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## **Migration Policy Restrictiveness and Regime Change: An Empirical Inquiry into Latin America**

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# Migration Policy Restrictiveness and Regime Change: An Empirical Inquiry into Latin America

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## **Abstract**

Since Latin America's liberal democratization in the 1980s there has been a growth in academic attempts to assess its impact on the restrictiveness of migration policies. Thus, this thesis aims to uncover whether change in liberal democracy rank explains change in restrictiveness of Latin American migration policies. This thesis uses historical institutionalism as a theoretical lens to expose the role of domestic institutions in shaping state policymaking. A proportional odds logistic regression was conducted and revealed strong evidence that when there is an increase in liberal democracy ranking, there is a lower probability of restrictive migration policy implementation. Additionally, national gross domestic product and the political ideology of the party in power were shown to offer some explanatory power for change in migration policies. The analysis concluded that change in liberal democracy rank offers a convincing explanation for change in migration policy restrictiveness. Although the scope of this analysis means results can only speak for trends in Latin America, this thesis highlights the importance of viewing liberal democracy as ranked and not an ideal type when understanding its impact on policymaking. Further research should consider a broader scope of analysis as data collection in the region becomes more extensively available.

**Word count:** 200

**Key words:** Proportional Odds Logistic Regression, Latin America, Migration Policy Restrictiveness, Liberal Democracy Rank, Regime Change.

# Table of Contents

<b>1. Introduction.....</b>	<b>4</b>
<b>1.1 Context .....</b>	<b>4</b>
<b>1.2 Research aim.....</b>	<b>6</b>
<b>2. Literature review .....</b>	<b>8</b>
<b>2.1 Dominant migration policymaking literature.....</b>	<b>8</b>
<b>2.2 The limitations of existing migration policymaking literature .....</b>	<b>9</b>
<b>2.3 Existing literature concerning Latin America.....</b>	<b>11</b>
<b>3. Theoretical Review .....</b>	<b>13</b>
<b>3.1 Historical institutionalism and institutions.....</b>	<b>13</b>
<b>3.2 Historical institutionalism and the state.....</b>	<b>13</b>
<b>3.3 Historical institutionalism and liberal democracy .....</b>	<b>14</b>
<b>4. Methodology .....</b>	<b>17</b>
<b>4.1 Dependent variable.....</b>	<b>17</b>
<b>4.2 Independent variable .....</b>	<b>17</b>
<b>4.3 Control variables .....</b>	<b>18</b>
<b>4.4 Case selection .....</b>	<b>21</b>
<b>4.5 Research design .....</b>	<b>23</b>
<b>5. Results and Discussion .....</b>	<b>28</b>
<b>5.1. Liberal democratic rank and migration policy restrictiveness .....</b>	<b>30</b>
<b>5.2 Other explanatory variables.....</b>	<b>33</b>
5.2.1 National GDP .....	33
5.2.2 Political Ideology.....	34
5.2.3 Unemployment and Level of Legislation .....	35
<b>6. Conclusion.....</b>	<b>37</b>
<b>7. Appendices.....</b>	<b>40</b>
Appendix A: Multicollinearity Test (R-studio output).....	40
Appendix B: Parallel Assumption (R-studio output) .....	41
<b>8. Bibliography.....</b>	<b>42</b>

# 1. Introduction

## 1.1 Context

In 2015, the UN High Commissioner for Refugees António Guterres (2015) praised Latin America for establishing “the most progressive [migration] system in the world... that has few parallels elsewhere”. In the past 30 years, there has been an unprecedented liberal shift in the policies governing the movement of migrants into Latin American countries. Migrants are defined as individuals who move away from their place of usual residence, within or across borders, temporarily or permanently, for a variety of reasons (IMO 2015). Policies shifted from a highly selective approach towards a more open conception of migration, to stress the universality of civil rights and freedoms for all migrants, irrespective of their national origin and legal status (Margheritis 2012; Jachimowicz 2006). However, despite this overarching liberal turn of migration policies, variation in restrictiveness remains across the region (Arcarazo and Freier 2015). As early as 2000, migration policies across Latin American countries turned towards migrant control, retracting numerous protectionist policies (Finn and Reguero 2020). Furthermore, scholarship has argued that inclusive rhetoric disguises exclusive policies across the continent (Bauer 2019).

Predominant research seeking to explain migration policy restrictiveness is based on Western liberal democratic regimes. A liberal democracy is a form of government in which representative democracy operates under liberal principles. It is characterized by a separation of powers into different branches of government, a strong rule of law in every part of everyday life as part of an open society, and the equal protection of human rights, civil rights, civil liberties, and political freedoms for all (ECPS 2021). In turn, the aforementioned governmental structures of liberal democracies limit the power of heads of government to curtail migrants’ rights by ensuring liberal

principles are prioritized in all governmental actions, including policymaking decisions (Sassen 1996; Joppke 1998; Natter 2018; Hollifield 1992). Post 1980s, Latin America became the third highest global liberal democratic region after Western Europe and North America, and it was ranked 39 percent higher than the global average in the 1990s (Coppedge et al. 2021; Piccone 2016:2). Accordingly, one would expect that the liberal democratic turn of Latin American political regimes would produce less selective policies, but this does not appear to be the case. So, why have Latin American nations adopted migration policies varying in restrictiveness?

One possible explanation is embedded in the assumptions of predominant migration policymaking theoretical explanations. When examining migration policymaking in North America and Europe, existing theories assume a dichotomy between ideal type democracies and non-democracies (Barnett 2002; Soysal 1994; Hollifield 1992; Joppke 1998). However, this approach has been criticized for being parsimonious and oversimplistic as it fails to acknowledge that different ranks of liberal democracy exist in-between (Natter 2018; Bollen and Jackman 1989). Dichotomizing democracies and non-democracies lumps together countries with very different characteristics, blurs any distinction between ideal and borderline cases, and disregards minor internal regime changes which might not change the categorization of a regime but could trigger change in policies (Bollen and Jackman 1989:612). For instance, most Latin American countries who transitioned from hardline autocracies to liberal type democracies after the 1980s are shown to have unstable democratic rankings over the past three decades (Zovatto 2020). Moreover, although Brazil and Venezuela have experienced liberal democratic breakdowns in recent years, it would be reductive to assume that their current regimes are completely absent of liberal democratic practices (Coppedge et al. 2021).

Thus, to explain the irregular nature of Latin American migration policies, this thesis seeks to view liberal democratic government structures in a graduation, rather than categorizing political regimes as ideal types. This unique perspective will consider the internal complexities of liberal democratic regimes and thus reveal whether changes in the liberalization of migration policies over time occur according to change in a political system's liberal democratic rank. Furthermore, this thesis aims to contribute to the study of migration policymaking by challenging the transferability of classical democratic theories beyond the Western hemisphere. Although emerging studies have begun to analyze the effects of liberal democracy in Latin America, they carry assumptions about full liberal democracies that cannot simply be transferred to this area of the world. As a newly formed democratic region with governments far from liberal democratic ideal types, Latin America provides a unique testing ground for mainstream democratic theories (O'Donnell 1992; Pérez-Liñán and Mainwaring 2013).

## **1.2 Research aim**

Therefore, my objective for this thesis is to determine the relationship between change in liberal democratic regime rank and change of migration policies in Latin America. I expect that an increase in the liberal democracy rank of a state will result in less restrictive policies being implemented, while a decrease in liberal democratic rank will result in more restrictive policy implementation. Thus, my research question is as follows: *Does change in liberal democracy rank explain change in the restrictiveness of Latin American migration policies?*

This thesis will proceed in the following manner. Chapter one will discuss existing literature on migration policy and its limited transferability to contexts beyond Western Europe and North America. Chapter two will introduce the theoretical underpinnings of historical institutionalism

which provided the theoretical foundations of this research, and thereafter discuss its utility for assessing democratic structures in shaping migration policymaking. Chapter three will clarify important concepts and outline the research design. Finally, chapter four will discuss the data analysis and results, which will then be followed by the conclusion and discussion of avenues for future research in chapter five.



## **2. Literature review**

### **2.1 Dominant migration policymaking literature**

There are two dominant schools of thought which discuss factors shaping state migration policymaking. One school examines international norms and institutions governing national policymaking (Barnett 2002; Betts 2011; Boswell 2007; Soysal 1994). This set of influential theories emphasize the historical context of immigration policy and examine how global norms shape national migration policymaking (Cassarino 2014; Escribà-Folch and Wright 2015; Risse et al. 1999). Most predominantly Sassen (1996) and Joppke (1998) argued that the rise of an international human rights regime constrains nation states to safeguard migrants' rights against national administrations' attempts to curtail these rights (Natter 2018:4). However, research shows that global norms have largely failed to convert states into international human-rights regimes, nor have they diminished state authority over migration policymaking (Finn and Reguero 2020:44). States continue to maintain legitimacy and sovereignty over migration policy since they are the primary grantors of rights in the territory, and ultimately mandate who is allowed in and out, and under what conditions (Freeman 1995).

Accordingly, the other school of thought analyzes domestic factors accounting for variations in migration policy outcomes. For instance, scholars have examined the influence of the ideological stance of political parties in power to show that left-wing ideologies are associated with more liberal policies than right-wing parties (Abou-Chasi 2016; Joppke 1998; Shevel 2011). Neoliberalists have also looked at the economic interests of the Organization for Economic Cooperation and Development (OECD) states, arguing that their migration policies are primarily shaped by labor market interests (Freeman 1995; Messina 2007). All in all, it is important to note

that national and international level approaches are rarely shown to provide a freestanding account for migration policymaking, and thus most studies combine the two different theoretical insights to explain observations (Natter 2018:4). Most predominantly, Hollifield (1992) argued that the political and legal logic of national governments strives for closure, while the liberal international economic logic is one of openness. Subsequently, the balancing of the two has led to the ‘liberal paradox’ whereby state governments adopt restrictive anti-illegal migrant rhetoric but implement expansionist migration policies in practice (Hollifield 2004; Jørgensen and Thomsen 2013).

## **2.2 The limitations of existing migration policymaking literature**

Despite the fruitfulness of existing discussions on migration policymaking, underlying assumptions limit its ability to explain Latin America’s varied policy restrictiveness. The first assumption is the “tendency to split the world into migrant destinations situated in the ‘Global North’, and migrant origins situated in the ‘Global South’” (Natter 2018:5). As a result, southern migration policymaking went largely unacknowledged by Eurocentric academics and policymakers (Fiddian-Qasmiyeh 2018; Adamson and Tsourapas 2019). This represents a critical challenge for the pertinence of existing scholarship, as migration policy is likely to develop differently in other parts of the world. Therefore, an examination of migration policy in other global settings stands to facilitate theory-building through new empirical tests of existing notions (Blair et al. 2021:2).

The second assumption pertains to destinations in the ‘Global North’ being depicted as liberal democracies, whilst receiving migrant states in the ‘Global South’ are cast as autocracies, or at best malfunctioning democracies (Natter 2018; Breunig et al. 2012; Shin 2017). This bias means that liberal democracy has been consistently overlooked and assumed as a constant factor across

cases in the 'Global North' by leading literature and theoretical perspectives (Koopman and Michalowski 2017:47). Thus, there is far less empirical evidence for the claim that changes in domestic democratic structures leads to a change in policy. Governmental regimes differ immensely in terms of their underlying institutional arrangements. For instance, they can have presidential or parliamentary systems, open or closed informational flows, and an autonomous or embedded executive branch, which can all act as constraints on democratic leaders' policymaking decisions (Hamilton 2017; Mirilovic 2010). As all political regimes contain democratic and non-democratic characteristics, attempts to categorize them as ideal types are fundamentally flawed exercises. They ignore any internal regime transformations that might not be significant enough to change the categorization of a regime from liberal democracy to non-liberal democracy but could be enough to trigger a change in policies (Dahl 1989:241; Bollen and Jackman 1989:618). This is particularly true in Latin American countries who are far from fitting the ideal types of liberal and illiberal type democracies. Overall, due to these assumptions existing literature has limited transferability to understanding policymaking in unstable democratic region of Latin America.

This assessment of prevailing migration research was inspired by Natter's (2018) innovative approach in her comparative case study analysis of Tunisia and Morocco. Natter (2018:7) abandoned the assumption that Tunisia's transition from an authoritarian regime to democracy meant that there aren't any domestic authoritarian type structures which continue to challenge its political transition. Likewise, despite the notable continuity of centralized authoritarian power structures in Morocco, liberalizations within the new 2011 constitution have successfully extended political, media and women's rights, and civil society organizations have also slowly grown into important actors on certain policy issues (Natter 2018; Boukhars 2011). Respectively, this thesis will thus leave dichotomous categories behind, to instead explore how the changes within a

political regime shape immigration policymaking in Latin American governments over time, in graded terms (Collier and Adcock 1999:546). Examining regime types in terms of rank will overcome limitations of existing research to expose how changes in regime rank can affect changes in migration policy.

### **2.3 Existing literature concerning Latin America**

Although relatively scarce in nature, scholars have begun challenging the applicability of existing Eurocentric theories in Latin America by showing that liberal asylum programs in the region are not as they seem (Cantor et al. 2015). Research has revealed evidence of inclusive rhetoric disguising contemporary exclusive policies in Argentina, Brazil, Ecuador (Arcarazo and Freier 2015), Peru (Bauer 2019) and Chile (Finn and Reguero 2020). This overarching conclusion is suggestive of a reverse paradox whereby the discourses of liberal democratic governments have become more restrictive than enacted policies, a conclusion that contrasts the aforementioned western ‘liberal paradox’ (Hollifield 2004; Arcarazo and Freier 2015).

However, emerging scholarship remains limited for several reasons. Firstly, it is overwhelmed by in-depth case studies. Although this method is undeniably useful for collecting rich data on countries in the region, there have been few attempts at developing an indispensable comparative framework for explaining regional migration governance regimes (Blair et al. 2021:1). Secondly, existing literature continues to disregard the complexities of domestic migration policy as they overwhelmingly focus on the failure of international institutions in creating liberal policies in the region (Cantor et al. 2015; Arcarazo and Freier 2015). This thesis thus seeks to contribute to the growing conversation within Latin America by unpacking the relationship between changes in domestic democratic institutions and varying migration policies. This is a particularly useful

empirical approach for this region as there is a wide range of democratic regime types present, with few being defined as 'ideal democracies' as they fluctuate in their liberal democratic rank over time (Davis-Castro 2021:4; Filomeno and Vicino 2020:598).

### **3. Theoretical Review**

#### **3.1 Historical institutionalism and institutions**

Historical institutionalism emerged in the 1970s as a critique of behavioral attempts to explain political decision making, to instead emphasize that action is mediated by the institutional context in which it takes place (Hall and Taylor 1996). The historical institutionalist perspective understands institutions as “the humanly devised constraints that shape human interaction ... [in ways that are] perfectly analogous to the rules of the game in a competitive team sport” (North 1990:3). In other words, it understands institutions to be contextual structures that limit, condition, and/or direct social agency. Informal institutions refer to norms of behavior and unwritten conventions, while formal institutions are embodied in a country’s constitution, legal framework, and regulations (North 1990:3). This approach doesn’t deny that actors are autonomous and attempt to calculate their own interests, but it accentuates that social, political, and economic behavior and change are a product of the interactions between actor’s interests and contextual institutions (Boswell 2007:79).

#### **3.2 Historical institutionalism and the state**

This thesis will view the state as the primary unit of analysis. In order to understand the interaction between state autonomy and institutions, historical institutionalism adopts the broader institutionalist assumption that the state is not a monolithic entity (Boswell 2007:79). In other words, a state is a single unified force of many different parts, which may diverge in their interests and goals, and have varying degrees of autonomy and capacity. This perspective allows us to distinguish between a state’s system of party politics and its regime structure. The former defines a government’s value orientation and political programs, and the latter refers to the governmental

bodies making up the constitution of a state and their broader political process for implementing collectively binding laws (Boswell 2007:80). Accordingly, formal institutions are embodied in the constitution of a state, while ideology lies with the government's political party and central executive. Hence, the historical institutionalist lens is essential for exposing formal state institutions as something that can be studied empirically to reveal their role in shaping state behavior, such as policymaking decisions (Boswell 2007:80).

### **3.3 Historical institutionalism and liberal democracy**

The 'liberal democratic state' exists where a national government operates as a representative democracy under universal liberal principles of protection for individual liberty and a strong rule of law (Collier and Adcock 1999:561). These liberal principles take a negative view of political power insofar as they judge the quality of liberal democracy by the limit it places on a government's autonomy (Coppedge et al. 2021:44). In the context of liberal democratic societies, government bodies will advocate for the importance of protecting individual and minority rights of citizens against the tyranny of the state and of the majority (Coppedge et al. 2021:44). Thus, in liberal democratic states, regime structures ensure that the system runs according to formal liberal institutions and not particular ideologies of elected sovereigns (Hall and Taylor 1996:943).

There are numerous liberal democratic formal institutions that function to protect liberal ideals by limiting the centralization of power. Firstly, a separation of powers ensures that the principal bodies of the state are clearly divided to protect citizens' liberties and guard against tyranny (Cameron 2002:133). Secondly, an effective system of checks and balances ensures that power is shared across government branches to prevent one from becoming disproportionately powerful, otherwise the subordination of congress and the courts creates opportunities for the executive to

act illegally with impunity (Cameron 2002:136). This system of checks and balances also empowers separate branches to prevent any unconstitutional actions by other powers. The third element lies with an independent judiciary and strong rule of law. In other words, the quality of democracy is threatened when politicians control judges. Judicial independence insulates judges so that they can evaluate cases on the non-discriminatory and universalistic principles of modern law (Cameron 2002:137). Thus, unlike the political process which can be dictated by anti-immigrant public sentiments, judges are shielded from these pressures (Joppke 1998:271). Together, these infrastructures limit the autonomy of the executive branch of the state to ensure migration policies prioritize constitutional liberal values (Boswell 2007:84). All in all, the activist characteristic of liberal democracy's national courts operates to limit the power of states to curtail migrants' rights.

Thus, we can assume that in higher-ranked liberal democracies, governmental bodies have more independence from political ideologies to exercise power over policymaking decisions regarding political and civil rights (Boswell 2007:84). For example, in well-established liberal democratic states the central executive cannot simply bypass the provisions in place which protect individual's rights, even when they conflict with their own political interests or that of societal pressure. This is more likely to be the case in more autocratic type governments where a separation of powers often ceases to exist or is lacking. This means that there is less room for contestation, negotiation, and lobbying by governmental bodies, and political leaders are therefore largely insulated from international and domestic formal institutions favoring political and civil rights (Breunig et al. 2012; Filomeno and Vicino 2020; Natter 2018). Henceforth, as governments change to become more highly ranked liberal democracies and create more liberal democratic formal institutions in



their constitution, these governmental bodies functioning to protect liberal values are more likely to ensure that open migration policies are enacted.

Therefore, the hypothesis of this research is as follows:

*When there is an increase in the liberal democracy ranking of a state, there is a lower probability of restrictive migration policy implementation.*

## 4. Methodology

### 4.1 Dependent variable

The dependent variable for this analysis is the annual change<sup>1</sup> in the overall restrictiveness of migration policies in a given state, according to the pre-existing national policy framework (see table 1). This data was taken from the Determinants of International Migration (DEMIG) database, a longitudinal dataset compiled by a group of experts who tracked and ranked 6,500 migration policy changes in 45 countries between 1946 and 2015. According to the DEMIG database, migration policies are “rules (i.e. laws, regulations and measures) that national states define and [enact] with the objective of affecting the volume, origin, direction, and internal composition of [...] migration” (Czaika and Haas 2013:489). Restrictiveness is assessed on whether there has been an increase or decrease in the rights granted to the migrant group targeted by each policy (Haas et al. 2018:329).

Migrants are defined as individuals who move away from their place of usual residence, within or across borders, temporarily or permanently, for a variety of reasons (IMO 2015). Refugee and asylum policy is beyond the scope of this thesis, as they deal with different policies entirely (Blair et al. 2021:4). Therefore, migration policies which grant rights to refugees and asylum seekers have been excluded from the analysis.

### 4.2 Independent variable

The independent variable for this analysis is the change in the liberal democratic rank of a state in a given year and was taken from The Varieties of Democracy (V-Dem) dataset (Coppedge et al.

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<sup>1</sup> Only data on change is available on the DEMIG dataset

2021). The V-Dem research project is compiled by a large global collaboration of country experts who evaluate more than 450 disintegrated democratic indicators to estimate national democratic types (Coppedge et al. 2021). Liberal democratic states are defined as contexts where “government bodies advocate for the importance of protecting [citizen’s]<sup>2</sup> individual and minority rights against the tyranny of the state and the tyranny of the majority” (Coppedge et al. 2021:44; Sigman and Lindberg 2015:6). This is evaluated annually by the V-Dem research project by looking at a state’s liberal democratic components; namely it’s constitutionally protected civil liberties, strong rule of law, independent judiciary, and effective checks and balances that, together, limit the autonomy of executive power in decision making (Coppedge et al. 2021:44). To conduct my analysis, I used the V-Dem’s yearly liberal democracy rank to measure yearly change in liberal democracy rank. This was done to match the structure of the dependent variable which measures annual change, in order to conduct a sound statistical analysis (see table 1).

### **4.3 Control variables**

To ensure that any change in the restrictiveness of migration policies is not a reflection of other explanatory variables, I accounted for several controls in my multivariate analysis based on the existing literature. Firstly, I controlled for the political ideology of the head of government, as left-wing governments are more likely to favor passing liberalizing policy reforms than their right-wing counterparts (Abou-Chadi 2016:2088). Secondly, I controlled for national gross domestic product (GDP) and unemployment rates. These have been included based on the expectation that growing economies with low unemployment rates create higher demands for migrant labor, and in turn this increases the power of economic lobbies who favor liberal immigration policies (Haas et

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<sup>2</sup> See Sigman and Lindberg 2015: 6 for conceptual clarity

al. 2018:330). Thirdly, to account for the influence of international regimes and treaties, I controlled for whether a policy change was the result of an international or domestic agreement (Cassarino 2014; Escribà-Folch and Wright 2015; Risse et al. 1999; Sassen 1996). This measure accounts for the role of regional international human rights regimes, such as the 1984 Cartagena Declaration for Refugees and the 1991 Mercosur regional agreement, in shaping national policies. The former was designed to protect displaced individuals in the region, and the latter saw the establishment of free movement for nationals of other Mercosur member states in 2004 (Wejas and Lesser 2018). Just as done with the independent variable, all control variables were changed to measure annual change for the purposes of a consistent statistical analysis (see table 1).

Finally, to overcome an omitted variable issue and ensure that conclusions are not due to unknown and/or unaccounted for factors that are constant across all entities, I have utilized time and location fixed effects. This was done through country and year dummy variables. Country is structured as a four-category nominal variable, and time is structured as a binary dummy variable pre- and post-1990. The latter's structure was chosen as the 1990s mark the general turning point for democracy in the region (see graph 1). All variables, their descriptions and their sources are summarized in table 1.

*Table 1. Summary of the Variables and Their Measures in the Statistical Study*

<i>Variable Type</i>	<i>Variable Name</i>	<i>Measures</i>	<i>Source</i>
<i>Dependent</i>	Policy Change	Annual change in restrictiveness of migration policy; decrease (-1), no change (0), or increase (1)	DEMIG (2015)
<i>Explanatory</i>	Liberal Democracy	Annual change in liberal democratic rank; decrease (-1), no change (0), or increase (1)	V-Dem (Coppedge et al. 2021)
	Political Ideology	Annual change in government's political ideology towards the left (-1), no change (0) or towards the right (1)	Heads of Government (Brambor et al. 2017)
	National GDP	Annual change in real GDP per capita in 2011 US dollars; decrease (-1), no change (0), or increase (1)	Quality of Governance (Dahlberg et al. 2021)
	Unemployment Rates	Annual change in percentage of the national labor force that is without work but are available for and seeking employment; decrease (-1), no change (0), or increase (1)	Quality of Governance (Dahlberg et al. 2021)
	Level of Legislation	Annual change in whether restrictiveness of yearly policies is the result of national policy (1) or result of a bi- or multilateral agreement(s) (2), or no change (0)	DEMIG (2015)
	Year	Binary dummy variable; pre-1990 (0) and post 1991 (1)	
	Country	Nominal dummy variable: Reference = Argentina	DEMIG (2015)

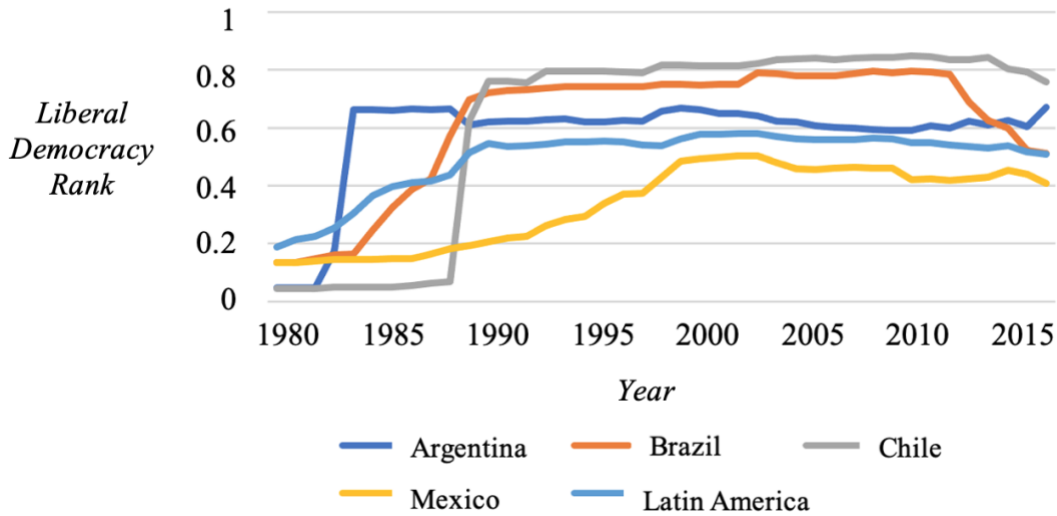
#### **4.4 Case selection**

This thesis has examined migration policies in Latin America by sampling data from four countries, namely Argentina, Brazil, Chile and Mexico, for numerous reasons. Firstly, due to limited availability of collected data in the region, there is a scarcity of sources that can contribute to this statistical analysis. Fortunately, there is sufficient data available from the DEMIG dataset on these four countries, so this research is relying on a convenience sampling technique (Etikan et al. 2015:2). This sampling method is a type of nonprobability sampling where target data meets certain practical criteria, such as accessibility. It is a useful sampling technique as it overcomes the issues of the sampling biases which come from inductive non-probability methods such as purposeful sampling, whereby researchers select the cases best suited to assist with their research question (Etikan et al. 2015:3).

Secondly, these four countries are arguably representative of Latin America as a region of divergent, unstable forms of liberal democracies. Graph 1 shows that all sampled countries represent general trends as they all experienced an increase in democracy post 1980. However, this transition is evidently turbulent with varying ranks of liberal democracy recorded across the two decades. For example, Chile and Argentina are two countries which transitioned dramatically from hardline dictatorships to highly ranked liberal democracies in the 1990s (Smith and Ziegler 2008:31). Brazil on the other hand, went from moderate military rule towards a semi-liberal democracy, then retreated back to a more illiberal democratic regime in the mid 2000s. Brazil is thus representative of countries like Colombia and the extreme case of Venezuela who both took a turn towards illiberal democratic regimes in the 2000s (Smith and Ziegler 2008:31). Finally, Mexico is one of the lowest in terms of its liberal democracy ranking and it is also one of few

regimes which took a gradual transition towards liberal democracy over the three decades (Smith and Ziegler 2008:52).

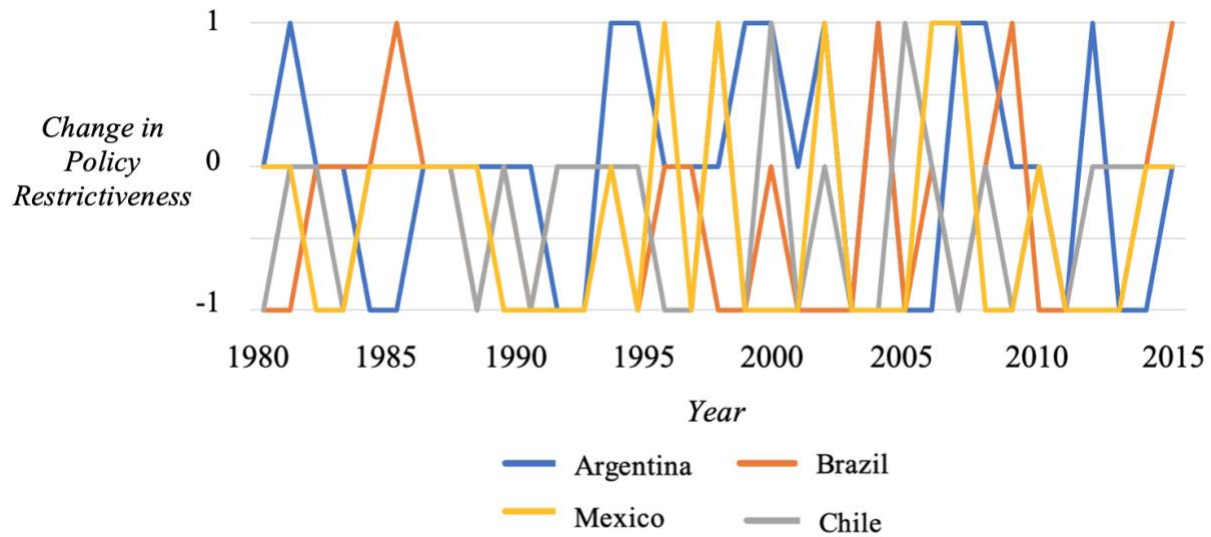
*Graph 1: V-Dem Liberal Democracy Index of Latin American Countries 1980 to 2015*



(Coppedge et al. 2021)

Moreover, variation is also present between and within the sampled countries migration policies (see graph 2). Migration policy is primarily created at the discretion of national governments in the region and not mediated by a regional or international body, which explains the irregular trends in restrictiveness of policies shown in graph 2. Thus, the variation in both the dependent variable and the primary independent variable across sampled countries provides a strong bias for generalization to the region as a whole (Seawright and Gerring 2008:298). In order to make these generalizations, yearly observations from the sampled countries were combined into a single dataset.

*Graph 2: DEMIG Change in the Policy Restrictiveness of Latin American Countries 1980 to 2015*



(DEMIG 2015)

Furthermore, the scope of the analysis is from 1980 to 2015. 1980 marks the start of the third wave of democratization in the continent, whereby authoritarian regimes started to give way to democratic ones (Shixue 2010; Huntington 1991). This makes it a fruitful starting point for understanding the role of democracy on policymaking. Additionally, 2015 was when the Venezuelan migrant crisis hit the region and an unprecedented 4.6 million migrants fled the Bolivarian Republic of Venezuela and migrated to neighboring Latin American countries (Chaves-González and Echeverría-Estrada 2020:1). To examine Latin American policy after 2015 would be to examine policy in response to refugee crises, which is beyond the scope of this thesis.

#### **4.5 Research design**

A large-n quantitative approach has been implemented as it is the most fruitful method for achieving a significant contribution to the ongoing conversation in the literature. Firstly, as



explorations of what shapes Latin America's migration policy is a relatively new field of interest and has primarily been studied through in-depth qualitative analyses (Finn and Reguero 2020 Arcarazo and Freier 2015; Bauer 2019), the field is lacking an adequate comparative framework for explaining divergent state migration governance regimes in Latin America. A statistical analysis analyzing trends in a sample of countries in the region over time will constitute a step towards understanding the relationship between changes in liberal democratic structures and regional policy choices (Landman 2008:20). Secondly, a lack of pertinent data on migration policy in Latin America has contributed to a small pool of researchers conducting cross-sectional, time-series quantitative investigations on migration policy restrictiveness (Natter et al. 2020:2). The DEMIG dataset is the first of its kind, offering a fine-grained analysis of the long-term evolution of migration policies in certain Latin American states, so it offers a unique opportunity to examine trends in the region (Haas et al. 2018:330). Finally, and most importantly, a quantitative method is best suited for the purpose of this research question. This thesis attempts to provide a general explanation for what influences migration policy restrictiveness across the region, and thus examining a sample of countries from the region is the best way to gain generalizable results. Considering the scope of this thesis, to compare each sampled country through qualitative approaches would be unfeasible. Thus, a large-n quantitative method is more suitable for the purposes of this thesis.

In this thesis I have conducted a proportional odds logistic regression analysis. Regression analyses are used to explain and statistically investigate the relationship between independent and dependent variables. A regression analysis is thus appropriate since this thesis is investigating the relationship between the change a countries liberal democracy ranking and change in the

restrictiveness of national migration policies. Moreover, as the data set includes an ordinal dependent variable, meaning that the outcome variable is categorical and has an explicit ordering, a proportional odds logistic regression is the most suitable approach (Agresti 2017:473; Gujarati and Porter 2012:15). Otherwise known as an ordinal logistic regression, this method will predict the probability of a Latin American state implementing restrictive policies in a given year, given one or more explanatory variable (Agresti 2017:473). I could have conducted a multinomial logistic regression model to analyze this dataset, as the variables are categorical. However, this approach does not preserve the ranking of change in the dependent variable when returning the information on contribution of each independent variable (see table 1). Moreover, the statistical analysis was conducted in R-Studio, an open-source statistical programming language.

Since the restrictiveness of migration policy may be influenced by other factors such as political ideology or the state of the economy, I have conducted a multivariate proportional odds logistic regression analysis. Validity refers to “measures actually measuring what they intend or claim to measure” (Halperin and Heath 2012:328). The use of a multivariate regression analysis in this thesis enhances validity by controlling for various explanatory variables and fixed time and location effects, and hence, provides a more precise assessment of the relationship between change in liberal democratic ranking and migration policy outcomes. Additionally, it is important to note that the sample size necessary for a multivariate regression increases according to the number of explanatory variables used (Agresti 2017 320; Hair et al. 2014:537). Accordingly, the sample size should be at least 10 times the number of explanatory variables to reduce said issues. In this analysis I have combined all the yearly observations between 1980 and 2015 for each country so

that there are 140 datapoints. This approach means that I can maintain accurate inferences whilst adequately representing the population of interest and maintaining research validity.

Prior to conducting the multivariate proportional odds logistic regression, the assumptions of such regression were checked to ensure the reliability of results (Agresti 2017:272). Reliability is the extent to which a measure is free from random error, meaning that a reliable measure is repeatable, consistent, and dependable (Halperin and Heath 2012:327). These assumptions are as follows; (1) the dependent variable is ordered, (2) one or more of the independent variables are either continuous, nominal, or ordinal, (3) there is an absence of multicollinearity between explanatory variables, and (4) the proportional odds assumption is fulfilled (Agresti 2017:476-477). From section 4.1, 4.2 and 4.3 it is clear that the dataset satisfies assumption 1 and 2 (see table 1). It is particularly important to check for assumption 3, multicollinearity, as there is an expectation from existing literature that some explanatory variables may be highly correlated. For example, left-wing governments tend to offer more support to multilateralist foreign policies than their right-wing counterparts because of their ideological emphasis on equality (Heywood 2015; Ikenberry 2004; Holsti 2004). Thus, this suggest that a change in government ideology towards the left and an increased signing of bi- and/or multinational agreements may be highly correlated. However, from conducting a Variance Inflation Factor (VIF) test, I concluded that multicollinearity is not present in this statistical analysis as all values are less than 10 (see appendix A). Severe multicollinearity exists where the VIF values are bigger than or equal to 10 (Agresti 2017:434).

Moreover, since this analysis is dealing with ordinal variables, the logistic regression assumes that the effect of  $x$  on  $y$  is about the same for every category of the outcome variable (Agresti

2017:474). This is otherwise coined as the proportional odds assumption. In order to know whether the observed observations are larger than what could be attributed by chance alone, I conducted a 'proportional hazard assumption' using a Brant Test (see appendix B). From the results of the test, I can conclude that since all the probability values are more than 0.05, the parallel regression assumption holds for all variables in my regression model. Therefore, given that the assumptions of the proportional odds logistic regression hold, we can assume high reliability of results.

Finally, when conducting a regression analysis, we also assume that the dataset is complete. However, for the variable 'unemployment rate' there are missing values in the dataset due to a lack of data collection pre-1990s. To simply ignore the missing mechanisms in the analysis by deleting them or to conduct a mean or median value replacement can result in biased estimates of parameters and incorrect variance estimates, and thus give misleading results (Liu et al. 2018:1). Therefore, I decided to use multiple imputation, which replaces missing values in the dataset with plausible values from multiple sets of random simulated data (Agresti 2017:499). Although this method is more commonly used when dealing with continuous variables, recent research by Liu et al. (2018) confirms that it is a sound approach for estimating ordinal variables and is the most viable solution for providing unbiased estimations and standard errors. Hence, since all the aforementioned assumptions are satisfied, the following section will proceed with a discussion of the results from the multivariate proportional odds logistic regression.

## **5. Results and Discussion**

Table 2 presents the results of the multivariate proportional odds logistic regression. Model 1 examines the effect of change in liberal democratic rank on change in migration policy, and each proceeding model introduces another explanatory variable one at a time. This staggering method is useful for examining the effect of the primary explanatory variable as each factor is added. Model 5 presents the effect of liberal democratic rank on the likelihood of a restrictive policy being implemented while controlling for all other explanatory variables. Moreover table 3 presents the odds ratios for the results of model 5, expressing the probability of change in migration policy.

*Table 2. Results of the Multivariate Proportional Odds Logistic Regression*

	<i>Dependent variable:</i>				
	<i>Policy change</i>				
	<i>Model 1</i>	<i>Model 2</i>	<i>Model 3</i>	<i>Model 4</i>	<i>Model 5</i>
<i>Liberal Democracy</i>	-1.227*** (0.269)	-1.224*** (0.286)	-1.259*** (0.290)	-1.262*** (0.290)	-1.320*** (0.295)
<i>Political Ideology</i>		-0.901 (0.628)	-1.022 (0.625)	-1.036 (0.630)	-1.051* (0.635)
<i>National GDP</i>			-0.384* (0.207)	-0.389* (0.209)	-0.395* (0.210)
<i>Unemployment Rates</i>				-0.049 (0.250)	-0.041 (0.251)
<i>Level of Legislation</i>					0.383 (0.273)
<i>Country</i> = <i>Brazil</i>	-0.454 (0.480)	-0.454 (0.481)	-0.262 (0.496)	-0.287 (0.513)	-0.114 (0.532)
<i>Country</i> = <i>Chile</i>	-0.450 (0.461)	-0.450 (0.461)	-0.189 (0.484)	-0.208 (0.493)	-0.07 (0.506)
<i>Country</i> = <i>Mexico</i>	-0.712 (0.492)	-0.712 (0.492)	-0.493 (0.504)	-0.513 (0.514)	-0.447 (0.517)
<i>Year</i>	-0.371 (0.354)	-0.389 (0.352)	-0.293 (0.368)	-0.300 (0.370)	-0.487 (0.395)
Note:	Robust standard errors in parentheses *p<0.1; **p<0.05; ***p<0.01				

Table 3. Odds Ratios of the Multivariate Proportional Odds Logistic Regression

<i>Variable</i>	<i>Odds Ratio</i>
<i>Liberal Democracy</i>	0.267
<i>Political Ideology</i>	0.350
<i>National GDP</i>	0.675
<i>Unemployment Rates</i>	0.960
<i>Level of Legislation</i>	1.470
<i>Country = Brazil</i>	0.892
<i>Country = Chile</i>	0.929
<i>Country = Mexico</i>	0.639
<i>Year</i>	0.614

### **5.1. Liberal democratic rank and migration policy restrictiveness**

In section 3.2, I hypothesized that when there is an increase in the liberal democracy ranking of a country, there will be a lower probability of restrictive migration policy being implemented. All in all, the results reported in table 2 and table 3 support the hypothesis of this thesis. Firstly, the coefficient of -1.320\*\*\* of the multiple proportional odds logistic regression tells us that there is a negative and highly significant relationship between change in the liberal democratic rank of a country and migration policy change (see table 2 model 5). In other words, when a sampled country's liberal democratic rank increases, we can expect a decrease in migration policy restrictiveness in any given year. Secondly, the p-value of less than 0.05 remains across all models which is important as it shows that high significance remains when controlling for all other explanatory variables, including time and location fixed effects (Agresti 2017:143; see table 2).

Thirdly, the odds ratio tells us that the odds of migration policy becoming less restrictive increase by  $[1/0.267=] 3.75$  when a country's liberal democratic rank increases (see table 3). Likewise, since the proportional odds assumption for this model holds, this odds ratio applies for all cumulative probabilities (Agresti 2017:476). This means that the odds of migration policy becoming more restrictive also increases by 3.75 when a country's liberal democratic ranking decreases (see table 3). Therefore, I can accept the hypothesis of this research paper and confidently argue that when there is an increase in the liberal democracy ranking of a government in Latin America, there is a high probability of less restrictive migration policy implementation.

The distinctive approach adopted by this thesis to measure liberal democracy in a gradient has successfully revealed that changes in the restrictiveness of policies over time occur according to the change in a political system's democratic rank. The results of the regression confirm that minor internal regime changes that may not change the categorization of a regime from liberal democracy to a non-liberal or illiberal regime, significantly affect changes to migration policy restrictiveness in Latin America (Bollen and Jackman 1989:618). In other words, when there is an increase in liberal democracy rank, there are less restrictive policies implemented, and the opposite trend occurs when liberal democratic rank decreases. Thus, despite Latin America appearing to have implemented some unexpectedly restrictive policies in spite of their liberal democratic turn in the 1980s and 1990s, restrictiveness occurs in conjunction with their rank of liberal democracy (Bauer 2019; Finn and Reguero 2020). If we were to continue to view regimes as dichotomized ideal types as is done in existing Eurocentric theories, empirical research would not reveal these trends (Hollifield 1992; 2004; Natter 2018).



These results also confirm the expectations drawn from existing institutionalist theory that argued that liberal democratic government structures operate to limit the power of governments to curtail migrants' rights (Sassen 1996; Joppke 1998; Boswell 2007). The ordinal regression analysis shows that the existence of liberal democratic infrastructures will dictate their ability to protect the rights of migrants through policy changes. These include the separation of powers, an effective system of checks and balances, an independent judiciary and strong rule of law (Cameron 2002:133).

Moreover, the trends revealed in the analysis are contextually evident too. For example, Argentina's gradual liberal democratic increase between 1980 and 2000 coincides with a wave of less restrictive policies (see graph 1; DEMIG 2015). During these two decades, the Argentinian government increased rights for economic migrants through various policies and implemented Migration Regularization Programs offering foreign citizens without valid migratory documents an opportunity to regularize their stay (DEMIG 2015). Similarly, Chile's liberal democracy spike in the 1980s was followed by numerous major reforms which retracted restrictive policies initiated during the dictatorship regime (DEMIG 2015). By contrast, Brazil's liberal democratic decline began in the early 2010s, and interestingly between 2012-2015 only more restrictive migration policy measures were implemented (see graph 2; Rey 2021). These included a more restrictive criteria for renewal of work permit in 2012 and stricter rules for family reunification in 2014 (DEMIG 2015). Furthermore, post 1950s saw waves of less restrictive migration policies being implemented in Mexico, arguably occurring in line with their steady democratic liberalization (DEMIG 2015; see graph 2). Therefore, the results of the regression analysis coincide with contextual evidence to reveal that as liberal democracy rank increases, the probability of less

restrictive migration policies being implemented increase, while when liberal democracy rank decreases, policies are likely to become more restrictive.

## **5.2 Other explanatory variables**

### **5.2.1 National GDP**

Not only do the results of the ordinal logistic regression support the hypothesis, but they also lend illustrative power to other explanatory variables identified in the literature. It would be parsimonious to assume that only one factor influences a government's policymaking decision process (Hollifield 1992; 2004). For instance, the coefficient of  $-0.395^*$  revealed a negative and significant relationship between change in national GDP and change in migration policy restrictiveness, whereby when national GDP increases, the probability of migration policy restrictiveness implementation decreases (see table 2 model 5). More specifically, for governments with a yearly increase in national GDP, the odds of being less likely to implement restrictive policies is  $[1/0.675 =] 1.48$ , holding all other variables constant (see table 3). Likewise, when a countries' GDP decreases, the odds of restrictive policies being implemented increase by 1.48.

This relationship confirms patterns found in existing research which showed growing national economies creating a higher demand for migrant labor, which increases the drive of economic lobbies favoring less restrictive migration policies (Haas et al. 2018:330). For instance, expanding economies in Latin America between 2000 and 2014 meant that there were high demands for unskilled low-wage and seasonal labor. This drew large numbers of migrants to the sampled countries and triggered changes in migration policies supporting their movement (Jachimowicz 2006; Wejas and Lesser 2018). For example, Mexico implemented Agricultural Visitor Migration

Permits for agricultural workers from neighboring states such as Guatemala and Belize in 2008 (DEMIG 2015). Similarly, a bill that would create visas for seasonal workers in Chile went under approval in 2012 after an increasing demand for laborers from the booming agriculture industry (DEMIG 2015).

### **5.2.2 Political Ideology**

Furthermore, contrary to expectations from the literature (Abou-Chadi 2016), the proportional odds logistic regression revealed that political ideology is negatively correlated with migration policy restrictiveness. The coefficient of  $-1.051^*$  shows that when political leadership ideology changes towards the right, migration policies change to be less restrictive, when controlling for all other explanatory variables (see table 2 model 5). Accordingly, the expected odds for restrictive policies decrease by  $[1/0.350 =] 2.86$  when there has been a change in government towards the right in a given year (table 3). Similarly, when political leadership ideology changes towards the left, the odds for migration policy change to be more restrictive is 2.86. This result is unexpected, as existing literature found that left-wing governments are more likely to favor passing liberalizing reforms than their right-wing counterparts (Abou-Chasi 2016; Joppke 1998; Shevel 2011).

There are several reasons why the regression may have revealed these results. Firstly, the significance ranking method of this regression analysis is higher than average. Most studies require a minimum p-value of less than 0.05 in order to accept that the relationship is significant (Agresti 2017:142). In the case of this correlation, the significance is noted as less than 0.1 and thus could be interpreted as insignificant by many academic scholars (see table 2 model 5). Nonetheless, it is worth taking its minor significance into account as it tells us about patterns in the region. For

instance, in support of the main hypothesis of this thesis, these results may show that the liberal principles of liberal democracies place limits on a government's autonomy in order to improve its democratic quality (Coppedge et al. 2021: 44; Hamilton 2017; Mirilovic 2010). As argued by institutionalist theory, the more formal liberal institutions present in a liberal democracy functioning to protect liberal values by limiting the centralization of power, the less likely right-wing governments will be able to implement restrictive policies in line with their ideological preferences, for example. Thus, this disjointedness between the change in ideology of the government in power and change in policy restrictiveness provides evidence for the strength of liberal democratic governance structures to curb the favorability of certain ideologies implementing certain types of migration policies (Natter 2018).

### **5.2.3 Unemployment and Level of Legislation**

The ordinal regression analysis also revealed that both unemployment and legislation level were not found to have significance when controlling for all other explanatory variables (see table 2 model 5). These results therefore must be rejected. It may be the case that unemployment rates had an insignificant correlation because missing values were imputed through statistical multiple imputation.

However, although these relationships are insignificant, legislation level remains noteworthy as the insignificant result support the hypothesis of this thesis. The regression shows that when policies are the result of bi- or multinational agreements, there is no probability for a change in the restrictiveness of migration policies. This result confirms previous literature conducted in Chile (Finn and Reguero 2020: 44), Peru (Bauer 2019), Argentina, Brazil, and Ecuador (Arcarazo and

Freier 2015) showing that Latin American states continue to maintain legitimacy and sovereignty over their national migration policy. It also continues the aforementioned literature's position of rejecting classical western theories which argued that global human rights norms enshrined in multinational treaties constrains member states to safeguard migrants' rights in their national policies (Sassen 1996; Joppke 1998).

## 6. Conclusion

In this thesis I examined whether change in liberal democracy rank explains change in the restrictiveness of Latin American migration policies. I hypothesized that when there is an increase in the liberal democracy ranking of a country's government, there is a lower probability of restrictive migration policy implementation in any given year. The study included a variety of additional explanatory variables from the existing literature to ensure that any effect shown between change in policy restrictiveness and change in liberal democratic rank was not an underlying reflection of other explanatory factors. The findings of this thesis strongly suggest that change in liberal democratic rank is the best explanation for changes in restrictive migration policies in Latin American countries between 1980 and 2015. It demonstrated that as liberal democratic rank increases, there is a highly significant probability for less restrictive policies to be implemented. Likewise, when liberal democratic rank decreases, we can confidently expect that more restrictive policies will be implemented. Moreover, other explanatory variables in the multivariate analysis also supported the hypothesis. For instance, change in the ideological positions of the governing political party were shown to not directly line up with change in policy outcomes, demonstrating the power of liberal democratic infrastructures to curb anti-migrant tendencies. Moreover, the analysis also revealed that economic prosperity in the form of GDP was shown to create a demand for less restrictive policies, in line with the argument that growing economies create demands for more migrant labor.

Although this thesis offers robust support for the effect of change in liberal democratic rank on change in policy restrictiveness in Latin America between 1980 and 2015, caution is advisable if attempting to generalize the results to Latin America as a whole, as well as other regions in the

world. Firstly, although the sampled countries are shown to be representative of the diverse region, further research should consider analyzing a larger sample of countries which may reinforce or challenge the findings of this thesis. Secondly, this thesis was aiming to test the applicability of Western theories of democracy and migration policy in an understudied, newly established and developing democratic region of the world. Although this thesis strongly supports existing theories' transferability to Latin America, this continent presents a unique case as a newly formed democratic region. Thus, it does not mean the patterns identified in this study can be confidently generalized to other developing democratic regions in the world. In order to continue to improve existing democratic theory, further research should continue to test its applicability in other democratically developing regions such as Africa and South-East Asia.

It may also be insightful to consider other variables used to explain changes in migration policy. For instance, the analysis was unable to directly account for variables such as migration stock due to a lack of available data from the region. Migration rates are important to note as Böhmelt (2019) found that national migration policy changes are more likely to occur when there are large influxes of migrants present in a country. However, migration percentage stock only began being collected from the 1990s onwards and has only been collected every five years meaning that almost 80% of the necessary data for this analysis was missing. Thus, to include this limited dataset in the analysis would have led to misleading conclusions (Agresti 2017: 499). Although this thesis was able to minimize omitted variable bias through time and location fixed effects, further research should consider including these measures when investigating policy restrictiveness in Latin America as more data on the region becomes available.

All in all, in this thesis I have used the unique case of Latin America as a testing ground for liberal democratic theory and taken the first steps to creating a comparative framework for explain migration policymaking applicable to the region. Existing literature and theory of migration policymaking were primarily examining fully developed liberal democracies in the West, which meant that scholars overlooked liberal democracy as a constant factor and pitted democracy against illiberal regime types. In addressing this shortcoming, this thesis has contributed to the theoretical discussion of migration policymaking by showing that change in liberal democratic rank leads to policy changes in Latin American countries. However, given its limited scope, this thesis merely represents a starting point for academic exploration on migration policy restrictiveness in Latin America. As the region continues to develop and demonstrate the fragility of liberal democratic regimes, as seen in the case of Venezuela in 2015, liberal democracies' full impact on migration policies may not be fully realized for some time. Therefore, to further consolidate changes in the restrictiveness of migration policies in the region, future research should continue to examine the effect of liberal democratic rank from the past 30 years, while also looking to future trends as more data becomes available. In a region and era where forced migration is predicted to become more salient, it is crucial that the policies managing movement across borders continue to be critically analyzed.



## 7. Appendices

### Appendix A: Multicollinearity Test (R-studio output)

	<i>GVIF</i>	<i>DF</i>	<i>GVIF<sup>(1/2*DF)</sup></i>
<i>Liberal Democracy</i>	1.155299	1	1.074848
<i>Year</i>	1.279116	1	1.130980
<i>Country</i>	1.344837	3	1.050618
<i>Political Ideology</i>	1.055592	1	1.027420
<i>National GDP</i>	1.180034	1	1.086294
<i>Unemployment Rates</i>	1.149814	1	1.072294
<i>Level of Legislation</i>	1.215935	1	1.102695

## Appendix B: Parallel Assumption (R-studio output)

<i>Test for</i>	<i>X2</i>	<i>df</i>	<i>Probability</i>
<i>Omnibus</i>	37.75	9	0.08
<i>Liberal Democracy</i>	0.38	1	0.54
<i>Political Ideology</i>	0.14	1	0.71
<i>National GDP</i>	0.26	1	0.61
<i>Employment Rates</i>	3.59	1	0.06
<i>Level of Legislation</i>	10.06	1	0.07
<i>Country = Brazil</i>	0.15	1	0.7
<i>Country = Chile</i>	2.19	1	0.14
<i>Country= Mexico</i>	0.21	1	0.65
<i>Year</i>	3.46	1	0.06

*H0: Parallel Regression Assumption Holds*

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