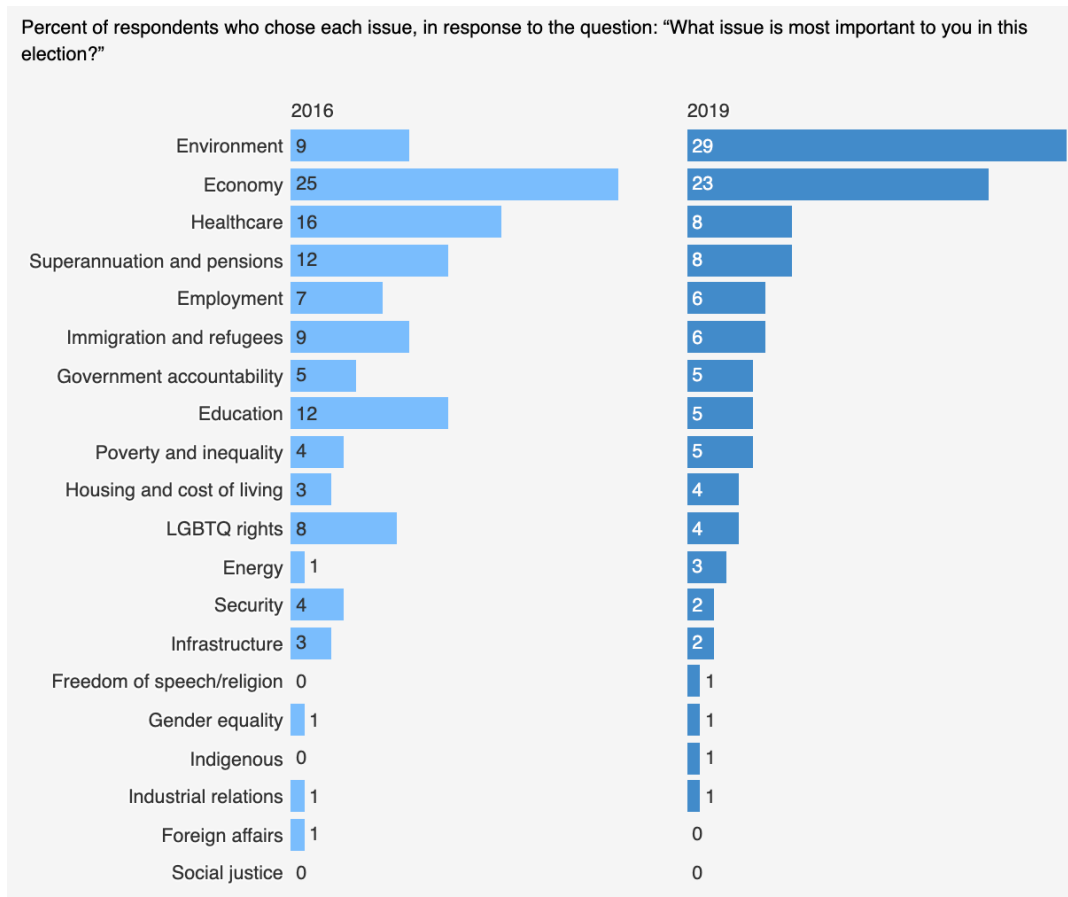
2017 – 2019 Top mentions (unprompted)



There is similar data for Australia. In 2019, only 6% of Australians believed that immigration and refugees were the most important issue facing voters in the Federal election (Figure XVII).

Figure XVII: Issue Priorities for Australian Voters

Source: ABC News

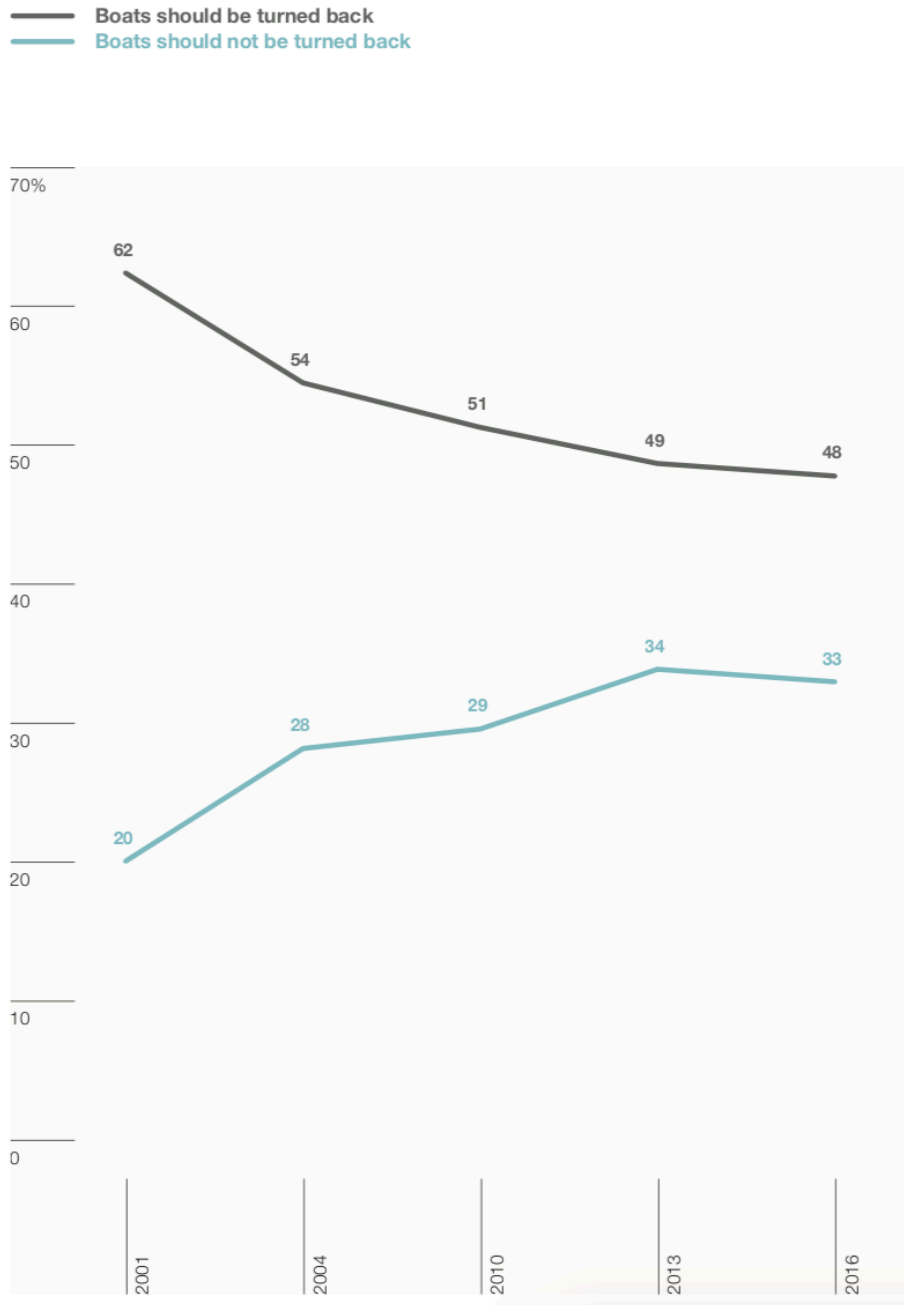


The relatively low level of concern that both Australians and Canadians express over immigrants and refugees may reflect not so much underlying values, however, as the fact that levels of illegal migrants are kept so low—in Canada’s case, by the difficulties of reaching Canada combined with a strict border enforcement policy, and in Australia’s by their government’s harsh refugee policy. As Figure XVIII suggests, there is strong support nationally for the policy of turning back refugee boats, despite a majority of Australians supporting immigration more broadly. While hostility to such refugees has been declining since the early 2000s, it still remains strong and likely explains why the Labor Party failed to modify the policy significantly on this issue during its years in office.

Figure XVIII: Australian Attitudes towards Asylum Seekers

Source: Australian National University

Attitudes towards asylum seeker arrivals by boat



These data suggest that overall, Canadians and Americans do not differ significantly with regard to immigration; strong majorities in both countries think immigration is of net benefit to them. Australians are, overall, more negative on the issue. In both the US and Canada, about a

third of the population feels either that immigration is not positive or that numbers of immigrants should be lower. But the American opponents are closely aligned with the larger partisan split that exists in the United States. There have been partisan differences, of course between the Liberals and New Democratic Party in Canada, on the one hand, and the Conservatives on the other. But these differences were reflected in preferences for slightly higher or lower levels of immigration and especially of refugees, skills v. family unification, and questions of integration/assimilation v. multiculturalism. What is entirely missing from the Canadian discussion is the intense hostility to immigrants driven by the perception (and to some extent reality) of the fact that they entered the country illegally.

For their part, Americans need to reflect on the fact that poll data indicate a strong majority of their fellow citizens believe that immigration is overall good for the country, but also that a majority think the illegality of immigration is a big problem. This suggests that a not insignificant number of Americans are both pro-immigration and anti-illegal immigration. For this group, hostility to immigration is likely driven not by simple racism or xenophobia, but by concerns that the country is not in control of who crosses into the country.

There is, however, a hard-core group of Americans that is resolutely opposed to immigration, a group that may be comparable in size to those expressing reservations about immigration in either Canada or Australia, but much more extreme in its views. This group constitutes Donald Trump's base, and does have counterparts in other regions of the world. This difference in social structure constitutes the fifth and final possible explanation for the emergence of populism in America.

While Canada and Australia have had fraught histories dealing with their own indigenous populations, neither country practiced large-scale slavery, and neither was home to a sizeable

racial minority like African-Americans in the US. The history of slavery produced an entire region of the country, the old Confederacy, which has maintained distinctive social and political attitudes from the rest of the country. Following the Democratic Party's embrace of the Civil Rights movement in the 1960s, the entire South shifted over to the Republican Party in its national representation. Up to the present, it remains the party's most consistent conservative base, as well as hosting Donald Trump's most loyal supporters.

The US would look much more like Canada—indeed, might be significantly more liberal than Canada—were it stripped of the states that constituted the old Confederacy. Canadian conservatives cluster in the western provinces and are similar to American conservatives outside the South, focusing on issues like free markets and suspicion of government regulation. They are very different, however, from Southern conservatives whose identity and self-esteem were built over the years around racial hierarchy. It is not hard to see how longstanding feelings of racial insecurity could get transferred from African-Americans to Latino and other immigrants as the latter sought to establish themselves in American society. This is clearly an issue that does not have the same resonance in either Canada or Australia.

CONCLUSIONS

Canada, Australia, and the United States represent sharply differing outcomes with regard to immigration. The two former countries have accepted higher levels of immigration than the United States in recent years; while the issue is controversial, neither has become as sharply polarized as the US, nor has either seen the rise of a strong populist party or leader who has used hostility to foreigners as a means of mobilizing support. Both Canada and Australia have succeeded in establishing a clear immigration policy: while encouraging relatively high levels of immigration, they have established point systems and other criteria for admitting legal immigrants, created government and civil society mechanisms for integrating immigrants, and benefitted from the skilled immigrants coming in to their countries. They differ in certain ways: Canada currently has a Liberal government that is strongly favorable to both immigration and multiculturalism, while Australia has a conservative one that is less so. Australia under both Conservative and Labor governments has implemented a rather harsh policy sequestering refugees, while Canada has taken pride in the numbers of refugees it has accepted. Nonetheless, these two Commonwealth countries have shown that high levels of immigration are not necessarily detrimental to social cohesion and have bucked the worldwide populist trend.

The United States, by contrast, has struggled over the years both to control levels of immigration and to agree on criteria for admission of legal migrants. Since the failure of IRCA in the 1980s, it is safe to say that the US does not have an immigration policy that it has been able to implement: the current situation permits 11-12 million undocumented immigrants to remain in the country with uncertain legal status and fails to deal with the arrival of new undocumented arrivals. This overall outcome is not one that is desired by any of the stakeholders in the immigration debate, except perhaps for employers who are interested in being able to hire illegal workers to keep their costs low.

The five factors above all contributed to the difference in outcomes to some extent. The long US border with Mexico and the strong demand from American employers for Mexican labor created strong incentives for low-skilled immigration, both legal and illegal. The gradual growth of an undocumented population then laid the basis for polarization: Americans on the right began to resent the fact that so many people had crossed into the country illegally. Politicians saw that they could mobilize support around this issue, and opposition to immigration became a fixture within the Republican Party. The immigrants themselves became organized and received support from sympathizers on the left, who in turn became important lobby groups within the Democratic Party.

These organized groups then became veto players within a larger political system built around multiple checks and balances that was in this respect quite different from its Canadian and Australian counterparts. While simple majorities are needed to pass legislation in the latter two countries, American parliamentary rules came to specify the need for supermajorities to pass ordinary legislation in the US Senate. Moreover, the shift by both the Republican and Democratic parties to popular primaries as a means of selecting candidates gave activists a much stronger voice than ordinary voters. Centrist Republican candidates found themselves challenged by Tea Party insurgents after 2010, even if their positions were closer to those of median voters. Bills that legislatures did succeed in passing could then be challenged in the courts. Within such a system, entrenched pro- and anti-immigration lobbies effectively blocked enactment of comprehensive immigration reform on multiple occasions.

If there is a single factor that explains the absence of populism in Canada and Australia, it is the fact that neither country has experienced, nor has permitted, significant levels of illegal immigration. While there is a hard core of more extreme immigration opponents in the US that does not seem to have a counterpart in either Canada or Australia, there is also a sizeable group

of Americans who are both favorable to immigration *and* at the same time concerned that it is occurring illegally. It would appear that the US could deflate the populist bubble if it moved to a Canadian-style system that was both more selective in the sorts of immigrants allowed into the country and was able to enforce the rules it set more effectively. This was the policy embodied in the 2007 Comprehensive Immigration Reform Bill (S. 1639) that failed to pass the Senate.

The problem, of course, is that immigration policy is not an exogenous influence on outcomes, but rather endogenous to the other factors listed above. The US Congress has attempted on several occasions to shift to a Canadian-style policy. S. 1639 latter failed to pass not because of Senate cloture rules, but because there were enough Senators on the right and left fringes of both parties that did not like some aspect of the compromise embedded in the bill. Potential supporters, particularly on the Republican side, feared challenges from highly mobilized activists if they voted in favor, despite indications that a majority of Americans would have supported the legislation. In other words, it was a combination of prior polarization and the country's institutional rules that prevented adoption of this policy.

All of this may change in some future world in which the Democrats control both branches of Congress as well as the presidency. But even then, there would be substantial disagreement within the party as to what kinds of enforcement measures would be appropriate. In the meantime, immigration continues to be a hot-button electoral issue, despite the fact that public support for immigration has been growing in the US for the last two decades. It continues to be an issue in Australia, which has diverged from Canada in recent years by selecting conservative governments more skeptical of asylum seekers, even if it remains favorable overall to immigration. Canada may see this issue return in the future, as it moves towards elections in October.

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