

Studying Public Policy through Immigration Policy: Advances in Theory and Measurement

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This essay provides a critical review of the field of immigration policy studies from the perspective of measurement and modeling. It serves to contextualize and broaden the views presented in the special issue. As such, we combine insights from American and comparative politics, pinpoint key limitations and challenges in the field, and identify areas of strength within each subfield which could inform theory and measurement development for the other. Ultimately, the concerns about conceptualization, definition, and measurement that we identify and discuss herein, do not apply only to immigration policy studies but to policy studies writ large.

KEY WORDS: immigration, measurement, best practices

摘要：本文以度量和建模的视角，为移民政策研究领域提供了批判性审视。本文致力将本特刊内的观点进行情境化和拓宽。因此，笔者将美国政治和比较政治中的见解进行结合，指出该领域中的关键限制和挑战，同时识别出每个子领域中的优势部分，这些子领域能相互影响各自理论发展和度量发展。最后，笔者指出，笔者在此识别和探讨的概念化、定义和度量，不仅只适用于移民政策研究，还适用于大范围内的政策研究。

关键词：移民，度量，最佳实践

Este ensayo proporciona una revisión crítica del campo de los estudios de políticas de inmigración desde la perspectiva de la medición y el modelado. Sirve para contextualizar y ampliar las opiniones presentadas en el número especial. Como tal, combinamos los puntos de vista de la política estadounidense y la política comparativa, identificamos las limitaciones y los desafíos clave en el campo, e identificamos áreas de fortaleza dentro de cada subcampo que podrían informar la teoría y el desarrollo de mediciones para el otro. En última instancia, las preocupaciones sobre la conceptualización, definición y medición que identificamos y discutimos en este documento, no se aplican solo a los estudios de políticas de inmigración sino a los estudios de políticas en general.

PALABRAS CLAVE: inmigración, medición, mejores prácticas

Introduction

The goal of this special issue is to put the study of immigration policy at the center of critical analysis. Immigration policy is one of the most important issues in national and international politics—consequential in both the United States and internationally. As scholars attempt to account for its political salience, myriad policy designs, and a variety of policy effects, the topic has naturally surged in popularity among social scientists. This special issue of *Policy Studies Journal* takes stock of this prodigious research field, to identify consensus understandings of how scholars measure and examine policy in single-country and cross-country analysis.

To clarify usage and illuminate methodological issues in immigration policy studies, we, collectively, examine four components of research design: policy conceptualization and definition, issues of measurement (including how to address matters of unit of analysis, time, and aggregation), theory development as it relates to drivers of policy enactments, and theoretical approaches to primary and secondary effects of immigration policy on target populations and on host nations. Each of these elements highlight different challenges in studying immigration policy, and we bring them together here in an effort to move the shared research agenda forward with methodological rigor and awareness.

The contributions in this volume directly address these research design concerns, and they are structured to attend to each in turn. We first present five articles that critically examine policy modeling decisions. These include theory and measurement (Filindra, 2019), policy index construction and modeling in cross-national contexts (Goodman, 2019), modeling “best practices” when it comes to deportation (Pedroza, 2019) and state-level policymaking (Butz & Kerhberg, 2019), and whether models can “travel” from one case to another (Reich, 2019). Second, we collect three articles that take different perspectives on the question of *how* to measure immigration policy—in other words, to consider policy itself as the dependent variable. These include how to aggregate and rank policy scores (Bjerre, Römer, & Zobel, 2019), how to reconcile complexity alongside generality (Monogan, 2019), as well as pitfalls and other trade-offs in immigration adjacent fields of race and welfare (Plutzer, Berkman, Honaker, Ojeda, & Whitesell, 2019). Third, we consider how theory development can benefit by incorporating the role of interest groups into our models (Collingwood et al., 2018), on the one hand, and considering the effects of immigration policy on attitudes and behaviors of majority and minority groups (Ybarra, Juárez Pérez, & Sanchez, 2019).

We hope this collection of work highlights that while immigration studies may hold unique origins to that of policy studies more generally, it has grown to become a quintessential policy area—ripe for analysis of policy process theories, the role of interest groups, and policy effects, to name a few areas. As immigration has ballooned in size and normalized cross-nationally, with considerable variation between old and new destinations, we observe more and varied immigrant-related policymaking overall. Policies pertaining to immigration and immigrants have become mainstream, touching on a range of public policies, from welfare and other social policies, to matters of policing and detention. This nexus, where immigration policy

studies—both cross-nationally and subnationally—aligns with everyday policy studies is an opportunity, where public policy scholars are encouraged to look to immigration policy and the dense scholarship therein and immigration scholars can continue to incorporate the public policy literature. It is our hope that this collection of articles spurs this agenda forward.

Is Immigration Policy Public Policy?

Much of the work on immigration policy—both in the U.S context and cross-nationally—has been undertaken by scholars who view themselves as immigration and citizenship specialists, or race and ethnicity researchers. Over time, this community has grown as an independent locus of interdisciplinary research with scholars using a variety of tools from political theory (Buckinx & Filindra, 2015; Cohen, 2018), legal theory (Bosniak, 2006), historical analysis (King, 2002), institutionalism (Tichenor, 2002), political economy (Money, 1999), discourse analysis (Filindra, 2014), public opinion (Schildkraut, 2003), and many more.

While the origins of immigration policy studies can be defined by this “outsider” status, it has since evolved into a prodigious area of policy studies, both contributing to and borrowing from public policy literatures more generally. Immigration policy scholars, especially those working on state-level analyses in the United States, but also those studying public opinion, draw on theoretical frameworks from policy areas like welfare (Soss, Fording, & Schram, 2008; Soss, Schram, & Fording, 2003) and criminal justice (Peffley & Hurwitz, 2010). In recent years, immigration policy scholars have also sought to adopt theories from the broader public policy literature, especially perspectives on policy feedback (Condon, Filindra, & Wichowsky, 2016; Filindra & Manatschal, 2019), policy diffusion (Collingwood et al., 2018), as well as insights from punctuated equilibrium theory (Tichenor, 2002). The reality—and, perhaps, irony—of immigration policy studies is that as migrants continue to settle in new destinations and as host communities continue to generate more migrant-related policies, migrants become just another category of individuals subject to public policy; thus, as migrants become another category of denizen, so too does the study of immigrant-related policies become more similar to regular public policy. Immigration policy studies is therefore both typical and an underutilized area of public policy, and emergent enough to tackle vital questions of quantitative policy measurement and analysis at early stages.

Definition and Conceptualization

When seeking to evaluate and advance best practices for studying immigration policy quantitatively, the starting challenge is one of definition. What constitutes immigration policy? Answering this question is imperative as it allows scholars to determine the contours of the phenomenon under study. But it is also not an easy task, as “immigration policy” is not a consistently used term, especially cross-nationally. Unless we start with common definitions, the comparability of studies is compromised. As Sartori (1970, p. 1038) warns in his famed article on conceptualization:

long before having data which can speak for themselves, the fundamental articulation of language and of thinking is obtained logically—by cumulative conceptual refinement and chains of coordinated definitions—not by measurement. Measurement of what? We cannot measure unless we know first what it is that we are measuring.

The American scholarship on immigration, starting with legal scholars, makes a functional distinction based on core competencies determined by jurisprudence on federalism. The literature thus distinguishes between “immigration” and “alienage” policies (Bosniak, 2006; Spiro, 2001; Varsanyi, Lewis, Provine, & Decker, 2012). *Immigration policy* refers to laws and rules governing the admission, removal, and status change of noncitizens. Status changes include rules governing naturalization but also laws relating to how and under what conditions one moves from different types of noncitizen status, for example, how one can advance to a permanent resident from guest worker status.¹ *Alienage* or *immigrant* policy refers to laws that regulate the political, economic, and social rights of noncitizens.²

These policies vary in purpose and purview. Immigration policy in the United States is the exclusive responsibility of the federal government (Newton & Adams, 2009; Tichenor & Filindra, 2013), though that is not always the case in other federal systems (Manatchal, 2013). By contrast, U.S. states are responsible for immigrant policy, within the limits set by federal law and Supreme Court decisions (Fix & Passel, 1994). Increasingly, scholars refer to this second category of laws as immigrant “integration” or “incorporation” policy, but this choice in nomenclature betrays a directional normative bias; in fact, as scholars have pointed out, many national and subnational governments enact legislation that is exclusionary and marginalizing rather than integrative (Condon et al., 2016; Joppke, 2007), often regressive instead of progressive (Colbern & Ramakrishnan, 2018).

As the American politics literature is still navigating definitional distinctions between immigration and incorporation—its belatedness an unsurprising byproduct of division of authority and the absence of formal integration policies at the national level, the comparative politics and international relations literatures have maintained rigid conceptual boundaries between immigration and integration—as well as citizenship—for decades. Immigrant incorporation is one of the most productive and generative research subjects in European studies. This is notable since European nation-states only began to take seriously the task of immigrant integration in the early 1980s but also unsurprising as, unlike the United States, immigrant-receiving states of Europe maintain formal, oftentimes dense (Goodman, 2014a; Koopmans, Statham, Giugni, & Passy, 2005) national integration policies; they pass laws called “Integration Acts” and they have ministries with “immigrant integration” in the title. While immigration policy and incorporation/immigrant policy are fundamentally distinct, scholars have sometimes grouped them as part of larger analyses of rights of migrant workers (Peters, 2017; Ruhs, 2013), as well as family unification and refugees (Boucher & Gest, 2018), recognizing that residence and welfare are often tied to the conditions and status of entry. This correlation has

also led to aggregation in the other direction, where migration rules are subsumed as a subcategory of a larger phenomenon of “integration policy” (e.g., MIPEX).

A further challenge to conceptual clarification is parsing *levels of authority*. While national policy is created at the highest level, we see enactment and interpretation proceed at all levels of governance—from Executive Orders down to street-level bureaucrats (Ellermann, 2006; Lipsky, 2010). In the American context, since the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, the lines between federal and state authority have blurred in the area known as “crimigration.” IIRIRA enabled states to cooperate with federal authorities in the enforcement of federal immigration law governing the deportation and removal of noncitizens. States are incentivized to identify and flag noncitizens for federal removal processing. This is especially the case for unauthorized immigrants, who come into contact with law enforcement in the context of the criminal justice system but also routine law enforcement functions (Hernandez, 2016; Stumpf, 2006). This development implicitly involves states and even localities in *immigration* lawmaking (de Graauw, 2014, 2015), since by pursuing close collaboration with the federal government they influence how many and what types of people may get deported (also Collingwood et al., 2018). At the same time, localities and even states have also actively resisted collaboration with federal authorities (Collingwood & O’Brien, 2019; O’Brien, Collingwood, & El-Khatib, 2019; Oskooii, Dreier, & Collingwood, 2018).

In addition to immigration law enforcement, states and even localities are broadly responsible for practically every domain of an immigrant’s life, regulating education, social welfare, property rights, inheritance and family law, housing, health care, elections, linguistic integration, drivers’ licenses, and even gun rights as they relate to noncitizens. In this, U.S. states operate quite similarly to nation-states (Goodman, 2019). Although the scholarship often refers to these as “immigrant integration policies,” the actual policy instruments and policy effects are not always integrative nor are they meant to be so (Condon et al., 2016; Filindra & Manatschal, 2019; Hopkins, 2010). There is even work here that drills down to the local level, to consider how local authorities craft and implement accommodation practices (de Graauw, 2014, 2015; O’Brien et al., 2019; Oskooii et al., 2018; Williamson, 2018). Even local policies that are not directly targeting immigrants—that is, generic, local policies that are not labeled as “immigrant integration policies”—play a significant role as part of the everyday, local governance (Ziller & Goodman, 2017).

Despite the loaded implications of labeling policies as “integration” policies,³ there are also a variety of policy models that fall under this umbrella term that require further definitional precision. A compounding problem that relates to conceptualization and policy definition has to do with the differences between policies that target groups *categorically* and those that target them based on cultural characteristics such as language or religion, often called *multiculturalism* (or in the opposite direction “monism”) policies (Filindra, Blanding, & Garcia-Coll, 2011; Hero & Preuhs, 2006; Kymlicka, 2000). *Categorical* state alienage policies define access to or exclusion from rights and privileges based on one’s membership in such a category. The American federal government (but also other governments) categorizes

noncitizens into various statuses, such as refugees, legal permanent residents, guest workers, PRUCOL (present under color of law), and foreign students and scholars—to name but a few. There is also the category of undocumented or unauthorized, reserved for individuals who either overstayed their visas or entered the country without a visa.

Multicultural or cultural pluralism policies (Filindra et al., 2011; Hero & Preuhs, 2006; Koopmans et al., 2005; Kymlicka, 1995) affect lives of noncitizens not through status/category but through group characteristics. Such policies seek to facilitate the social and political integration of linguistic and cultural minorities by providing recognition of their cultural differences and accommodative services aimed at protecting minority languages and cultures. Unlike categorical policies, these group-based policies straddle status categories to include immigrant minorities (i.e., regardless of status or legality), indigenous peoples, and national minorities. Multicultural integration policies include language accommodation by state service providers, for example, translation services in courts and hospitals, bilingual education programs in schools, and recognition of religious or cultural holidays and practices, among others. The opposite of multicultural policies are *monist* policies which promote assimilation into a dominant linguistic and cultural group (Filindra & Manatschal, 2019). These cultural policies, such as “English only” in the United States, do not target noncitizens as such (Schildkraut, 2003; Tatalovich, 1995). Rather, because most noncitizens belong to religious and/or linguistic minority groups, multicultural and monist policies have an especially consequential effect on them and their progeny.

Moreover, as comparativists exploit variation across national models, index creation, and comparison recognizes a wider set of practices. Multiculturalism and monism (or, assimilation) are but two types of a broader spectrum of policy approaches. For example, just as we can compare multiculturalism and monism, a third model—civic integration—represents a different kind of variation to multiculturalism. They differ both philosophically and practically; multicultural policies structure group-oriented recognition and accommodation while civic integration structures individual-oriented incorporation. Some maintain these policies are compatible and complementary (Bloemraad & Wright, 2014), with civic integration used as a mechanism of conditionality to meet philosophical objectives of integration (Goodman, 2014a, chap. 6). On the other end of the spectrum, others—focusing on the mandatory nature of individual-oriented civic integration instruments—have likened these policies to a type of assimilationism, one that emphasizes liberal democratic values (Joppke & Morawska, 2003) and not cultural flattening (Brubaker, 2001).

Finally, the problem of definition and conceptualization is complicated by our data sources. In the United States, a plurality, if not a majority, of scholars of American state policy rely on data aggregated by the National Conference of State Legislatures (NCSL). The algorithm that NCSL uses to identify legislation is not public but it appears to include general search terms such as “immigrant,” “alien,” “refugee,” or “immigration.” Reliance on NCSL decision criteria allows us to avoid the discussion of the definitional complexity of the domain and the likely multidimensionality of immigrants’ policy both in terms of the domain being regulated and the category of

noncitizens targeted. Yet the use of such data collection strategy may lead to both overinclusion and underinclusion at the same time. Use of such search terms, leads to the inclusion of resolutions, most of which are symbolic pieces of legislation, meant to thank a person or recognize a group. Every year, states pass resolutions commemorating “Irish immigrants Day,” “Italian Immigrants Day” and the like. Furthermore, this approach may include appropriations legislation. Appropriations are especially challenging to analyze because the researcher needs to compare to the status quo ante which is not always easy to identify and measure. At the same time, this approach may fail to include multicultural policies that relate to language and cultural facilitation because the bills do not necessarily reference immigrants even though the effects of such laws are predominantly felt within immigrant communities. For example, California Proposition 58 repeals bilingual education restrictions without using “immigrant” or related terms in legislative language. Thus important domains such as bilingual education, ESL programs, linguistic accommodation in essential services or immigration-related services, and legislation that references religion or culture may be missing from these counts, precluding an inductive approach and significantly distorting the picture of state-level immigrant-related policy.

Looking cross-nationally presents altogether different challenges. On the one hand, certain problems disappear altogether, namely integration legislation is explicit. Researchers can obtain fine-grained, comparative data on national immigrant policies—from number of hours of a language class to the cost of tests—over a small (Hernes, 2018) or medium-sized sample (Goodman, 2014b). Policies can also be collected at the subnational level (Kraal & Vertovec, 2017), including across cantons (Manatschal & Stadelmann-Steffen, 2013, 2014), regions (Strazzari, 2016), and cities (Caponio, 2018). Further still, applicable rules exist in different policy domains, including establishing legal status (Borevi, Jensen, & Mouritsen, 2017; Goodman, 2014a), family reunification (Bech, Borevi, & Mouritsen, 2017; Bonjour, 2014) but also welfare (Boucher, 2017), and other social policies (Baldi & Goodman, 2015). As researchers rely on different sources to assemble integration policy across these many domains, including myriad ministries—from the Home Office to Justice and Welfare—as well as, typically, the use of country experts as coders (e.g., the Immigration Policies in Comparison project, or IMPIC⁴), there is a pressing need to establish external validity of unique measures.

To summarize, there are natural overlaps in the conceptualization of immigration policy and immigrant policy. Definitional precision can be difficult, a problem complicated by cross-national research. For one, these policies are often not as stark and separate in real life as they are in a theoretical framework. In the United States, we see clearer separation in immigration and integration policy, where federal and state jurisdictions correspond. This is not the case in other unitary—or even federal—systems, like immigrant-receiving states in Europe. Second, the very data scholars use to identify policy often draws no distinction between the two. This may require a heavy hand in coding and boundary maintenance but, when appropriate, the payoff in analytical precision is worth the trade-off. Finally, definitional decisions are an important first step because they affect all the downstream decision making of research design, including whether and how we aggregate policies

to create dependent variables. We examine this component—and other issues of measurement—next.

Measurement and Aggregation

Aggregation decisions are a significant, if often overlooked, component of immigration research design. Simple, additive aggregation is often the main type used, though other procedures exist and can produce different kinds of rankings and results (Bjerre et al., 2019; Plutzer et al., 2019). Aggregation decisions can influence the relative ranking of units within the index, whether those are countries, or U.S. states (Bjerre et al., 2019). Moreover, as Monogan (2019), Reich (2019) and Plutzer et al. (2019) all demonstrate, aggregation choices can influence the correlations with various predictors and thus either overestimate or hide significant relationships (also see D'Urso, 2016). Cerna and Chou (2019) add another real-world perspective on how measurement counts, that is, affects policy decisions. Specifically, they show how the definition of talent with regard to immigrants then shapes the type of immigrants that get “counted.” The dichotomous binary of high- versus low-skilled migration only allow talent to be found in the former. With a composite definition, however, talent can be located across a broader set of categories, as it encompasses a variety of occupations and skill sets.

Taking a step back, we can see some policy-relevant implications that stem from these early choices about aggregation. Policy rankings are not merely theoretically but also politically important as advocates and public officials alike may use them to highlight achievement or decline. In the U.S. context, scholars have yet to develop a ranking system related to immigration and immigrant integration policies in terms of access and openness; nor have they developed consensual rankings on immigrant outcomes across domains. These are developments that are greatly needed for the discipline to connect to practice. In the European context, the most prominent example of this is the Migrant Integration Policy Index (MIPEX), which scores countries across eight different policy domains—from labor market mobility to family unification and political participation—to produce rankings of “favorable” and “unfavorable” integration policies, that are in turn touted by countries that benefit from comparative ranking.⁵

American state politics studies face similar constraints in transitioning from concept to measurement. In light of the aforementioned nature of data and trade-offs between a narrow focus and generality (Munck & Verkuilen, 2002), scholars take one of two approaches: focus on very narrow policy domains in *single policy studies* or aggregate all policies together through *composite indices*. If scholars choose aggregation, they face a second branch of decision making: count each legislation equally regardless of its complexity and likely effects, or construct a weighting scheme, as used in both American (Filindra & Pearson-Merkowitz, 2016; Monogan, 2019) and comparative (Bjerre, Helbling, Römer, & Zobel, 2015) contexts.

Single policy studies focus on narrowly specified policy domains such as employment verification requirements (Newman, Johnston, Strickland, & Citrin, 2012), law enforcement cooperation regimes (Filindra & Pearson-Merkowitz, 2013; Wallace,

2014), or welfare exclusion schemes (Filindra, 2013; Graefe, De Jong, Hall, Sturgeon, & VanEerden, 2008; Hero & Preuhs, 2007). Comparativists and sociologists have also generally taken the approach of subsetting indices by legislation type. These indices roughly map onto Marshall's (1992 [1950]) three dimensions of political (citizenship rules), economic (access to the labor market), and social/cultural rights (multiculturalism and cultural accommodation) (Beine et al., 2016; Goodman, 2010, 2019; Kymlicka, 2000), as well as adjacent topics like health and welfare (e.g., MIPLEX).

These methodological selections are defensible because they do not make broad assumptions about the commonality of driving forces behind "immigration" policies writ large (but, see Plutzer et al., 2019), but rather take the conservative approach to demonstrate different types of political, economic, or demographic effects on thin slices of policy outcomes. Here scholars confront a second trade-off, as Monogan (2019, p. XXX) writes: "Often researchers will be interested not necessarily in whether a specific law is adopted but rather in what a state's overall immigration policy is. On balance, is a state welcoming or hostile to immigrants?"

Generalization based on single policy studies should be done cautiously. These studies cannot draw conclusions about the nature of relationships within the broader space of immigration and immigrant policy. For one reason, we cannot assume a priori that all policy domains are influenced by the same pressures to the same degree. For example, some of these domains are subject to strict federal constraints while others are not (Filindra, 2013). Further, not all immigration policies are produced by similar interest, where client politics and firm interests vary across level of skill and category (Freeman, 1995; Peters, 2017). Since incentive structures can be very different across policy domains, comparability is limited, and contributes to further problems related to aggregation (Filindra, 2019).

When the focus is on a single policy domain, multidimensionality and aggregation can be a challenge. As Plutzer et al. (2019) demonstrate in this issue, there are major pitfalls even when considering one single policy domain, even one single program such as TANF, a welfare program. Much like is the case for immigration policy, scholars of welfare policy rely on a single source for raw data, the Urban Institute's Welfare Rules database. Given the complexity of TANF rules about eligibility, work requirements, and penalties (to name but a few of the dimensions of the system), researchers have to make decisions on how to code, weigh, and aggregate each of these dimensions. Such decisions are consequential for the results and conclusions of quantitative analysis. As an example, Creek and Yoder (2012) focus exclusively on 287(g) agreements—the decision to deputize select state and local law enforcement to enforce federal immigration law—to represent broader immigration policy preferences and settings. They find this type of cooperation is determined by changes in the Hispanic population, gubernatorial partisanship, and budget. However, in replicating this finding with an indicator that represents more diverse aspects of immigration policy, Monogan (2019) does not reach similar conclusions.

All of these concerns are directly relevant to immigration policy. Not only are rules for immigrant welfare policies complex and distinct by category of noncitizen, but the same is the case for other policy domains. For example, legislation related

to immigration enforcement by state and local police is extraordinarily multifaceted, covers a variety of distinct types of interactions between law enforcement and noncitizens (e.g., traffic stops, routine interactions, arrests, and postconviction) and various categories of noncitizens (e.g., undocumented, legal permanent residents).

Composite indices represent a second approach to aggregation that include all state-level policy output that relates to noncitizens in some fashion (Monogan, 2013, 2019). The development of policy databases that aggregate relevant legislation (e.g., NCSL) has enabled scholars to use that data for their analyses without much consideration for definitions and thus for aggregation. As Reich (2019) argues in this issue, there is no good theoretical reason to assume that all immigrant policy dimensions, from law enforcement to education to property rights are equally affected by the same factors. To the contrary, “differences in the political logic that animate these diverse policy areas ... create the possibility that policy-specific differences have been obscured” (p. 8). Yet, research in U.S. policy studies to date has hardly debated the issue of aggregation. Nor has there been any attempt to factor analyze policy indices to establish the degree of multidimensionality within the American context. By contrast, comparative politics and international relations studies frequently employ multidimensional, aggregate indices to capture the multiple, dynamic facets of immigrant integration (Goodman, 2019).⁶ Recent work has also illustrated how an aggregated policy index can be deconstructed to reveal which parts of the policy index are doing the explanatory heavy lifting (Goodman, 2015), using analytic tools like principled components analysis and replication.

Most scholars do differentiate between “welcoming” and “hostile” immigrant legislation (for a summary of works that differentiate between the two, see: Filindra, 2019; Monogan, 2019; Reich, 2019). This differentiation implicitly assumes that integration and exclusion are driven by distinct processes; however, the indicators used in models are the same, and the results are often substantively the same, making it impossible to advance theory (D’Urso, 2016; Filindra, 2019). Specifically, all quantitative studies of subnational immigration policy in the United States use one or more demographic variables as indicators of “racial threat,” one or more indicators of ideology and partisanship of the voters and the legislature, and a number of measures of state economic health (e.g., unemployment and poverty level). Furthermore, this strategy assumes without clear theory or evidence that hostile and welcoming policies across domains are equivalent and there are no differences in drivers *within* category, only *across* the two categories. As such, many scholars in this issue recommend presenting coding rules as explicit and de-aggregated as possible. This leaves theoretically motivated aggregation choices and trade-off decision making clear to subsequent researchers.

In addition to aggregation, we identify three other relevant methodological choices: weighting, time, and level of analysis. Best practices for *weighting* immigration policy modeling suggest that various laws and rules do not have the same substantive effect on targeted populations and thus should not be judged as equal (Bjerre et al., 2015). This point is echoed herein in the analysis by Plutzer et al. (2019). At a minimum, researchers should take into account the material (and even psychological) impact that a law may have on the lives of noncitizens as well as the

reach a law may have, that is, the likely number of people who may be affected by its provisions (Bjerre et al., 2015). However, the vast majority of studies in American state-level immigrant policy conceptualize the dependent variable as a count of welcoming or hostile laws enacted each year without regard to how they differ in effect. This means that a resolution celebrating heritage groups counts the same as a law of consequence, like including legal permanent residents in welfare provision.

In fact, there is little discussion of the types of analyses that should be used specifically with resolutions, and given their purely symbolic nature, whether they should be included in indices of immigrant policy or analyzed separately. Monogan (2013, 2019) has opted to include them in his indices but weigh them down. However, Filindra and Kovács (2012) separate them out and use content and discourse analysis to discuss resolutions. At a minimum, as Monogan (2019) argues, “theory must drive the aggregation choices a researcher makes” (p. 5). Researchers need to be explicit as to the rules of aggregation they use and provide details on their coding scheme for individual laws and provisions within legislation.

Time, or to be more exact the cross-sectional as opposed to the diachronic effect of independent variables, is another important consideration that has received little attention prior to this volume. As Reich (2019) correctly points out, predictors of immigrant policy may capture two different causal effects: changes *within* states over time as well as changes *across* states. Our models thus may represent a weighted average of the two, but disentangling the two effects is difficult. This is especially relevant as we now have several years of data for analysis and thus a time series model could (in theory) be specified. Monogan (2019) and Butz and Kehrberg (2019) also demonstrate that cross-sectional and temporal analyses highlight different predictors, yielding substantively different conclusions. Thus, time matters and needs to be taken into account not only in our models but in our theory. Similar issues emerge in comparative work, in trying to collect data across a sample of countries. Due to the necessary trade-off between breadth (more country-year observations) and depth (number of policies), few cross-national policy indices report scores for every year. Studies might produce a snapshot year (e.g., IMPIC records 2016; IMPALA covers 1999 to 2008), or increase the number of years by decreasing the number of countries (e.g., Peters [2017] records policy for low-skilled immigration across two centuries for 19, representative states; DEMIG POLICY [De Haas, Natter, & Vezzoli, 2015]⁷ tracks 45 countries since 1945).

Finally, the instability in our policy models may not be attributable only to the construction of dependent variables and aggregation decisions related to the conceptualization of immigrant policy indices. The specification of *level of analysis*, be it state-level (Butz & Kehrberg, 2019; Filindra, 2019; Monogan, 2019; Reich, 2019) or country-level models (Goodman, 2019), is—in and of itself—an aggregation decision that needs to be theoretically defended. Policies are not the result of decisions made by an abstract and unitary “state.” Policies are the result of majority votes in the legislature. The underlying logic of policy decisions thus involves the drivers that guide legislative behavior. As Filindra (2019) notes, aggregate models make the assumption that *state-level* processes, whether political or demographic, influence legislative decisions. However, in a majoritarian system, legislators are not

constrained so much by statewide processes but rather by district-level processes. An aggregate model in effect averages out differences across districts and erases the within-state/ across-district variation in demographics and politics, that is, characteristic of most, if not all, states. Accounting for district-level heterogeneity by disaggregating policy decisions to the legislator level of analysis could help us correct some of the problems caused by aggregation.

The power of such an approach is demonstrated by Pedroza (2019). His unique dataset measures the number of deportations ordered by county sheriffs. County sheriffs have discretion in setting policy in the domain of immigration enforcement and cooperation with federal authorities. Also, as elected officials, they are accountable to the voting population of the county. Therefore, this study properly aligns policy decisions (number of deportations) with county-level independent variables. His results suggest a nonlinear effect of county demographics on the elected officials' decision to pursue restrictive immigration policy.

Having reviewed extant treatments of conceptualization and measurement,⁸ we now mirror research design by moving from design to analysis. How are immigration policy indices used in studies? We consider different implications for analysis when treating immigration policy as an independent and dependent variable, respectively.

Theory Development and Testing

Terminological clarity and ambiguity have direct implications for assessing outcomes. Therefore, once researchers have grappled with the issues of *how to define policy* and *how to measure policy*, next comes perhaps the most consequential step: *how to study policy*. The literature on immigration policy is extensive. In studies of American state-level immigration policies, there are ample examples that look at policy on both sides of the equation: at the various drivers of policy design and enactment (Boushey & Luedtke, 2006; Chavez & Provine, 2009; Creek & Yoder, 2012; Filindra, 2013; Gulasekaram & Ramakrishnan, 2015; Marquez & Schraufnagel, 2013; Nicholson-Crotty & Nicholson-Crotty, 2011; Wallace, 2014; Zingher, 2014) as well as the effects of policy on immigrant and native attitudes and behavior (Jones-Correa, 2001; Rocha, Knoll, & Wrinkle, 2015), as well as adjacent policy arenas (Condon et al., 2016; Filindra et al., 2011; Filindra & Manatschal, 2019). Ybarra et al. (2019) are more circumspect in classifying the field, referring to several studies as a series of correlations, and subsequently investigating the underlying assumptions of perception (i.e., an individual's awareness of policy and change) and mechanisms of causality. The careful steps of conceptualization and measurement matter: they affect how scholars assess policy and program outcomes which can, in turn, inform future policy design.

Immigration policy—like other policy domains—is often studied as a case—an intensive study of a single unit with an aim to generalize across a larger set of units (Gerring, 2007). For example, Collingwood et al. (2018) look at immigration policy to examine the role of interest groups. Using the case of state-level immigration sanctuary policymaking, they develop a theory of policy diffusion that focuses on

sustaining organizations, in this case, the American Legislative Exchange Council (ALEC). In this usage, interest groups are the central subject of analysis, while immigration policy is the case in which diffusion takes place. How the dependent variable is conceptualized is very much a product of the actions of the interest group itself. By contrast, studies in which immigration policy is both the study variable and the causal or independent variable, greater precision is required to theoretically specify what and how outcomes are being shaped.

To wit, there are a number of studies in this volume that treat policy as an independent variable; in other words, these all represent new institutionalist arguments in which policy is a type of opportunity structure (Koopmans et al., 2005; Vink, Prokic-Breuer, & Dronkers, 2013) or a signaling mechanism (Condon et al., 2016; Filindra et al., 2011). Conceptualizations of immigration policy may necessarily vary depending on the research question and outcome of interest. Rocha et al. find high levels of immigration enforcement indirectly lead to increased Latino group identity, thus determining how residential contexts are psychologically salient. Ybarra et al. (2019) examine whether perceptions of inclusion or exclusion align with reality of policy, though Butz and Kehrberg (2019) do not find a connection between sentiment and policy.

Further, Kaya (2019) shows how wide the net of “immigrant-related policies” can get, looking at the institutionalization of Islam as a function of the strength of a national church. This scholarship illustrates the importance of “constructing-up” integration policy, as well as how the distinctions between and content of integration and immigration policy may differ across national settings, owing not only to national definitions of immigration policy but also the ethnic composition of immigrant groups.

This, of course, can be a slippery slope, in which immigration, integration, and citizenship policy can appear to overlap (Goodman, 2019). Best practices advise discipline in clear conceptualization and rigorous circumspection in analysis. With this conceptual discipline, scholars can then consider how these conceptually related policies actually—in fact—relate to one another. For instance, Phan et al. look at the effects of state-level immigration legislation—derived from Commins and Wills (2017)—on naturalization rates. They find states with restrictive immigration laws raise the utility of citizenship, thus producing a mobilizing effect, primarily among immigrants from Mexico. This fits into a larger set of findings that consider how institutional settings engender political integration (Hainmueller, Hangartner, & Pietrantuono, 2015; Peters, Vink, & Schmeets, 2015; Vink et al., 2013).

Conclusion

Immigration policy is multidimensional; exceedingly complex; and very consequential for targeted noncitizens, their families, and their communities. Scientific analysis requires simplification and quantification of properties that are both complicated and inter-related. As the field grows in methodological complexity and new datasets become available, it is important for scholars to develop a clear and conscious schema for theory development and for measurement. This special issue

set out to answer that call, bringing together voices from both comparative and American politics, and addressing multiple lacunae that have prevailed in the domain. Key among them has been to develop a critical perspective on measurement of both dependent and independent variables in models of immigration policy and to bring American and comparative perspectives into a closer dialog as both have a lot to learn from the successes and errors within each field.

But just as immigration policy is dynamic, it is also quite normal. The lessons derived from this special issue are not restricted to immigration policy studies. As clear opportunities remain for immigration scholars to employ tested frameworks from public policy, such as multiple streams analysis, the narrative policy framework (NPF), and various institutional analysis frameworks (Sabatier & Weible, 2014), we have also made the case that public policy generalists could incorporate immigration policy-related case studies into their work. The study of any multidimensional policy domain requires equally careful and conscious conceptualization and measurement, be it health care, criminal justice, or welfare policy—to name but a few. Our hope is that scholars in those fields will benefit from the scholarship and perspectives presented herein as they develop measures and models. Ultimately, our methodological and theoretical challenges, including those identified and addressed within this special issue, are the concerns of *policy studies*, not only *immigration* policy studies.

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Notes

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1. Some scholars even subdivide immigration policy into *admissions* and *control* as two distinct domains (Boushey & Luedtke, 2011; Cornelius, Martin, Hollifield, & Tsuda, 2003).
2. Gest et al. (2014) describe this difference as admissions policy versus integration policy.
3. Many have shown how civic integration policies, for example, can be punitive instead of inclusive (Filindra & Manatschal, 2019; Goodman, 2014a; van Oers, Ersbøll, & Kostakopoulou, 2010).
4. See: <http://www.impic-project.eu/>
5. For examples, see <http://mipex.eu/news#news-type=737>
6. Even citizenship policy—which on the surface appears to be unidimensional—is comprised of multiple facets that have impelled scholars (e.g., Howard, 2009) to use aggregate indices. Some of these facets include *jus soli*, naturalization for adults, naturalization for spouses, etc.
7. <https://www.imi-n.org/data/demig-data/demig-policy-1>
8. Specifically, aggregation. Space limitations prohibit deeper discussions of other facets of measurement, like scoring rules.

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