Anti-Immigration and the Far-Right: Examining the Effects of Far-Right Parties’ Anti-Immigration Ideologies on Immigration Legislation in Britain

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ACRONYMS

AVRIM: Assisted Voluntary Return of Irregular Migrants program

BNP: British National Party

DEMIG: Determinants of International Migration database

ERP: Extremist Right Party

EU: European Union

FPTP: First-Past-the-Post electoral system

FR: Far-Right

IMPIC: Immigration Policies in Comparison project

MIPEX: Migration Integration Policy Index

MP: Member of Parliament

NF: National Front

NIIP: Nationalist Immigration and Integration Policy Index

PRRP: Populist Radical Right Party

UK: United Kingdom

UKIP: United Kingdom Independence Party

UN DESA: United Nations Department of Economics and Social Affairs
1. INTRODUCTION

European far-right politics\(^1\) have received great scholarly attention in the last few years. Indeed, while once considered peripheral and even “parasitical”, far-right parties have since evolved to become a significant player in European politics, with several far-right parties entering Western European national governments as coalition partners (Bale, 2003, p. 67; Betz & Johnson, 2004; Carter, 2005; Akkerman, 2012; Minkenberg, 2013; Greven, 2016; Carter, 2018; Georgiadou et al., 2018). This is especially the case with populist radical right parties (PRRP), which have proven to be more successful than their predecessors, extremist right parties (ERP) (Georgiadou et al., 2018). Due to their recent electoral success, some have gone as far as to classify them as “the most successful party family in postwar Western Europe” (Mudde, 2012, p. 1). This recent electoral success is especially significant as it has raised a number of concerns around the influence of far-right parties’ programmatic agendas on legislation, particularly in the field of immigration, a core programmatic concern for these parties (Akkerman, 2012). While a number of studies have attempted to explicate their rise and popularity in the last few years, examining both demand- and supply-side factors, research studying their long-term effect on legislation has remained inconclusive. Accordingly, this study aims to address the success of far-right parties by examining their effect on legislation.

In the context of Western Europe, Cas Mudde’s (2012) theory of ‘the democratic order’ has been highly influential within the field of far-right politics. According to Mudde (2012), “[t]he effects [of the far-right] are largely limited to the broader immigration issue, and even here PRRPs should be seen as catalysts rather than initiators, who are neither a necessary nor a

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\(^1\) There is a lot of controversy in the literature regarding the terminology of this party family and how to define it – this will be engaged with in greater depth in the thesis.
sufficient condition for the introduction of stricter immigration policies” (p. 1). Through the chain of events that is the democratic order, Mudde traces the role of the far-right in indirectly influencing immigration laws by posing a threat to the mainstream right through their electoral success and agenda-setting power. Despite its applicability to a number of Western European countries, applying this theory to the case of Britain illuminates a number of major drawbacks that render the theory incomplete or at least incompatible to the case of Britain, including its exclusive focus on the mainstream right, thereby failing to take into account the role of the far-right in influencing the mainstream left as well; its perception of extremist right parties as static; and its focus on the effects of the far-right following their electoral breakthrough. Therefore, using Britain as a case study, this thesis will fine-tune and reformulate Mudde’s theory. On that basis, this thesis is both a theory-testing and a theory-building exercise.

RQ: To what extent and under what circumstances do far-right parties have an influence on legislation?

The question has two dimensions: influence and policies. In order to narrow down the second dimension, this thesis has chosen one policy area - immigration - as the focus of analysis. For the purposes of this thesis, the policies examined will be in the arena of legislation; the thesis will also only measure immigration laws that are enacted and will not include laws that were discussed but not enforced nor will it measure how these laws were applied or enforced in practice. Indeed, immigration legislation is a core concern of far-right parties’ programmatic agenda, which therefore begs the question, do far-right parties really have an impact on such a core concern of their programmatic agenda?

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2 This dimension will be examined in further detail in section 2.2.
Based on this question, this thesis will examine the effect of far-right parties’ anti-immigrant stances on immigration legislation in Britain. The study will cover a 20-year period between 1990 up to and including 2016 and focus on the two main far-right parties in Britain, the British National Party (BNP) and the United Kingdom Independence Party (UKIP). The study of two far-right parties in Britain during a 20-year period allows us to establish to what extent context-related factors and party-related factors determined the influence of far-right parties on immigration legislation.

The significance of this study lies in its unique contribution to the literature. Politicians and the media commonly assume that the ‘verrechtsing’, or ‘right turn’, of European politics is caused by the influence of far-right parties (Mudde, 2012). Many scholars seem to agree with this point of view (Mudde, 2012). However, there is relatively little work done that tests this assumption empirically (Mudde, 2012). In fact, despite being a major source of concern, the influence of far-right parties on policy making in general is a relatively under-researched field. In addition to this, the thesis contributes to Mudde’s (2012) concept of the democratic order by highlighting the influence of the far-right, and their agenda-setting power, on the mainstream left, a dimension that Mudde fails to consider. Furthermore, while many studies attempt to explicate the rise of far-right parties through using demand-side and supply-side explanations, very few studies seek to explain the variations in the electoral success of far-right parties in Western Europe (Carter, 2005). This study aims to contribute to fill in this research gap. By addressing this concern, the thesis essentially contributes to the larger scholarly buzz around far-right parties; is the panic around these parties justified? Or is their recent electoral success just that - success without the influence?
The thesis is structured as follows. Chapter 2 provides the literature review, including an introduction to the far-right party family, in which I discuss the competing definitions of the far-right in section 2.1.1 and provide an overview of the ideological variations and typologies of the far-right party family in section 2.1.2. Section 2.2 addresses the first question: to what extent do far-right parties have an influence on immigration legislation? The section discusses two core issues. The section opens with a distinction between immigration and integration policies, followed by an overview of the conception of the measurement of influence. In the second case, the section provides an analysis of the expected direction and nature of far-right influence on immigration policies based on the existent scholarship on Western Europe. This is followed by section 2.3, which highlights the role of additional domestic and international influences on immigration laws.

Chapter 3 launches into the thesis’ research design. The chapter discusses Mudde’s theory of ‘the democratic order’ and its relevance to the case of Britain. This is followed by Chapter 4, which explores the theory-building elements of this thesis by applying Mudde’s theory of the democratic order to the unique case of Britain. Chapter 5 explores the evolution of immigration legislation in Britain. Finally, Chapter 6 provides a conclusion, noting the implications of these findings on the larger scholarly conversation and the scope for future research.

1.1 The Puzzle

This thesis will attempt to address two interrelated puzzles regarding the effects of far-right parties’ anti-immigration ideologies on immigration legislation in Britain. Remarkably, there is a research gap on the long-term effect of far-right parties on legislation, despite their alleged
negative effects in European political systems. In addition to this, it is commonly believed that the Brexit vote was triggered by an explosive reaction against open borders and the fear of migrants, foreigners, and multiculturalism. On this basis, Brexit is understood as the result of far-right influence. However, data show that restrictions against immigration had been consistently happening since 1993 under both Conservative and Labour governments. During this time, UKIP had just been founded and the BNP was still very marginal. So, what was the real influence of far-right parties in Britain? Did they truly cause any tangible shift in immigration laws or were they simply a catalyst of dynamics that were already underway before the far-right came into the picture? This puzzle will be explored in terms of the effects of the far-right’s ideology on immigration laws.

The electoral success of the far-right after years of being in the periphery is another puzzle to consider. Although Mudde (2012) focuses on the success of PRRPs, the case of Britain makes it apparent that far-right parties are not static but can shift across the typologies of the far-right.
2. LITERATURE REVIEW

2.1 The Far-Right Party Family

Many scholars have attributed the recent rise in electoral support for far-right parties to the evolution of their programmatic agenda (Griffin, 2000; Betz & Johnson, 2004; Carter, 2005; Minkenberg, 2013; Greven, 2016 Carter, 2018; Georgiadou et al., 2018). In their respective studies, these scholars illustrate that variations in the success of far-right parties in Western Europe may be explained by meaningful differences in their ideological profiles, despite their belonging to one overarching party family. This section will begin by introducing competing definitions of the far-right, followed by an overview of the ideological variations and typologies of the far-right, and ending with a discussion of where the two British cases – the BNP and UKIP – fit within this framework.

2.1.1 Defining the Far-Right

In light of the absence of an agreed-upon definition of the far-right party family, scholars have taken to surveying the literature to identify points of agreement in the competing definitions of the far-right (Carter, 2005; Carter, 2018). Essentially, the findings of this research have determined that far-right parties describe an extremist right-wing ideology comprising five main features: nationalism, xenophobia, racism, anti-democratic sentiment, and a strong state (Carter, 2005; Jamin, 2014; Carter, 2018). This definition may be broken down into three features: (1) extremism; (2) right-wing ideology; and (3) the five features of that ideology.

According to Carter (2005) extremism is “conceptualized as the antithesis of liberal democracy” (p.16); it is concerned with a rejection of the “fundamental values, procedures, and
institutions of the democratic institutional state” through an absolutist and dogmatic stance that is often compatible with violence and an inherent unwillingness to compromise (Carter, 2005, p. 17; Jamin, 2014). While political extremism may occur in the political left or political right, the two ideologies may be distinguished by their attitudes towards the principle of human equality (Carter, 2005). Indeed, whereas left-wing extremists support the principle of human equality, right-wing extremists fundamentally reject it; right-wing extremists are inherently inegalitarian in that they acknowledge and support the notion of inequality between people (Carter, 2005; Jamin, 2014). This is usually manifested in the form of an ethnic, racial, or religious hierarchy; not only do these parties believe in an inherent inequality between people but they also actively strive to defend its viability (Carter, 2005; Jamin, 2014). Thus, the extremist and right-wing elements of far-right parties are respectively defined by (1) a rejection of fundamental aspects of the democratic constitutional state, including its values, procedures and institutions; and (2) a rejection of the fundamental value of human equality (Carter, 2005).

Following this categorization, scholars have identified five elements that constitute the ideology of right-wing extremism: anti-democratic sentiment, nationalism, xenophobia, racism, and the call for a strong state (Carter, 2005; Jamin, 2014; Carter, 2018). Whereas the former is a necessary but not sufficient element of far-right parties, nationalism, xenophobia, racism, and calls for a strong state are sufficient but not necessary conditions (Carter, 2005). Based on this, despite belonging to one party family, far-right parties’ specific ideologies and programmatic stances vary among each other (Carter, 2005). This variation in the ideologies of far-right parties may be partially responsible for the variation in their electoral success. In order to explain why some far-right parties are more successful than others, I must assess the difference in their ideologies.
2.1.2 Typology of the Far-Right

The notable variations in the electoral successes (or failures) of far-right parties have been partially attributed to differences in their ideologies (Griffin, 2000; Betz & Johnson, 2004; Carter, 2005; Carter, 2018; Minkenberg, 2013; Georgiadou et al., 2018). Despite belonging to the same party family, far-right parties differ in their right-wing extremist ideologies, “with the more successful right-wing extremist parties embracing one type of ideology and the less successful ones adopting another” (Carter, 2005, p.13). While these ideologies have been labelled differently by different scholars, there is an apparent consensus in the distinction between traditional post-war fascist parties and contemporary extremist parties, with the latter proving to be more electorally successful than the former. Therefore, this section will begin by highlighting the various typologies of the far-right proposed by scholars, including the ideological idiosyncrasies between the party types, in addition to providing an overview of their areas of agreements and disagreement.

Within the context of the typologies reviewed by this thesis, Carter (2005) provides the most comprehensive typology for the classification of far-right parties. Although some of the ideological attributes highlighted by other scholars fit into her classification, I consider Carter’s (2005) typology to be the most holistic due to her comprehensive criterion, which forms the basis of her typology. Carter (2005) highlights three criteria that determine far-right parties’ ideologies: (1) the importance of immigration within the party’s agenda, (2) the presence of racist attitudes and their nature, and (3) the party’s attitude towards democracy. The first

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3 The variations in electoral success may also be explained by the differences in their organization and leadership, in addition to their ideological proximity to the mainstream right, and the representativeness of the country’s electoral system (Carter, 2005; Minkenberg, 2013).
criterion divides far-right parties into two groups depending on whether or not immigration is perceived as a priority issue, with parties that attach pertinence to immigration being labelled as “radically xenophobic” (Carter, 2005, p.29). Carter (2005) is the only scholar considered in this thesis that includes this criterion in her classification of the far-right. This suggests that other scholars do not see it as an area of ideological variation, but rather a common characteristic of all far-right parties. Indeed, the discrepancy between the centrality of immigration within definitions of the party family and its minimal mention in the ideological variations of the far-right parties implies that the majority agree that it is not an area of variation between far-right parties. As both far-right parties considered in this thesis do treat immigration as a core issue, this thesis will favor the perspective of the latter.

The second criterion classifies far-right parties based on the nature of their attitudes towards race. This criterion divides parties into three groups: parties that adhere to “classical racism”, parties that embrace “new racism” or “culturism”, and parties that show no reference to racist beliefs (Carter, 2005, p.35). Classical racism and new racism both believe in a fundamental inequality between people, but while the former perceives race to be the foundation of this inequality, the latter emphasizes differences in culture and civilization as the locus of this difference (Carter, 2005). This importance of racism as an ideological variation between far-right parties is corroborated by Minkenberg (2013), who bases his classification of far-right parties on the tenets of religion, culture, ethnicity, and race.

Finally, the third criterion divides far-right parties into two groups depending on their attitudes towards democracy, parliamentarism, and pluralism (Carter, 2005). The first group exhibits a complete rejection of the existing democratic system, calling for the complete replacement of its values, procedures, and institutions. In comparison, the second group of far-
right parties calls for a reform of the existing system, pursuing a modified system with more state intervention, stronger executives, weaker parliamentary powers, less democracy, and less pluralism (Carter, 2005). Finally, while the last group also calls for a reform in the existing system, it favors a modified system with less state intervention and the promotion of the individual liberties of citizens (Carter, 2005).

Carter’s (2005) second and third criteria – the nature of racist attitudes the party’s attitude towards democracy - are corroborated by all of the scholars reviewed in this thesis (Griffin, 2000; Betz & Johnson, 2004; Minkenberg, 2013; Georgiadou et al., 2018). Indeed, the remaining typologies are largely based on the far-right parties’ ideological stances in these two areas. As a result, these remaining scholars create very similar classifications of two types of far-right parties. Although they differ in their labels, the two party-types have comparable and overlapping characteristics across the board. The first type of far-right party is referred to in the literature as the “old radical right” (Betz & Johnson, 2004, p.311), the “traditional postwar radical right” (Betz & Johnson, 2004, p.311), and the “extremist right” (Georgiadou et al., 2018, p.103). In comparison, the second type is referred to as the “new radical right” (Minkenberg, 2013, p.21), the “contemporary populist right” (Betz & Johnson, 2004, p.311), and the “populist radical right” (Georgiadou et al., 2018, p.103). As the first two labels for each type imply the existence of a temporal rationale behind the classification, this thesis adopts the latter labels, referring to the two types of far-right parties as “extremist right parties” (ERPs) and “populist radical right parties” (PRRPs).

As they belong to the same party family, ERPs and PRRPs share a number of common characteristics, including their advocacy for restrictive immigration policy, their propagation of nationalist ideals, their anti-establishment sentiments, and their distaste towards socio-cultural
pluralism (Georgiadou et al., 2018). Essentially, ERPs and PRRPs differ in the nature of their discriminatory attitudes and in their attitudes towards democracy, parliamentarism, and pluralism.

In terms of their discriminatory attitudes, PRRPs differ from ERPs in their advocacy for ethnocentrism, rather than the traditional dogma of inequality based on biological racism; in an attempt to appear more tolerant than their counterparts, PRRPs appropriated the mainstream left’s “concept of the “right to be different,”… emphasizing the incompatibility of cultures and ethnicities” rather than outright inherent racial superiority (Minkenberg, 2013, p.19). This rhetoric especially targets immigrants and racial and ethnic minorities who are either unable or unwilling to assimilate into the country’s culture and are therefore a threat to cultural identity and homogeneity (Betz & Johnson, 2004). By extension, restrictive immigration policies are illustrated as the path to achieving socio-cultural cohesion (Betz & Johnson, 2004).

The second domain in which ERPs and PRRPs differ is in their attitudes towards democracy, parliamentarism, and pluralism. While ERPs are fundamentally anti-democratic, PRRPs have distinguished themselves by embracing democratic values (Carter, 2005; Betz & Johnson, 2004; Minkenberg, 2013). Instead, PRRPs have replaced the anti-democratic sentiments of ERPs with anti-establishment sentiments that place the blame for the country’s socioeconomic shortcomings on the (corrupt) political elite (Betz & Johnson, 2004). Immigration is a recurring theme here as well. Indeed, the root of the issue – open immigration laws - is blamed on the political elite, who are responsible for the establishment of those laws (Betz & Johnson, 2004). Accordingly, the populist radical right’s call for a strong state is largely rooted in the problem of immigration, whereby PRRPs advocate for an authoritarian state with regards to security threats brought about by immigrants and asylum seekers (Carter, 2018). Ironically,
rather than being perceived as adversaries to Western democratic values – as their extremist right counterparts are – these stances have framed PRRPs as the “uncompromising defenders of the liberal heritage” (Betz & Johnson, 2004, p.318).

PRRPs are inherently populist. Populism is a thin layer ideology that overlaps with the far-right on the basis of its anti-elitism and calls for a direct, or plebiscitarian, democratic system (Mudde, 2005). Essentially, populist parties are based on conceptualizations of three generalized cornerstones: ‘the people’, ‘the elite’, and ‘the general will’ (Mudde, 2015). Capitalizing on anti-establishment narratives, populist parties construct a society where the two homogenous groups of “the corrupt elite” and “the pure people” are antagonistic to each other (Mudde, 2015, p. 18). In this discourse, “the people” are the ordinary mass of native individuals who - despite forming the majority - are being harmed by and excluded from the current political system (Jamin, 2014). In comparison, “the elites” represent the privileged minority that continually betrays “the people”. In populist discourse, this group is scapegoated as the instigators of cultural and economic crises, including unemployment, social injustices, and inequalities (Jamin, 2014). Based on these failures, the political elite is portrayed as lazy, corrupt, and unable to represent the people and must therefore be replaced. Not only does this rhetoric reject the importance of all intermediary institutions, but, in some ways, it “reject[s] politics” creating the illusion of a direct relationship between the people and their leaders (Jamin, 2014, paragraph 42).

Therefore, based on the two criteria most prevalent in the literature – racist attitudes and attitudes towards democracy – this thesis highlights two sub-groups of the far-right: extremist right parties (ERPs) and populist radical right parties (PRRPs). PRRPs have proven to be more

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4 Populism is a highly debated concept. As the focus of this thesis is not on populism, the scholarly debates around it will not be discussed.
successful in capturing votes than ERPs (Carter, 2005; Minkenberg, 2013). As a result, the traditional approaches of “proscription, marginalisation and shunning”, used to prevent the far-right from entering government, are no longer sufficient (Betz & Johnson, 2004, p.311). Under these circumstances, PRRPs are much more likely to contribute to political debates – including debates on immigration – and have a potential impact on law making (Betz & Johnson, 2004).

2.2 Influence of the Far-Right on Immigration Laws: A Review of the Arguments

Do far-right parties influence immigration policy development? Until relatively recently, this question has been mostly ignored by political scientists. One of the reasons for this neglect is that far-right parties have only recently started to enter European national governments as junior coalition partners, raising serious concerns about the magnitude of their impact on immigration policies (Akkerman, 2012). Therefore, in order to answer this question, this section will highlight two core issues: the section will begin by distinguishing between immigration and integration policies, followed by a discussion of the direction and nature of far-right influence on immigration policies.

Although most research examines immigration and integration policies hand-in-hand, this thesis will focus solely on immigration policies. While the two concepts occupy a similar domain, they differ in their specific policy areas. Indeed, immigration policies address the border-crossing process, encapsulating illegal immigration, asylum, family reunification, and labor immigration laws. In comparison, integration policies highlight issues pertaining to immigrants already residing within the country, including citizenship and anti-discrimination laws (Givens & Luedtke, 2005; Lehmann & Zobel, 2018). For the purposes of this study, I will be focusing on the former. Immigration is one of the core issues of far-right parties’
programmatic agendas, but it is still unclear to what extent the anti-immigration stances of far-right parties affect a country’s immigration policy.

The concept of influence is difficult to measure, therefore making it challenging to operationalize. Indeed, the influences of far-right parties differ in nature, materializing directly or indirectly, depending on the parties’ electoral success. This difficulty in determining influence is further exacerbated by the legislative process itself; the influence of far-right parties on legislation can occur during different phases of the policy cycle. Far-right parties may have a role in influencing the primary stages of the legislative process if their programmatic stances have a role in influencing the proposition, discussion, or passing of laws. Alternatively, they may also influence the later stages of legislation, impacting the translation of the law into a series of concrete policies, the implementation of these policies, their enforcement, and potentially their evaluation. As this thesis is concerned with the primary stages of the legislative process, the influence of far-right parties on the latter will not be measured. In addition to these challenges, there is a lack of an agreed-upon set of empirical indicators to test the relationship between the far-right and the legislative process (Givens & Luedtke, 2005). While Akkerman (2012) developed the Nationalist Immigration and Integration Policy index (NIIP) to account for this gap, it only covers a small number of countries for a limited period of time.

This thesis highlights two analytically distinct elements of influence on immigration legislation: the direction of influence and the nature of influence. In terms of the former, far-right parties are more likely to adopt restrictive immigration legislation. This thesis adopts Givens and Luedtke (2005)’s definition of ‘restrictiveness’, defining it as the limits that the law

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5 The factors that determine the nature of far-right parties’ influence (direct or indirect) are discussed in further detail below.
sets on “the rights and/or freedoms of immigrants”, and placing it in opposition to ‘expansiveness’, or the liberalization of “immigrant rights and freedoms” (p. 4). Restrictive immigration policy may appear in a number of forms, including setting quotas or limits to certain nationalities, requiring language tests as conditions for entry, or restricting immigration from poorer countries (Akkerman, 2012). Therefore, in terms of the direction of influence, far-right parties are likely to encourage more restrictive immigration laws.

In terms of the nature of influence, the anti-immigration stance of far-right parties can influence immigration laws in two ways: either directly or indirectly (Schain, 2006; Akkerman, 2012). While direct influence can be achieved upon gaining office, indirect influence is obtained with electoral breakthrough (Akkerman, 2012). The theory of indirect influence postulates that far-right parties have an impact on immigration legislation even before they enter office (Akkerman, 2012). This is due to their impact on the programmatic stances of mainstream parties as a result of the threat that they pose to them by achieving electoral breakthrough (Schain, 2006; Abou-Chadi & Krause, 2018). The theory of indirect influence is corroborated by a number of scholars, including Mudde’s (2012) verrechtsing thesis, which postulates that “mainstream parties have become more nativist, authoritarian and populist… because of electoral competition from [populist radical right parties]” (p. 8). Essentially, indirect influence operates in a chain-like reaction: first, far-right parties’ electoral breakthroughs can be achieved by mobilizing new voters or converting voters of other parties (Schain, 2006). In the occurrence of the latter, the rising far-right party begins to pose a threat to the mainstream party whose voter base has been compromised. As a result, in an attempt to maintain its share of the vote, the affected party attempts to recapture its fleeing voters by adopting a moderate form of the rising far-right party’s stance, including advocating for anti-immigration policies (Bale, 2008). Consequently, based on
the *verrechtsing* thesis, far-right parties can influence legislation even when they are outside the actual policymaking process.

In examining indirect influence, Mudde (2012) highlights that parties of the mainstream right are the most susceptible to the rhetoric and programmatic positions of far-right parties. This is due to the ideological proximity between some voters of mainstream right parties and far-right parties, allegedly making the mainstream right parties (i.e. conservative, liberal, and Christian-democrat parties) more susceptible than mainstream left parties to lose voters to the rhetoric of the far-right (Akkerman, 2012). Furthermore, while the mainstream left has also contributed to legislative decisions regarding immigration, their stance has differed from that of the far-right in that they have generally favored open immigration policies, especially in contexts of stronger integration and easier citizenship regimes (Givens & Luedtke, 2005; Akkerman, 2012).

However, other scholars have claimed that the influence of the far-right pervades the political spectrum, impacting both the mainstream right and left (Alonso & Claro da Fonseca 2012; Mudde, 2012). In a comparative analysis of election manifestos, Alonso and Claro da Fonseca (2012) found that both the mainstream right and left became more restrictive on the issue of immigration, especially in the period between 1995 and 2005. Nonetheless, while the move towards restrictive immigration policies from the mainstream left is contingent upon the presence and electoral breakthrough of far-right parties, that is not the case with the mainstream right (Mudde, 2012).

A number of argumentative and methodological weaknesses emerge from this debate. Firstly, causality between the two variables - i.e. the rise of the far-right and the adoption of restrictive immigration policies by the mainstream right (Akkerman, 2012) – has not been unequivocally proved. Previous research has proved that the mainstream right is inherently
inclined towards anti-immigrant policies and, therefore, it is misleading to assume that these policies have been adopted only as a strategic response to the electoral threat of the far-right (Bale, 2008). Evidence to support this claim comes from the widespread European ‘immigration stop’ of the early 1970s, which was not instigated by a far-right threat (Bale, 2008). However, while the anti-immigration stance did exist prior to the emergence of far-right parties, it has notably intensified along with their electoral rise (Bale, 2008).

Secondly, it would be inaccurate to infer the causal role of far-right parties even in cases where mainstream parties have shifted their political stance and rhetoric (Akkerman, 2012). This shift is likely to reflect the natural fluctuation of parties’ ideological positions over time in response to changing events and political demands (Bale, 2008). Furthermore, it is important to differentiate between salience and actual policy; Mudde (2012) argues that “while increased salience of the immigration issue is related to the presence of a relevant populist far-right party, the change to a stricter immigration policy is not.” (p. 8). This anti-immigration turn is instead attributed to the overall shift in European politics towards a more authoritarian direction with the rise of national security demands (Mudde, 2012). Accordingly, Mudde (2012) suggests that far-right parties only be considered catalysts in the process of restricting immigration rather than initiators of the conversation: they are “neither a necessary nor a sufficient condition for the introduction of stricter immigration policies” (p. 1). Furthermore, the concept of identity voting suggests that voters do not choose a party based on its policy plans, but rather based on their own social identities and political loyalties (Ford & Goodwin, 2010). In the British context, this is depicted in the phenomenon of “class voting”, whereby “voters from particular economic backgrounds [retain] throughout life a tendency towards Labour or the Conservatives that cannot
be accounted for by their views of these parties’ competence or by their ideological priorities” (Ford & Goodwin, 2010, p. 4).

The second way in which far-right parties can influence immigration policies is directly, by gaining office. However, as far-right parties have only entered government through coalitions, it is difficult to ascertain the exact extent of their direct influence on immigration policy (Akkerman, 2012). While some recognize their contribution (outlined by Akkerman, 2012), others deny its importance (Schain, 2006) as they argue that office has a moderating effect on far-right parties’ rhetoric and behaviour. Their weak organizational nature is also put forward as proof of their limited capacity to influence policy (Schain, 2006; Akkerman, 2012). In addition, other scholars have discounted the influence of the far-right completely, suggesting that centre-right parties had already changed their course prior to the electoral success of far-right parties (Akkerman, 2012). Consequently, the literature examining the role of far-right parties in coalition governments on policymaking is inconclusive.

To sum up, the effect of far-right parties on immigration policy development is divided into two forms: direct and indirect effects. These forms are shaped by the mainstream parties’ response to the electoral threat of the far-right. However, their ultimate success in impacting immigration policy is dependent on the moderating effect of office, in addition to their organizational capacity.

2.3 Additional Domestic and International Influences on Immigration Legislation

Immigration policies are also determined by a range of social, cultural, and economic factors. Generally, explanations of the determinants of immigration policies are divided into two main categories: domestic and international. Domestic factors include citizens' attitudes toward
migration, national identity, and economic costs and benefits, while international factors include state security and international pressures (Givens & Luedtke, 2004; Givens & Luedtke, 2005; O’Rourke & Sinnott, 2006; Martinez-Herrera & Moualhi, 2007; Money, 2018).

According to demand-side approaches, citizen attitudes are a major determinant of immigration policy. Voters influence policy decisions based on their preexisting attitudes towards migration. O’Rourke & Sinnott (2006) posit that this is usually manifested in the form of racism and xenophobia. While this suggests a blatant rejection of foreigners, Martinez-Herrera and Moualhi (2007) suggest a more selective approach, whereby voters have a “selection criteria” for evaluating foreigners. In the case of European countries, this is manifested in accordance with their ‘Europeanness’, their wealth, and other material aspects. Citizens’ attitudes are also impacted by the number of migrants in society (Bale, 2008; Givens & Luedtke, 2005). However, knowledge in this regard does not usually reflect actual numbers. Indeed, the perception of the number of immigrants living in a country may be exaggerated based on the agenda-setting initiatives of the media, in addition to the existence of an ethnic, cultural, and/or religious gulf between immigrants and the native population (Bale, 2008). Furthermore, immigrants may be overrepresented by the criminal justice system and by the coverage of terrorist incidents, many of which tend to overestimate their threat (Bale, 2008). Accordingly, citizen’s attitudes are not only affected by the reality of immigrant numbers and circumstances, but also by biased media coverage of them. This is corroborated by Givens and Luedtke (2005), who - using newspaper articles - found that issue salience as defined by the media was the most important determinant of immigration laws in France, Germany and the UK. Far-right parties play an eminent agenda-setting role here as well. By emphasizing the salience of certain issues,
far-right parties tend to confirm the coverage of the biased media, successfully entrenching anti-immigrant attitudes in the voter base (Mudde, 2012).

It is worth noting that the existence of certain preferences amongst citizens does not necessarily entail their translation into policy decisions. Indeed, these arguments assume that immigration is a dominant component of citizens voting behavior, which is not always the case (Money, 2018). Furthermore, these opinions may be latent and not necessarily explicitly expressed. Nonetheless, Martínez-Herrera and Moualhi (2007) argue that citizens’ predispositions towards immigration have great gravitas in the ultimate policy decision. This is corroborated by O’Rourke and Sinnott (2006) who find that government policies in democracies largely reflect the attitudes of voters; citizens are able to organize and communicate their sentiments through a number of means, including interest groups, lobbies, and political parties (Money, 2018). Mudde (2012) also highlights the importance of citizens in the political process. According to his theory of ‘the democratic order’, the far-right first influences the people, “leading to a response from the mainstream parties (worried about electoral competition), which introduc[e] new policies (either in coalition with the populist far-right or not) and thereby possibly chang[e] the whole political system.” (Mudde, 2012, p.6). Mudde (2012) bases this on Wlezien’s ‘thermostatic model’, which states that public attitudes towards immigrants can lead to the electoral success of far-right parties, ultimately leading to changes in legislation. Givens and Luedke’s (2005) analysis also confirms the significance of issue salience on immigration laws. These scholars agree that citizens’ attitudes may, in fact, shape a country’s immigration policy.

A second correlate of immigration policy is the nature of the country’s national identity as perceived by its citizens (O'Rourke & Sinnott, 2006). In other words, different elements of a
nation’s identity determine the public’s openness to immigrants. One such example is the homogeneity of the population; the more ethnically and religiously diverse a nation, the more tolerant it is of immigrants, and vice versa (Money, 2018). This is because its identity is not defined by strict ethnic or religious bounds. National identity may also be measured through citizenship laws, which embody the requirements for state membership, and thereby national membership. Ultimately, a citizenship defined by political participation is likely to be more open to migrants than one defined by language, religion, or race (Money, 2018). This is supported by O’Rourke and Sinnott (2006), who illustrate the link between patriotism/national identity and anti-immigrant sentiments.

Thirdly, economic interests are largely cited as a determinant of immigration policy (O'Rourke & Sinnott, 2006). This materializes in the form of a cost-benefit analysis of domestic actors’ welfare after taking immigration into account. Essentially, those who benefit from higher immigration rates are likely to support open policies, while those that do not will favor closed immigration policies. These calculations will differ amongst groups. For instance, employers generally benefit from the surplus of labor provided by immigration, especially in the case of a dual labor market whereby they are able to exploit unprotected immigrants (Money, 2018). In comparison, the calculations of workers and labor unions are determined by two main variables: economic inequality and real wages (O'Rourke & Sinnott, 2006). Simply put, higher income equality and higher real wages generally correlate with attitudes that support liberal immigration policies, while higher income inequality and lower real wages encourage attitudes in favor of restrictive policies. Contextual economic factors will also play a role, including GDP growth and unemployment. In the case of the former, the application of neoclassical trade theory onto immigration suggests a correlation between economic expansion and open immigration policies
as a result of the greater demand for immigrant labor, and vice versa (Givens & Luedtke, 2005). In theory, high unemployment is forecasted to increase support for anti-immigrant policies by creating an environment conducive to anti-establishment rhetoric. However, Givens and Luedtke’s (2005) analysis finds that unemployment has little to no effect on actual immigration policy.

National interest and security are also cited as a key determinant of migration policies. In this case, the state itself is a key political actor in framing national interests. Money (2018) outlines three dimensions of national interest: “military defense, economic productivity, and domestic stability”, arguing that states generally liberalize or restrict their immigration policies in response to the issue at hand (p. 5). In other words, in the case of a threat, states will prioritize the security dimension over economic or domestic stability gains. However, empirical evidence has illustrated that security threats may be discussed in rhetoric only, failing to translate to actual policy changes. This is illustrated in Givens et al.’s analysis of the effects of September 11 on Western democracies (Money, 2018). Essentially, the study concludes that while the changing security climate has translated into political rhetoric, it has also failed to alter immigration policies in any major way.

Finally, immigration policies are largely influenced by international pressures. Surrounding governments, human rights groups, and trade unions have a spillover effect on domestic immigration policies (Money, 2018). This may emerge in the form of pressure set by international standards, or direct policy demands. With regard to the latter, according to Givens and Luedtke, the EU plays a significant role in dictating the domestic immigration policies of its member states (Givens & Luedtke, 2004). This is especially true given the increasing political and economic salience of immigration. However, despite this, the extent of its impact remains
limited and largely dependent on the domestic politics of the member states (Givens & Luedtke, 2004). The researchers find that countries with strong domestic immigration institutions, such as Germany, are more likely to support the EU’s policies than countries with weaker domestic institutions, such as the UK (Givens and Luedtke, 2004). Accordingly, international institutions have the ability to influence domestic immigration policies in Britain depending on the strength of their domestic immigration institutions.

To conclude, the effect of far-right parties on immigration is divided into two forms: direct and indirect influence. These forms are partly shaped by the mainstream party’s response to the electoral threat of the far-right. However, their ultimate success in influencing immigration legislation is dependent on the moderating effect of office, in addition to their organizational capacity. Furthermore, scholarly literature outlines five more determinants of immigration laws: citizens’ attitudes, national identity, economic calculations, national security, and international pressures.
3. RESEARCH DESIGN

3.1 Britain as a Case Study: Testing Mudde’s Theory of “the Democratic Order”

As illustrated in Chapter 1, this thesis will adopt a case study design of far-right parties in Britain in order to answer the research question: *Under what circumstances and to what extent do far-right parties have an influence on immigration legislation?* I have chosen Britain as a case study for three reasons. Firstly, the case of Britain is a "critical" case in that it tests different aspects of Mudde’s theory of the democratic order, making it an interesting case to study on a theory-testing basis (Bryman, 2016, p.62). Secondly, as the case of Britain is relatively under-researched in the field of far-right politics in comparison to its Western European counterparts, this thesis will provide an important contribution to the scholarly literature. Finally, Britain is an interesting case in that it has exhibited extreme anti-immigration and anti-establishment sentiments with the results of the 2016 Brexit referendum, which culminated with the country’s exit from the European Union.

Mudde’s (2012) concept of ‘the democratic order’ articulates the effects of far-right parties as the outcome of a chain of cause-and-effect relationships (see Figure 1). In the democratic order, the far-right influences the sentiments of the general public through their agenda-setting power, sparking a response from the mainstream right, and ultimately ending with the introduction of policies that suit their agenda. In this context, changes in immigration policies are studied through the lens of the interactions between the far-right and the mainstream right (Akkerman, 2012).
As highlighted in Chapter 1, however, the theory fails to take into account the potential pressure of the far-right, and its agenda-setting power, on the electoral pool of the mainstream left as well, in addition to neglecting the effects of the electoral system and fragmentation within the far-right camp on their electoral performance. Furthermore, the theory portrays extremist right parties as static, overlooking their potential for ideological moderation or movement along the political spectrum. Therefore, in studying the case of Britain, the objective of this thesis is to operate on a theory-testing and theory-building basis in order to refine Mudde’s theory of ‘the democratic order’. The case contributes to the literature on comparative politics by qualifying and improving Mudde’s theory, which is one of the most influential approaches in the field.

On a theory-testing basis, the British case confirms Mudde's (2012) hypothesis, showing that the presence of successful populist radical right parties is neither a necessary nor a sufficient condition for the anti-immigration turn observed in many European countries. While confirming Mudde's main theoretical tenet, however, the British case also qualifies several elements of his theory. These include:

1. the timing of the far-right’s electoral breakthrough. In Britain, this anti-immigration turn preceded the electoral breakthrough of its first populist radical right party, the UKIP, by
several years, in addition to the relative electoral rise of its extremist right party, the BNP;

2. the electoral pressure of the far-right. The far-right represents a threat to mainstream parties irrespective of their ideology. In other words, the mainstream left can also be threatened by the rise of the far right;

3. the fragmentation of the far-right camp into a PRRP and an ERP in Britain made their electoral breakthrough less threatening. This was exacerbated by Britain’s first-past-the-post (FPTP) electoral system, in which electoral success does not necessarily translate into parliamentary seats and, even less, cabinet portfolios;

4. and the dynamic nature of far-right parties. ERPs are not as static as Mudde's theory assumes. The case of the BNP in Britain shows that extremist right parties can take the path of relative ideological moderation, adopting the positions of their populist radical right cousins.

The theory-testing and theory-building objectives of this thesis are outlined in Table 1.

*Table 1: Theory-testing and Theory-building Areas of the Research Design*

<table>
<thead>
<tr>
<th>Timing of electoral breakthrough</th>
<th>Theory-testing</th>
<th>Theory-building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before vs. after anti-immigration turn</td>
<td>PRRPs act as catalysts in anti-immigration turns following electoral breakthrough.</td>
<td>Anti-immigration turn precedes the electoral breakthrough of the far-right.</td>
</tr>
<tr>
<td>Electoral pressure</td>
<td>Effects on mainstream right vs. mainstream left</td>
<td>Focuses exclusively on the effects of the electoral rise of the far-right on the mainstream right.</td>
</tr>
<tr>
<td>Far-right party family</td>
<td>Divided vs. United</td>
<td>Fragmentation of the far-right is not addressed.</td>
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<tr>
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<td>-----------------------------------------------</td>
</tr>
<tr>
<td></td>
<td><strong>Static (no moderation) vs. Dynamic (ideological moderation)</strong></td>
<td>ERPs are assumed to be static.</td>
</tr>
<tr>
<td>Nature of influence</td>
<td><strong>Indirect influence</strong></td>
<td>Far-right parties indirectly influence legislation.</td>
</tr>
</tbody>
</table>
4. THE FAR-RIGHT THREAT IN BRITAIN: THE BNP AND THE UKIP

This chapter addresses the theory-building elements of this thesis by exploring to what extent and under what circumstances Britain’s far-right parties had an influence on immigration legislation. The chapter approaches this question by studying two features of far-right parties that are of particular relevance: party program and electoral success. The former is relevant because it allows me to classify these parties as far-right; the latter is important in characterizing these parties as threats to mainstream parties. The two most successful far right parties in post-WWII Britain have been the BNP and UKIP. This chapter is structured as follows. The first section provides an overview of the two far-right parties’ origins. The second section analyzes the parties’ development and relative ideological moderation over the years. This is followed by a discussion of the two parties’ electoral growth in section 4.3 and culminating with concluding remarks in section 4.4.

4.1 Party Origins

The case of British far-right parties is an exceptional one in the Western European context; British far-right parties have had a comparatively marginal presence in the political system in comparison to their Western European counterparts (Wilks-Heeg, 2008; Jamin, 2014). In fact, despite their long lineage in Britain, far-right parties have only achieved six electoral successes in local elections between the years 1921 and 2001 (Wilks-Heeg, 2008). In recent years, however, there has been a considerable rise in electoral support for far-right parties in the British context, suggesting a potential shift in the status quo of British far-right politics. This has been described as “a distinctly twenty-first century phenomenon, particularly if judged by election to
public office” (Wilks-Heeg, 2008, p. 2). As the exception to its Western European counterparts, Britain serves as an interesting case study to explore.

Based on the typologies examined in section 2.1.2, far-right parties may be categorized according to their stances with regards to two main criteria: racism and attitudes towards democracy. Based on these criteria, this thesis argues that the BNP belongs to the category of Extremist Right Parties and UKIP belongs to the Populist Radical Right, as illustrated in Table 2.

Table 2: Placing the BNP and UKIP within the Typology of the Far-Right

<table>
<thead>
<tr>
<th>Racism</th>
<th>Attitudes towards democracy</th>
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<tr>
<td></td>
<td>Call to replace the system</td>
</tr>
<tr>
<td>Classical racism</td>
<td>BNP (ERP)</td>
</tr>
<tr>
<td>Cultural racism</td>
<td></td>
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</tbody>
</table>

The BNP was founded in 1982 by the former leader of the National Front (NF), John Tyndall (Yonwin, 2004). Despite spending its first decade under the shadow of its main competitor, the National Front (NF), the BNP soon became the largest far-right party in Britain after the NF split, exhibiting a rhetoric of ethnic-based nationalism with strong anti-immigration and anti-Islamist ideologies (Yonwin, 2004; John et al., 2006; Jamin, 2014). The early rhetoric of the BNP has been described as “a continuation of the NF”, in which the BNP continued to espouse a philosophy of neo-Nazism, ethnic nationalism, and biological racism (Cook, 2014, p.17). Not only did this lead to its lack of electoral success, but it also cemented its reputation as
a fascist party. The main programmatic stances of the BNP included anti-immigration, economic nationalism, welfare chauvinism, and Euroscepticism (Cook, 2014).

This thesis categorizes the BNP at its origins as an ERP based on its championing of classical racism and a call to replace the democratic system. In the case of the former, the BNP adhered to classical racism by broadcasting a fundamental inequality between people on the basis of race. In fact, race was the central element in almost every aspect of the party’s manifesto, from immigration policy to their outlook on the economy. Indeed, the party’s ideal conception of Britain described it as “a state comprised of white native Britons” that inherently excluded non-white immigrants living in Britain (Cook, 2014, p.16). These immigrants were expected to return to the lands of their “ethnic” origin, thereby creating an “us” and “them” divide on the basis of race and ethnicity (Cook, 2014). This racist rhetoric also translated into the party’s economic policy, in which non-white immigrants were posed as a threat to the country’s economy and to the employment prospects of white British nationals (Cook, 2014). Such a discourse exacerbated the divide on the basis of race between British nationals and immigrants and foreign workers. Over the years, this classical racism has magnified its focus specifically on Islam, depicting the religion as the enemy of the British state, its values, and its citizens (Cook, 2014).

The BNP’s classical racism had a powerful role in encouraging anti-immigration sentiments amongst its supporters. Indeed, in his analysis of the BNP’s manifesto, Jamin (2014) finds strong evidence of anti-immigration sentiments supported by the party’s ethnic-based nationalism. The manifesto highlights the need to protect the survival of the ‘superior’ British race against the flows of inferior immigrants who threaten the vitality of “British people, culture, heritage and identity” (Jamin, 2014, paragraph 46). This requires the placement of restrictions on the country’s democratic liberties, including the right to vote, to individual freedom, private
property, and equality before the law, so that they are afforded to citizens on the basis of “blood” (Jamin, 2014, paragraph 46).

The second aspect of ERPs, call to replace the democratic system, was evidenced in the BNP’s attack against the government. This is especially evident in the party’s 2005 manifesto, “Rebuilding British Democracy”, which frames the British government and their mainstream parties as the enemies of the British public due to their pursuit of multiculturalism in favor of preserving British culture and identity (BBC, 2005; Cook, 2014). As a result of the government’s failure to protect British identity, the BNP argued that the government was effectively “stripping away democratic rights, freedom and civil liberties”, which the BNP vowed to reinstate by fostering a “homogenous Britain” should they be elected into office (Cook, 2014, p.22-42). If the title of the BNP’s 2005 manifesto is not enough, the manifesto dedicates an entire section to “Dismantling the Repressive State” (BBC, 2005, p.8). Ironically, and in true ERP fashion, the party aimed to achieve this by reversing many of the laws and statutes intended for the protection of racial and religious minorities within Britain, including programs intended to increase voter turnout, such as postal voting and Operation Black Vote (BBC, 2005).

UKIP was founded in 1993 by Alan Sked (Evans & Mellon, 2019). In comparison to the BNP, UKIP has had a much more focused ideology: to take Britain out of the European Union on the basis that Brussels is stripping Britain of its political and economic sovereignty (Kranert, 2019; UKIP, n.d.). This has been driven by a nativist rhetoric fueled by Eurosceptic and anti-immigration stances that ultimately allowed the party to emerge from its fringe position and succeed in achieving its goal (Ford & Goodwin, 2014; Morillas, 2017).

This thesis categorizes UKIP as a PRRP based on its exhibition of cultural racism and a call to reform the system. Cultural racism is a central ideological theme in UKIP’s manifestoes and speeches. Indeed, one of the main justifications for the party’s Euroscepticism and anti-
immigration stance is the maintenance of cultural homogeneity and unity in Britain through the rejection of multiculturalism (Hill, 2016; Kutti, 2016; Kranert, 2019). This is clearly conveyed in UKIP’s manifestos. For instance, the 2010 manifesto states:

“UKIP believes in civic nationalism, which is open and inclusive to anyone who wishes to identify with Britain, regardless of ethnic or religious background. We reject the “blood and soil” ethnic nationalism of extremist parties. UKIP opposes multiculturalism and political correctness, and promotes uniculturalism - aiming to create a single British culture embracing all races and religions” (Kutti, 2016, p.17).

Similarly, the party’s 2015 manifesto continues in the same theme, highlighting:

“We reject multiculturalism, the doctrine whereby different ethnic and religious groups are encouraged to maintain all aspects of their cultures instead of integrating into our majority culture, even if some of their values and customs conflict with British ones. We believe multiculturalism has led to an alarming fragmentation of British society” (Kutti, 2016, p.17).

In addition to UKIP’s manifestos, which attempt to defend the party’s support of cultural racism under the banner of preserving British identity, statements made by UKIP members have shown a blunt adherence to cultural racism. While the party has expelled some of these members and denounced the statements of others, the frequency at which they have been made highlights how the party’s core ideology is both attractive and conducive to people with racist views (Kutti, 2016). Indeed, Ashe (2015) highlights that “these individuals are, at least in part, attracted to UKIP precisely because of… racist campaigns… there is an attitudinal and ideological synchronism between UKIP’s campaigns and the views of their members and election candidates” (p.16). Furthermore, UKIP’s support for cultural racism has significant consequences on the country’s immigration policy. Not only is the discourse of anti-multiculturalism inherently associated with anti-immigration among far-right groups in Europe, but the notion of preserving British identity is also framed as an agenda that is threatened by the
numerous cultural and religious identities brought into the country through immigration (Hill, 2016).

UKIP is also characterized as a PRRP based on its call to reform the system. This is manifested in the party’s advocacy for the country’s withdrawal from the EU, in addition to its criticism of the British political elite for failing to protect the people. The first line of reform is justified through the vilification of Brussels; the EU is presented as a power that infringes upon Britain’s freedoms, including freedom of action, freedom of resources, and freedom of the people (Kutti, 2016; Kranert, 2019). Britain’s politicians have failed the British public and have “committed an act of treachery” by adhering to the restrictions imposed upon them by the EU (Kranert, 2019, p.15). In addition to claiming that the EU restricted Britain’s sovereignty and financial status, UKIP capitalized on the discourse of immigration as an area of significant concern to Britain, especially highlighting the high inflows of Eastern European migrants following the accession of a number of Eastern European countries to the EU in 2004 (Hill, 2016). Accordingly, UKIP suggests that Britain liberate itself from the EU in order to retain its sovereignty and its freedom of people, resources, and action.

The second way in which UKIP sought to reform the system is through the party’s critiques of the British government. This is evident in Nigel Farage’s speeches in 2010, in which he directly challenges the leadership of the Conservative, Labor, and Liberal Democrat parties for their poor performance, suggesting that UKIP would be a better fit for government and for the people (Kutti, 2016). UKIP’s call to reform the system is directly rooted in its authoritarian nature; this does not necessarily entail that they are anti-democratic, but that they seek to enforce a new order to British society (Kutti, 2016). Accordingly, UKIP’s characteristics of cultural racism and call to reform the system classify it as a PRRP in the context of British far-right parties.
Where do we place these two parties in the ideological space of the British political system? The BNP and UKIP share the space of the right with the Conservative Party, though they are both in the far-right end of the British political spectrum. Accordingly, the two parties share some substantive policy positions with the Conservative Party, making them more similar to the Conservative Party than any other party in the British political system. It is precisely because of this similarity that they pose a greater threat to the Conservative Party on the mainstream than they do the Labour party on the mainstream left.

Whereas the BNP is on the far-right end of the political spectrum, UKIP tends to be placed much closer to the Conservative party in terms of its voter-base and programmatic stances. Indeed, Usherwood (2008) suggests, “it is tempting to consider UKIP as the anti-EU faction of the Conservative party, on both membership and ideological grounds” (p.8). Due to the small ideological gap between UKIP and the Conservative party, the latter has become increasingly electorally vulnerable to the former, especially as UKIP increasingly distanced itself from its reputation as a radical party (Kutti, 2016). In fact, a large percentage of UKIP’s members and supporters were previously Conservative members or supporters (Usherwood, 2008; Clarke et al., 2016). UKIP was reported to be more attracted to disaffected members of the Conservative party than disaffected members of any other British party (Clarke et al., 2016). Indeed, Clarke et al (2016) find a “a sizable negative correlation (r = -.45) between trends in Conservative and UKIP vote shares in CMS surveys conducted between June 2010 and April 2014” (p.2). This is supported by individual-level surveys, which illustrate that UKIP supporters who were former Conservatives increased from less than 20% in 2011 to 61.8% in 2013 (Clarke et al., 2016).

Similarly, the percentage of Conservatives intending to vote for UKIP increased from 2% in 2010 to over 16% in 2014 (Clarke et al., 2016). This is in line with Mudde’s (2012) concept of
indirect influence, which suggests that the mainstream right is most susceptible to the success and programmatic stances of the far-right. The fact that UKIP – a PRRP – has posed a greater threat to the Conservative party than the BNP – an ERP – also supports the observations of Carter (2005) and Minkenberg (2013), who find PRRPs to be more electorally successful than ERPs. Interestingly, while voters’ disaffection with the Conservative party correlated with an increase in support for UKIP as a far-right alternative, the same could not be said of the Labour party. Indeed, the rising disaffection with the Conservative government had little to no effect on support for the Labour party (Clarke et al., 2016).

Therefore, based on the typologies discussed in section 2.1.2, this thesis classifies the BNP as an ERP and the UKIP as a single-issue PRRP at the time of their establishment. This classification is corroborated by Hayton (2010), who suggests that the BNP and UKIP are similar in their objectives and in the issues that they champion but differ in their articulation of these objectives, with the former utilizing more radical means to achieve their aims. As a result, far-right voters are more likely to perceive UKIP as the sensible option to vote for into government, despite their support for the BNP as well. This is illustrated in the similarities between voters of both parties, as immigration, the economy, and the EU are voted as the top three pressing issues by supporters of both parties (Kutti, 2016). This has been explained by John et al.’s (2009) bridge theory, which suggests that UKIP acts as a “bridge” for voters who identify with the BNP’s programmatic stances but choose not to vote for them directly due to their radical nature. Essentially, UKIP is perceived as a less radical and democratic alternative to the BNP, with both appearing as the populist alternatives to the mainstream right.
4.2 Party Development and Ideological Moderation

An important characteristic of the far-right that is neglected by Mudde’s theory of the democratic order is their ability to transform. Far-right parties are not static but have the ability to adjust their rhetoric and ideologies in pursuit of their electoral objectives. This characteristic is described by a number of models, including the logic of electoral competition, the Downsian rational choice model, and the proximity theory (Art, 2012). These models suggest that most far-right parties have a strategic incentive to mimic the mainstream right by adopting relatively moderate ideological positions. This process of ideological moderation allows far-right parties to appeal to a larger amount of the electorate, thereby increasing their chances of long-term survival and success (Art, 2012). Despite embarking on this path of ideological moderation, the parties continue to be categorized under the umbrella of the far-right. As put by Art (2012):

While these parties retain their activist core, they are flexible when it comes to a host of other issues. Most important, these parties have dropped the biological racism of the old right in favor of ethnopluralism. This language of cultural difference, as opposed to that of innate genetic hierarchies, not only makes it more difficult to brand radical right parties as fascist or racist, but also appeal to “immigration skeptics” in the voting population who do not consider themselves xenophobic but believe that immigration must be dramatically curtailed if the character of their societies is to be preserved (Art, 2012, p.38-39)

Over time, both the BNP and UKIP have adopted a process of relative ideological moderation. Through this process, the two parties have gradually adopted more moderate stances relative to their initial positions, with the aim of capturing a greater share of the voter-base. In the case of UKIP, this moderation is illustrated by its shift from a single-issue party to one that addressed a number of significant political issues. In comparison, the BNP had undergone a much more dramatic ideological moderation, shifting away from its extremist roots to a rhetoric and ideology that would appeal to a greater share of the voter-base.
The BNP’s path towards ideological moderation began in 1999, when Nick Griffin took over as the BNP’s chairman and worked to position the party as ‘the new Labour’ (John et al., 2006). Unlike his predecessor, Griffin was much more electorally minded, and worked to mimic the BNP’s more successful counterpart, UKIP, in order to rebrand the party’s image and redirect it from a policy-seeking to an office-seeking party (Goodman & Johnson, 2013). This was called the process of “fascism recalibration” and required that the party shift away from its classical racism and call to replace the system towards more moderate alternatives (Goodman & Johnson, 2013, p.1). Based on this strategy, the party continued to uphold its beliefs while shifting its focus away from race. For instance, rather “arguments against immigration [were] then framed in terms of limited resources rather than on grounds of race” (Goodman & Johnson, 2013, p.2). This shift in rhetoric is illustrated by the party’s shift from an ERP to a PRRP in Table 3.

**Table 3: Ideological Moderation of the BNP**

<table>
<thead>
<tr>
<th>Racism</th>
<th>Atitudes towards democracy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Call to replace the system</td>
</tr>
<tr>
<td></td>
<td>Call to reform the system</td>
</tr>
<tr>
<td>Classical racism</td>
<td>BNP (ERP)</td>
</tr>
<tr>
<td>Cultural racism</td>
<td>UKIP (PRRP)</td>
</tr>
</tbody>
</table>

In an attempt to create an electoral cleavage in which it could position itself, the party claimed to focus on “the neglected and oppressed white working class” who had been abandoned by the Labour party (John et al., 2006, p.7). Griffin especially strived to rehabilitate the party’s extremist image in an effort to make it more attractive to the mainstream British voter-base (John et al., 2006). This marked the start of the party’s journey towards relative electoral success; in a
2010 study, the BNP was considered “the most successful extreme right party in Britain’s electoral history and… the fastest growing political party in twenty-first century Britain” (Ford & Goodwin, 2010, p. 1). Indeed, the BNP outperformed its predecessors; while former far-right parties failed to gain support in the British political climate, the BNP was able to establish itself with over 50 incumbent local councilors in 1997 (Ford & Goodwin, 2010).

Despite the party’s efforts to advance many of its claims in the name of democracy, many commentators perceived the party to be undemocratic and identified this as a mere strategy intended to capture votes and present a moderate image. This is supported by a 1999 article that Nick Griffin published in *Patriot* magazine discussing his efforts to moderate the BNP’s image, in which he states:

Why do nationalists [i.e. fascists], and nationalists alone, insist on spelling out in words of one syllable where they come from and where they want to go? Is it really honesty, or is it just plain stupidity? This is a life and death struggle for white survival, not a fancy dress party. A little less banner waving and a little more guile wouldn’t go amiss…. As long as our own cadres understand the full implications of our struggle, then there is no need for us to do anything to give the public cause for concern … we must at all times present them with an image of moderate reasonableness…. Of course, we must teach the truth to the hardcore, for, like you, I do not intend this movement to lose its way. But when it comes to influencing the public, forget about racial differences, genetics, Zionism, historical revisionism [i.e. Holocaust denial] and so on – all ordinary people want to know is what we can do for them that the other parties can’t or won’t…. Politics is always the art of the possible, so we must judge every policy by one simple criterion: Is it realistically possible that a decisive proportion of the British people will support it? If not, then to scale down our short-term ambitions to a point at which the answer becomes ‘yes’ is not a sellout, but the only possible step closer to our eventual goal (Brown, 2007, p.30).

Based on Griffin’s modernization plan, the BNP has set to position itself as the solution to reinstating democracy, albeit through the removal of inherently democratic legislation. Indeed, the party claims that “[t]he wishes of the British electorate cannot be made manifest until we
have the powers restored to our national parliaments and assemblies… Honesty, integrity and transparency will be restored to civic and public institutions” (BBC, 2005). As a result, the BNP has progressively shifted itself towards the categorization of PRRPs.

On a similar note, although UKIP initially emerged as a single-issue party, it has since widened its ideological scope to cover a range of issues in order to enter mainstream politics as a viable electoral candidate, including the economy, national defense, immigration and reforming Britain’s democracy, with a focus on presenting the latter two as barriers to British national identity (Hill, 2016; Kutti, 2016). This is evidenced by the shifts in the content and depth of UKIP’s manifestoes over the years, changing from a 16-page document focused on leaving the EU in 2010, to a 76-page document that addressed a range of issues concerning British politics in 2015 (Kutti, 2016).

Furthermore, UKIP has avidly attempted to distance itself from other extremist parties, such as the BNP, with the intention of entering mainstream politics, (Ashe, 2015; Kutti, 2016). In the 2010 UKIP party conference, Farage attempted to promote UKIP as the moderate alternative to the BNP, suggesting that the rise of UKIP entails the downfall of the BNP (Kutti, 2016). Farage also worked to distance the party from other extremist far-right parties in Europe, specifically the French National Front with the claim that it is “a party of ‘prejudice and antisemitism’” (Ashe, 2015, p.16). In addition to distancing themselves from extremist parties, the party sought to disassociate with extremist members by condemning racist and politically incorrect statements as “offensive” and “idiotic” in order to improve the party’s reputation (Ashe, 2015, p.16; Kutti, 2016). In one instance, Farage declared that the party was actually supported by “black, minority ethnic candidates” who he claimed would appear to support the party in the 2014 elections (Ashe, 2015, p.16). Furthermore, the leader worked to appear more moderate on controversial issues, such as immigration. Indeed, in an effort to make the party’s
agenda appear less extreme, Farage commented on the issue of work permits and the movement of people within the EU, highlighting that he “accepted the idea on a ‘sensible level’ but very strongly opposed the idea of immigration as a whole” (Kutti, 2016, p.23).

As part of their PRRP nature, both the BNP and UKIP have taken more “populist” stances more recently, coinciding with their greater electoral appeal. Indeed, “[t]he two parties have attempted to mobilize those disaffected by the political elite in general and by the mainstream right in particular by claiming to represent the interests of ordinary people that have been neglected “by a policy cartel of unresponsive cultural, economic and political elites” (Clarke et al., 2016, p.3). While it is uncertain whether the party’s electoral appeal followed their shift towards populist strategies, or whether the latter was incited by their debut to the electorate, it is clear that the developments and relative ideological moderations exhibited by the two parties correlated with their electoral success and potential threat to the mainstream political establishment.

To summarize, both the BNP and UKIP have progressively developed along the spectrum of the far-right. While the BNP originated as an ERP that upheld classical racism and a call to replace the system, it has since reformed its program becoming more of a PRRP in order to meet the interests of a wider portion of the electorate. Similarly, while UKIP originated as a single-issue party dedicated to withdrawing Britain from the EU, it has since refined its program to cover a wide array of issues, making it the PRRP alternative to the mainstream Conservative Party. Both parties embarked on these paths with the aim of becoming more electorally competitive and capturing a greater share of the voter-base. The question that follows is whether or not these endeavors were reflected in the parties’ electoral performance.
4.3 Electoral Growth

A central incentive for the ideological moderation of the far-right is the pursuit of a greater vote share (Sánchez-Cuenca, 2004). Indeed, ideological moderation is perceived when parties shift from being policy-seeking to office-seeking parties; whereby the former are determined to enact policy change, the latter are more concerned with exercising power by being voted into office (Sánchez-Cuenca, 2004). Simply put, “[f]or office-seekers, policies are mere instruments to win elections, whereas for policy-seekers, policies are valued in themselves” (Sánchez-Cuenca, 2004, p.328). Therefore, this section will track whether the BNP and UKIP’s ideological moderation resulted in electoral growth.

This variable will be measured using two sources: House of Commons’ General Election reports and the BBC’s election results pages, and the British Election Study’s post-electoral surveys. Using these sources, the electoral strength of the BNP, the UKIP, and their mainstream right-wing and left-wing competitors - the Conservative Party, the Labour party, and the Liberal-Democrats - will be traced between the years 1990 and 2016. This variable is important for two reasons. Firstly, the concept of electoral competition holds that the greater the electoral strength of far-right parties, the more likely they are to pose an electoral threat to mainstream parties. The threat will push mainstream parties to adopt some of the programmatic stances of the far-right in order to recapture their fleeing voters. Thus, the electoral strength of the far-right is an important determinant of its indirect effect on legislation. Secondly, a party’s electoral strength gauges the receptivity of the public to their program. However, due to Britain’s first-past-the-post electoral system, the number of votes received by smaller parties such as the BNP and UKIP are not necessarily translated into seats in parliament. First-past-the-post systems are highly disproportional, giving advantage to the largest parties in the system. This implies that the UKIP
and the BNP need a much larger vote share than their counterparts in proportional representation systems across Europe in order to become a real threat to the mainstream parties.

This variable will test Mudde’s (2012) theory of the democratic order by illustrating whether the far-right posed an electoral threat to the mainstream right or mainstream left. In order to measure this variable, this thesis will track the electoral evolution of the two far-right parties, the BNP and UKIP, and their mainstream competitors on both the left and right, including the Labour, Conservative, and Liberal-Democrat parties. This variable is measured combining two indicators: voter shares and voter shifts. Vote shares alone cannot tell us where the electoral growth of far-right parties comes from; by analyzing voter shifts from one party to another, it is possible to identify the parties that lost voters to the far-right. Parties’ vote shares will be measured using data from three sources: Yonwin (2004), House of Commons (1987; 1992; 1997), and BBC (2005; 2010; 2015). These three sources were chosen based on the availability of data for all five parties for the general elections that took place during the years under study, including the number of votes, the percentage share of votes, the number of seats (MPs elected) and the percentage of seats gained by each party.

Voter shifts will be measured using data from the British Election Study6. In particular, the responses to two questions from the post-electoral surveys were traced in order to track changes in voter behavior. These two questions are, “Which party did you vote for in the general election?” and “Thinking back to the general election in [year of previous election], do you remember which party you voted for then - or perhaps you didn't vote? IF 'YES': Which party was that?”. Essentially, this allows us to track whether or not voters changed the party that they

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6 The British Election Study’s sampling technique was “designed to be representative of all those who live in Great Britain aged 18+ and who were eligible to vote in” British general elections by random sampling from 234 constituencies (Moon, Green, & Bogdan, 2017, p.5).
voted for between elections and, if so, what was the direction of change. Through this method, I can track whether the far-right posed a threat to the mainstream right or left by noting whose voters it had attracted.

Figure 2 illustrates that support for the BNP and UKIP in British general elections gradually increased over the years.

*Figure 2: Number of Votes Received by the Far-Right and their Mainstream Competitors in British General Elections (1987-2015)*

Prior to its modernization plan, in the 1987 and 1992 general elections, the BNP gained very few votes (less than 10,000 votes in both years). Although the party’s votes began to gradually increase with the establishment of UKIP in 1997, the greatest surge in the BNP’s electoral performance followed the implementation of Griffin’s modernization plan in 1999. This was not
immediately reflected in the 2001 general elections, but by 2005, the BNP earned its first percentage share of the votes after consistently receiving a share of less than 1% of the votes (see Figure 3). This marked the BNP’s first percentage breakthrough. Although 1% is a relatively minor share of the votes, the 2005 general election may be considered a watershed moment, in which the BNP – and the far-right camp in general - was finally able to capture a percentage of the British electorate. Indeed, the 2005 general election marked the start of an upwards trend in the percentage share of votes captured by the far-right, with both UKIP and the BNP receiving a full percentage of the votes after years of capturing less than 1% of the electorate in British general elections. By the 2010 general elections, the two parties had captured a total of 5% of the votes. Therefore, the rise in the apparent electoral appeal of the BNP attests to the success of Griffin’s modernization strategy, illustrating that the BNP’s relative ideological moderation from an ERP to a PRRP within the far-right camp was a successful step towards electoral growth.
In comparison, as a relatively moderate PRRP, UKIP was much more successful in capturing a share of the voter-base in general elections than its extremist counterpart. Indeed, although support for the two parties increased in similar increments between 1997 and 2010, UKIP’s electoral result trumped the BNP’s in every general election for the years under study. Due to its relative success, UKIP’s path towards ideological moderation began in 2015, when the party published a comprehensive manifesto that rebranded it from single-issue party to a more well-rounded and competitive opponent. In response, the party was able to set a record, capturing a share of 13% of the votes in the 2015 general election. Thus, UKIP’s ideological moderation and diversification made it more electorally appealing by meeting the interests of a wider portion...
of the electorate. By this time, it was evident that UKIP posed a greater threat to the mainstream establishment than its counterpart.

It is important to insist that the British case is a very unfriendly institutional framework for the far-right. This is because of the country’s first-past-the-post electoral system, which makes it very hard for smaller parties, such as the far-right in Britain, to achieve representation in national parliament, particularly if the far right is split into two competing parties. As a result, there is a notable gap between the number of votes received by these parties and their lack of parliamentary representation. This is illustrated by Figure 4, which shows the lack of seats gained by the far-right, despite their improved electoral performance.

Figure 4: Percentage of Seats Received by the Far-Right and their Mainstream Competitors in British General Elections (1987-2015)

This gap in representation has two contradictory effects. On the one hand, the gap fuels the far-right camp’s anti-establishment rhetoric, proving that the system is biased against them in favor of mainstream parties and is therefore not representative of the people’s desires. On the other hand, this lack of parliamentary representation acts as a feedback loop; people who otherwise support these parties may be dissuaded from voting for them due to the knowledge that their vote will not result in parliamentary representation. This is supported by the fact that smaller parties gain more seats in European elections, which use the proportional representation voting system.

Overall, both the BNP and UKIP have experienced electoral growth following the implementation of their modernization and ideological moderation strategies. Based on this, although I cannot prove a causal relationship from moderation to electoral success, it is evident that moderation and electoral growth go hand in hand. In turn, ERPs are not static, but are likely to engage in ideological moderation and diversification leading them to evolve into PRRPs. Indeed, the parties’ electoral results for the British general elections between 1987 and 2015 illustrate that UKIP – as a PRRP – consistently performed better than the BNP – initially an ERP – in British general elections; it is only after the BNP began to mimic UKIP’s PRR tendencies that it began to achieve electoral growth. Goodman and Johnson (2013) deem the BNP’s tactics a “duplicitous strategy” in which the party only moderates its rhetoric to the public but continues to espouse and promote its extremist ideology in private (p.2). This suggests that extremist parties can achieve electoral growth by masquerading under a moderate mask.

In addition to this, the parties’ electoral growth attests to the fact that far-right parties are dynamic and are able to shift along the ideological spectrum within the far-right camp. This highlights a gap in Mudde’s democratic theory. It is not enough to classify far-right parties and
assume that their classifications are set in stone, but rather we must recognize their ability to modernize and moderate themselves in pursuit of electoral success and parliamentary representation.

4.4 Concluding Remarks

Overall, using Britain as a case study, this chapter has tested Mudde’s (2012) theory of the democratic order. The chapter first categorized Britain’s two far-right parties within the typology of the far-right. Unlike Mudde’s theory assumes, the far-right is not static, but undergoes ideological moderation in an attempt to maximize its appeal to voters. This is especially the case with ERPs, which shift their ideology towards that of PRRPs, their relatively moderate counterparts. The case of Britain illustrates that the electoral success of PRRPs increased after their ideological moderation. Despite their changes and moderation, however, the anti-EU stance of the far-right remains unchanging.

The chapter has also highlighted the importance of taking into account the fragmentation of the far-right camp on their parliamentary representation and access to cabinet positions, making the electoral breakthrough of the far-right less threatening to their mainstream competitors. This is especially the case in majoritarian electoral systems, such as that of Britain, which make it more difficult for smaller parties to achieve an electoral breakthrough.
5. THE EVOLUTION OF IMMIGRATION LEGISLATION IN BRITAIN (1990-2016)

In this chapter I discuss the evolution of immigration laws in Britain between 1990 and 2016. The chapter begins by tracing the changes in the restrictiveness of Britain’s immigration laws between 1990 and 2016 and contextualizing them within the domestic and international political environment in sections 5.1 and 5.2. The aim of this section is twofold: to elucidate the direction of Britain’s immigration laws over the years, and to investigate the origins of each law. Section 5.3 aims to elucidate the far-right’s agenda-setting power by examining whether or not the two far-right parties impacted public opinion. This is followed by section 5.4, which tests Mudde’s theory by examining whether or not Britain’s restrictive immigration laws were incited by a Conservative government. If that is the case, then the second half of Mudde’s theory will hold true, proving that the Conservative government - as the mainstream right competitor of the far-right - is more susceptible to the electoral pressure of UKIP and the BNP. Of course, this is also dependent on the sequence of restrictiveness, depending on whether or not restrictive immigration laws were enacted following the electoral breakthrough of the far-right. Finally, the chapter ends with the concluding remarks in section 5.5.

5.1 Measuring the Restrictiveness of Immigration Legislation in Britain

This section builds up on the definitions and distinctions of immigration laws and restrictiveness defined in section 2.2. In terms of the former, section 2.2 offered a distinction between immigration and integration policies. Whereas immigration is concerned with the border-crossing process, integration highlights the concerns of immigrants living within the country (Lehmann & Zobel, 2018). The focus of this thesis is on the former. Therefore, when measuring
immigration laws, this thesis considers labor immigration laws, family reunification, asylum, and illegal immigration policies (Givens & Luedtke, 2005).

Restrictive immigration laws are those that place limits on “the rights and/or freedoms of immigrants (Givens & Luedtke, 2005, p. 4). Examples include laws that require language tests as conditions for entry, laws that place quotas on certain nationalities, and laws that restrict immigration based on conditions of income (Akkerman, 2012).

In order to measure changes in the restrictiveness of immigration policy, this thesis requires a source that meets four sets of criteria. The first criterion requires a source that contains relevant variables. I determine relevance based on three factors. Firstly, the source must distinguish between immigration and integration laws when measuring restrictiveness. Sources that combine the two policy areas will provide an inaccurate representation of the issue, as illustrated by the aforementioned distinction between them. Secondly, the source must cover all forms of immigration policies and all target groups - including labor migration, family reunification, and refugees/asylum-seekers. Any exclusion will skew the findings. Finally, as this thesis must track changes in the restrictiveness of immigration policies over time, the source must use time-series data. The second criterion requires that the source include Britain in its data. The third criterion requires a disaggregated level of analysis over an aggregated country-level analysis. This is because, while aggregate data offers an interesting point of comparison between countries, it is not so useful when the focus is a country case study. Finally, the fourth criterion requires a source that examines the years between 1990 and 2016.

Essentially, the source must measure the change in the restrictiveness of immigration policy in Britain on a disaggregated level between the years 1990-2016. It is worth noting that
there are a number of projects and databases dedicated to measuring the restrictiveness of immigration policies on a global and local scale. These include the United Nations Department of Economics and Social Affairs (UN DESA), the Migration Integration Policy Index (MIPEX), the Immigration Policies in Comparison (IMPIC) project, and the Determinants of International Migration (DEMIG) database. As none of these sources fully meets the aforementioned criteria, this thesis uses a combination of the latter two sources, the IMPIC project and the DEMIG database.

The IMPIC project “provides a set of sophisticated quantitative indices to measure immigration policies in a comprehensive way across time, countries and policy fields” (Migration Data Portal, 2017). The unit of analysis of this database is each immigration law. The dataset clearly distinguishes between immigration and integration policies, focusing on the four sub-groups of the former: labor migration, family reunification, asylum-seeking, and co-ethnics. The IMPIC dataset is focused on legal regulation and does not measure how laws are applied or enforced in practice (Migration Data Portal, 2017). The IMPIC dataset does not fully meet the third and fourth criteria previously established: the dataset stops at 2010, leaving six years out, and the project measures changes in the restrictiveness of immigration policies on an aggregate level, for the overall country. As a result, its country-level measurements give the appearance of an unchanging level of restrictiveness in Britain’s immigration policy, hiding most of the cross-temporal variation that a disaggregated level of analysis would flesh out. Indeed, the dataset codes the restrictiveness of countries’ immigration policies on a scale of 0 to 1, where 0 is the “least restrictive” and 1 is the “most restrictive”. While these scores are useful in situating the restrictiveness of the country’s immigration policies in comparison to other countries, it shows
very little in terms of fluctuations within the country across time. Therefore, findings from the IMPIC project will be complemented by data collected from the DEMIG database.

The DEMIG database tracks changes in migration policies enacted by 45 countries between the years 1945 and 2013 (International Migration Institute, 2019). The unit of analysis of this database is the change in restrictiveness of each individual immigration law. Although the database codes both immigration and integration policies, the two are not aggregated and are therefore easily separated. The DEMIG variables are measured on a disaggregated scale, highlighting cross-temporal variations within individual countries. An additional benefit of using the DEMIG database is the comprehensiveness of the data. This is especially useful for further analysis, as the data offers a breakdown of the target group of each policy (students, family members refugees, irregular migrants, and low- and high-skilled workers), in addition to the policy area.

It is important to consider the limitations of using the DEMIG database as the sole disaggregated source for measuring immigration policy. Firstly, DEMIG is purely focused on national policy making. Consequently, any changes in relevant supra-national policies (on the EU level, for instance) or bilateral agreements are not included in this data (International Migration Institute, 2015). Secondly, indicators of restrictiveness are based on the nature of the policy itself and do not measure how the law is enforced in practice. However, while this is important to consider, it does not fall under the scope of this study, which is concerned with the role of the radical right in contributing to changes in immigration legislation. Finally, as DEMIG covers the years 1990 to 2013, three years are not included by the data. Therefore, these three years must be supplemented by an external source. I achieve this by compiling immigration policies for the remaining three years and categorizing them according to the parameters defined
by DEMIG. In order to maintain uniformity and to minimize inconsistencies and variances in measurement between the years, I abide by the database’s specified methodology and parameters when categorizing these remaining laws. The DEMIG database categorizes each law according to an ordinal scale based on restrictiveness and magnitude. Restrictiveness is coded as: “more restrictive”, “less restrictive”, or “no change”. Magnitude is coded as: “major”, “minor”, “mid-level” or “fine-tuning”. In order to facilitate graphical representation, I have recoded both variables into one numerical scale that ranges from -1 to +1, as explained in Table 4. A law that has not resulted in a change in restrictiveness is coded with a 0.

Table 4: Codification of DEMIG Indicators of Immigration

<table>
<thead>
<tr>
<th>Restrictiveness</th>
<th>Magnitude</th>
<th>Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less restrictive (-)</td>
<td>Major change</td>
<td>-1</td>
</tr>
<tr>
<td></td>
<td>Mid-level change</td>
<td>-0.75</td>
</tr>
<tr>
<td></td>
<td>Minor change</td>
<td>-0.50</td>
</tr>
<tr>
<td></td>
<td>Fine-tuning change</td>
<td>-0.25</td>
</tr>
<tr>
<td>More Restrictive (+)</td>
<td>Major change</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Mid-level change</td>
<td>0.75</td>
</tr>
<tr>
<td></td>
<td>Minor change</td>
<td>0.50</td>
</tr>
<tr>
<td></td>
<td>Fine-tuning change</td>
<td>0.25</td>
</tr>
</tbody>
</table>

My coding for these three years is shown in Appendix A. Note: policies with “N/A” and “Change in restrictiveness cannot be assessed” removed from data.
Since this study is looking at changes in restrictiveness over time, I have calculated the net change of all policies occurring during a given year (see Appendix A). To sum up, we can measure three indicators for each year. Firstly, the number of laws passed. This highlights the relevance and intensity of the topic of immigration during a given year; the greater the number of laws passed the more relevant and pressing the issue. Secondly, the database illustrates the direction of the change in restrictiveness during a given year (more restrictive or less restrictive). The far-right is more likely to have influenced the process of lawmaking during years that were more restrictive. Finally, the sum of the change in restrictiveness during a given year reflects the intensity of the issue. A greater sum in either direction shows that there was a greater change in the law, further highlighting its relevance during that year.

5.2 Changes in the Restrictiveness of Immigration Laws

Figure 5 shows fluctuations in Britain’s immigration policy on an aggregate level, based on data from the IMPIC project. Generally, the figure illustrates that the restrictiveness of Britain’s immigration policy was relatively constant relative to other countries.
Figure 5: Restrictiveness of Migration Control Policy (1990-2010)

According to the IMPIC dataset, the level of restrictiveness of immigration laws in the UK increased during the decade from 1990 to 2000 and has remained stable since. IMPIC data, however, give a false sense of stability, for reasons already explained in the previous section.

Figure 6 shows changes in the levels of restrictiveness of immigration legislation between 1990 and 2016, based on the scale of restrictiveness calculated with data from DEMIG and my own calculations. Significant fluctuations in the levels of restrictiveness during these years are evident. Britain’s immigration laws fluctuated in restrictiveness over the years, with minor fluctuations in the 1990s, becoming less restrictive in 1994, followed by a sharp increase in restrictiveness in 1996 and gradually opening back again between 1997 and 1999. This was followed by a marked decline in restrictiveness in 2000 (towards a more open immigration policy) and a sharp increase in restrictiveness between 2006 and 2007.

The empirical range of this scale is from -3.75 to 5.25; the greatest change towards more restrictive immigration laws occurred in 2006, while the greatest change towards more open immigration laws occurred in 2000. In the 1990s and early 2000s, Britain’s immigration policies were focused on addressing asylum and refugee laws in response to the significant surge in the number of asylum applications to the UK, starting from the 1990s (Bloch, 2000; Girvan, 2018). These laws continued in the country’s trajectory of implementing gradually restrictive immigration laws that commenced in 1962 (Bloch, 2000). In the years prior to 1993, both Conservative and Labour governments worked to implement immigration controls with the aim of “ensur[ing] good race relations” (Bloch, 2000, p.30).

John Major continued in this direction upon ascending as Prime Minister of the Conservative government in 1990, starting with the introduction of the Asylum and Immigration Appeals Act in 1993, which aimed to refine the asylum system (see Table 5; Bloch, 2000; Girvan, 2018; Audickas, 2020). While the act worked to facilitate the asylum process, by
allowing applicants to contest their rejection and providing financed housing for accepted asylum-seekers, it also introduced harsh restrictions to the asylum process with the aim of reducing asylum claims (Bloch, 2000; Girvan, 2018). This included the introduction of fingerprinting as a means of identifying applicants, and the detainment of applicants until a decision was reached around their appeal. Furthermore, the act extended the Carriers’ Liability Act, demanding that airlines require transit visas in order to ensure that travelers did not remain in the country to apply for asylum (Bloch, 2000).

Table 5: Governing Party and Prime Minister in the UK, 1990-2016

<table>
<thead>
<tr>
<th>Year</th>
<th>Cabinet</th>
<th>Prime Minister</th>
<th>Percentage of Seats: Governing Party</th>
<th>Percentage of Seats: BNP</th>
<th>Percentage of Seats: UKIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990 (based on 1987 election)</td>
<td>Conservative</td>
<td>Margaret Thatcher</td>
<td>57.8%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>1992</td>
<td>Conservative</td>
<td>John Major</td>
<td>51.6%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>1997</td>
<td>Labour</td>
<td>Tony Blair</td>
<td>63.4%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>2001</td>
<td>Labour</td>
<td>Tony Blair</td>
<td>62.5%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>2005</td>
<td>Labour</td>
<td>Tony Blair</td>
<td>54.9%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>2010</td>
<td>Coalition (Conservatives-Liberal Democrats)</td>
<td>David Cameron</td>
<td>55.8% (47% Conservative, 8.7% Liberal Democrat)</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>2015</td>
<td>Conservative</td>
<td>David Cameron</td>
<td>50.7%</td>
<td>0%</td>
<td>0.15%</td>
</tr>
</tbody>
</table>
Despite its restrictive nature, the Asylum and Immigration Appeals Act received very little opposition neither from the House of Commons nor from the public in general, illustrating the extent to which it reflected the state of the British public’s opinion towards immigrants at the time (Bloch, 2000). Indeed, the Conservative cabinet was under strong electoral pressure for the restriction of non-white immigration to Britain at a time of “political crises abroad - the fall of Communism in Eastern Europe; conflicts in Africa; and the disintegration of Yugoslavia - which produced a sharp increase in asylum applications to Britain… [sparking] significant public and media alarm about a wave of impoverished refugees” (Bloch, 2000, p.13).

The main area of consensus between the political parties at the time was the phenomenon of “bogus” asylum seekers, which were perceived by Conservative and Labour Members of Parliament (MPs) alike to be exploiting the system (Bloch, 2000). In fact, the issue of bogus asylum seekers was referred to in the Labour party’s 1992 manifesto (Bloch, 2000). Despite this area of agreement, the Labour party expressed concerns that the Asylum and Immigration Appeals Act might hinder “genuine” asylum seekers from receiving asylum (Bloch, 2000, p.37). Tony Blair, leader of the Labour party, also opposed the act on the basis of its racist nature, highlighting that “good race relations cannot be other than harmed when we pass legislation which in the main will adversely affect one part of our community only” (Bloch, 2000, p.37).

John Major’s Conservative government was less restrictive in the domain of economic migration. Indeed, the following year, the Conservative government introduced liberal reforms in the domain of economic immigration with the establishment of the Immigrant Investors Program in 1994 (DEMIG, 2015). The program targeted a high-income bracket of immigrants by allowing...
entry to immigrants prepared to invest a sum of £0.75 million at least (DEMIG, 2015). The effect of the far-right during this time was very minimal. Indeed, while UKIP had not yet been established, the BNP was still considered an extremist right party, having not yet implemented its modernization strategy, and was receiving less than 1% of the total votes in general elections (see Figure 3).

As the 1993 Asylum and Immigration Appeals Act proved ineffective in curtailing asylum claims, it was updated with the Asylum and Immigration Act (1) in 1996 under the same cabinet with the aim of targeting fraudulent asylum-seekers (Girvan, 2018; Audickas, 2020). The act’s role in restricting immigration is reflected in the sharp increase in restrictiveness in 1996. This was justified by Michael Howard, the then Home Secretary, as a mechanism to reduce the attractiveness of the country to “bogus” asylum seekers looking for employment opportunities and welfare provisions (Bloch, 2000). Not only did this act restrict the immigration process on this basis, but it also made life more challenging for illegal immigrants residing in the UK. Indeed, in addition to increasing search and arrest powers, giving police and immigration officers the freedom to arrest without warrant any “suspected” illegal migrants, the act also extended punishments for false asylum claims and established a fine for employers of illegal immigrants (DEMIG, 2015; Girvan, 2018). On top of this, the act further refined the asylum process, completely neglecting asylum claims made by citizens of “white-listed nations”, countries which were deemed to be safe by the Secretary of State (Girvan, 2018). Furthermore, the act removed the privileges of financed housing and child benefit until asylum-seekers’ claims were certified, in addition to prohibiting asylum seekers from applying for a work permit until they have been residents in the country for six months (Bloch, 2000; Girvan, 2018).
The opposition’s response to this legislation was similar to their response to the 1993 act, with Labour MPs expressing a “moderate” opposition to the bill whereby they recognized the need to combat bogus asylum seekers but feared the potential damage that such a law would have on “race relations” (Bloch, 2000, p.37). Accordingly, their response was described as “a 'twin track approach of publicly opposing the bill, but in such a way that they could not be accused of being 'soft' on immigration’” (Bloch, 2000, p.37). Two aspects of the act - the White List and new employment regulations - sparked great controversy among both Labour and Conservative MPs on the grounds of their apparent racial discrimination (Bloch, 2000). In her critique of the new employment regulations, Gillian Shepherd, a Conservative MP and the Minister for Education and Employment at the time, wrote a letter to the Home Secretary stating: “There is a danger that employers will concentrate checks on prospective employees whom they see as a risk, if not simply exclude them from consideration for the job. Either way there shall be racial discrimination” (Bloch, 2000, p.38). Therefore, although the act was implemented by the Conservative government, it did not go without criticism from both members of the opposition and members of the same party.

The small increase in the restrictiveness of the UK’s immigration policy in 1997 may be explained by a number of factors. Firstly, the country’s ratification of the Dublin Conventions placed emphasis on upholding the rights of refugees and asylum-seekers, while placing responsibility on the country to assess the asylum claims of applicants (DEMIG, 2015; Girvan, 2018). Secondly, the Labour party came into power in 1997 under the leadership of Tony Blair, inheriting a system in which the political salience of immigration was very low and in which the public’s perception of immigration was “at its least negative for decades” (Jennings et al., 2015, p.13; Audickas, 2020). Accordingly, the new cabinet shifted Britain’s immigration laws towards
a policy of “selective openness”, which opened up to economic migration while developing the country’s security framework. This was largely in line with the legislations of their Conservative predecessors, who placed restriction on “problematic” asylum seekers, while opening up to “forms of migration that were most positively regarded by the public (skilled labour, students)” (DEMIG, 2015; Jennings et al., 2015, p.13). This also coincided with the establishment of UKIP in 1997, while the BNP continued to receive a less than percent share of the votes (see Figure 3). The Labour government was also very responsive to the interests of lobbyists who demanded a more liberal system on economic migration. In this regard, the Labour cabinet introduced two schemes: the Innovator’s Scheme and the Highly Skilled Migrants Programme (Jennings et al., 2015). Interestingly, although observers expected the Labour cabinet to enact an immigration policy “more concerned with social justice than narrow national interest”, not only did the cabinet not repeal any of the laws established by the Conservative government but they restricted them even further (Bloch, 2000, p.39).

This was especially the case with the establishment of the Asylum and Immigration Act (2) in 1999 under the same cabinet (DEMIG, 2015; Audickas, 2020). The act was preceded by the publication of a White Paper, “Fairer, Faster and Firmer—A Modern Approach to Immigration and Asylum” in 1998, in which the Labour cabinet defended the Asylum and Immigration (2) bill on the basis of promoting racial equality (Bloch, 2000). Interestingly, the title of the White Paper mimicked the words of the Conservative Home Secretary, Michael Howard - of which the Labour party was in opposition to three years prior - in his statement demanding the implementation of “firm but fair immigration control” (Bloch, 2000, p.39).

The 1999 act expanded on legislations established by the Conservative government, further restricting Britain’s immigration laws by extending increased search and arrest power to
immigration officers, in addition to expanding the capacity of immigration detention facilities (DEMIG, 2015; Girvan, 2018). The act also expanded the 1998 Immigration Carriers’ Liability Act by applying a £2,000 fine per illegal passenger, in addition to adding imprisonment and confiscation of vehicle charges (DEMIG, 2015; Girvan, 2018). Furthermore, the legislation sought to place a restriction on marriages for immigration purposes by requiring officers to report “suspicious marriages” (DEMIG, 2015; Girvan, 2018). Finally, the act replaced asylum seekers’ welfare benefits with a voucher scheme, in addition to introducing dispersal policies that relocated asylum seekers around the country with the aim of reducing their concentration in one area (Girvan, 2018). This coincided with the onset of the BNP’s path towards ideological moderation, in which the party began to position itself as ‘the new Labour’, while still gaining a relatively minor share of the votes (John et al., 2006).

Certain aspects of the 1999 act proved to be more controversial within the Labour cabinet than others. For instance, although Labour strongly opposed the introduction of pre-entry controls under the Conservative government while they were in opposition, the party’s leadership saw no issue in implementing the same policy once in office (Bloch, 2000). Furthermore, although the 1999 act initially suggested the implementation of a cashless system, the party’s leadership was forced to introduce a £10 cash stipend to asylum seekers after a number of Labour MPs threatened a rebellion in opposition to this suggestion (Bloch, 2000).

In addition to the Asylum and Immigration Act (2), the Labour cabinet introduced a number of comparatively small liberal reforms. For instance, they eliminated the White List of countries introduced by the Conservative regime - an initiative that they publicly opposed at the time of its implementation (Bloch, 2000). Tony Blair also liberalized legislation around the migration of international students as the first of two Prime Minister Initiatives in 1999, in
addition to opening up the country’s laws in the area of family reunification (Jennings et al., 2015).

The opening of immigration policy in 2000 was the result of the introduction of more lenient immigration policies in the domain of labor and business immigration, such as the Scheme for Innovators, which was established with the aim of “attract[ing] entrepreneurs whose businesses are expected to create exceptional benefits for UK” (DEMIG, 2015). This year also witnessed the creation of the National Asylum Support Service and a fast tracking of the procedure for asylum seekers who were engaged in “begging” in the streets of the UK (DEMIG, 2015). Finally, the Race Relations Amendment Act was also introduced in 2000, further expanding antidiscrimination legislation with regards to police and immigration officers (DEMIG, 2015). During this time, the Labour government was criticized by its Conservative opposition for being too lenient on asylum seekers. In the Asylum and Immigration debate of 2000, Ann Widdecombe, a Conservative MP stated:

“this House condemns the Government's failure to deal with the widespread abuse of the right to political asylum and its incompetent management of the Immigration and Nationality Directorate… believes that the Government's 'soft touch' policy has helped bring about the current crisis…. Thousands of asylum seekers whose applications have been refused are still here… The backlog of unprocessed asylum applications now stands at more than 100,000… Can the Home Secretary confirm that that is double the number that Labour inherited on coming to office”. (Hansard Deb 2/2/2000: 343)

The early 2000s commenced with a rise in restrictiveness. Although there was a further opening up in labor immigration policies in 2001, it was matched with the restrictive Antiterrorism, Crime and Security Act, which introduced heavy restrictive measures on immigration in the name of national security (DEMIG, 2015). This was sparked by the 9/11 attacks on the World Trade Centre in New York, which led the Labour government to take a hard-restrictive stance on the immigration of ethnic minorities (Schuster & Solomos, 2004). In
addition to the role of the media in vilifying refugees and asylum seekers during this time, the Conservative opposition pressurized the Labour government to “repeal parts of the Human Rights Act to allow the deportation of suspected and convicted terrorists even if they genuinely fear[ed] that they would be tortured or executed” (Svedberg, 2004, p. 30; Richmond, 2005). This pressure was met with little resistance by the Labour regime, with Labour MPs making it clear that they intended “to bring about radical and fundamental reform” in addition to “sending a signal to people throughout the world that the United Kingdom [was] not a soft touch” (Schuster & Solomos, 2004, p. 278-281). These events coincided with UKIP’s first electoral breakthrough in terms of gaining a full percentage share of the votes, an achievement that the BNP quickly followed in the next general elections (see Figure 3).

The year 2002 witnessed the introduction of even more restrictive measures with the Nationality, Immigration, and Asylum Act (DEMIG 2015; Girvan, 2018). Schuster and Solomos (2004) noted the shift in the Labour government’s language between 2001 and 2002, with the 2002 act highlighting the importance of integration and social cohesion to the maintenance of harmony within the country by placing an emphasis on British culture, values, and identity. This was largely in response to the surge in asylum applications, which increased from 71,025 applications in 2001 to 84,130 applications in 2002 (Richmond, 2005). Indeed, in addition to introducing identity cards for asylum seekers, the act introduced added security to fortify illegal entry points; allowed asylum seekers to be detained at any point during their application process; and established induction, accommodation, and removal centers (DEMIG, 2015). On top of this, the act required all new citizens of the UK to speak English and to pass a test on their knowledge of British society (DEMIG, 2015). Section 55 of this act proved to be especially controversial within the human rights regime, as the section reintroduced the White List of countries that had
been previously introduced by the Conservative cabinet (Schuster & Bloch, 2005). In May 2004, the section was found to be in breach of the human rights of three asylum seekers and was removed in an amendment of the act (Schuster & Bloch, 2005).

The country’s immigration legislation opened up in 2003 with the April Amendment that “removed the requirement for graduate students to show an intention to leave the United Kingdom when coming to study” along with the introduction of a low-skilled work permit scheme that addressed the labor shortages in a number of sectors (DEMIG, 2015). However, these openings were balanced with the establishment of other restrictive laws in the same year, including the introduction of the EURODAC database, the removal of the right of asylum seekers to work after six month of waiting for an asylum decision, and the establishment of the Assisted Voluntary Return of Irregular Migrants (AVRIM) program (DEMIG, 2015; Girvan, 2018). While the EURODAC database logged asylum seekers’ fingerprints and allowed member states to deport them to the EU country that they first arrived in, the AVRIM program facilitated the return of illegal migrants (DEMIG, 2015; Girvan, 2018). Therefore, immigration laws under Tony Blair’s Labour cabinet were largely restrictive in the domain of refugee and asylum-seeking laws, with selective openings for students and economic migrants.

In the next three years, Britain’s immigration policy was increasingly restricted, reaching its peak for the years under study in 2006. Interestingly, this peak in the restrictiveness of the country’s immigration laws was reached under a Labour government. These years also marked the introduction of technological developments that facilitated the policing of immigrants, such as the introduction of biometric identification (Girvan, 2018). The 2004 EU enlargement brought with it a number of policies that opened up toward the movement of labor, such as the Highly Skilled Migrant Program, the Science and Engineering Graduates Scheme, the Seasonal
Agricultural Workers Scheme, and the Working Holiday Makers Scheme (DEMIG, 2015). However, these openings were accompanied by the Asylum and Immigration Act (3), which introduced further restrictions in the domain of refugee and asylum policies, and trafficking and illegal migration (Girvan, 2018). The act legalized arrest without warrants for applicants without asylum documentation, increased fines for those employing illegal employees, established penalties for the trafficking of immigrants, and permitted “the removal of refugees from the UK to countries ‘known to protect refugees and to respect human rights.’” (DEMIG, 2015; Girvan, 2018). In addition to this, the UK government employed a number of electronic surveillance strategies in order to track asylum seekers (DEMIG, 2015; Girvan, 2018). These restrictions matched the public mood in 2004, during which public opinion on immigration had become highly negative with the political salience of the issue dramatically rising (Jennings et al., 2015). Support for the far right was also reaching record levels, placing additional pressure on the government to introduce restrictive measures (Jennings et al., 2015).

These restrictive measures were exacerbated in 2005 with the implementation of a five-year plan that worked to further manage migration and secure the borders (DEMIG, 2015). The peak in restrictiveness in 2006 may primarily be attributed to the Immigration, Asylum, and Nationality Act (DEMIG, 2015; Girvan, 2018). Not only were asylum seekers detained in removal centers no longer eligible for earning minimum wage when working within the center, but the immigration process itself was restricted to those entering the country as students or dependents (DEMIG, 2015 Girvan, 2018). On top of this, immigration officers were given the jurisdiction to confiscate travel documents and refuse refugee status to any applicant who had a terrorist record or who was deemed to be a terrorist by the officer (DEMIG, 2015). These changes were epitomized by the UK’s new definition of asylum claims, which highlights the
country’s distaste for the process: “a claim made by a person that to remove him from or require him to leave the United Kingdom would breach the United Kingdom’s obligations under the Refugee Convention.” (Girvan, 2018). Jennings et al (2015) explained this peak in the restrictiveness of immigration laws in 2006 as the product of mainstream parties’ scramble to please the public, stating that:

“Both Labour and Conservative policymakers have sought to tighten policy in response to intense public demands but face more significant constraints in doing so than their predecessors. In particular, they have been unable to restrict the largest migrant stream causing public concern, labour migration from Eastern Europe, so they have been forced instead to pursue an escalating series of incremental restrictions against other forms of migration to demonstrate responsiveness”. (p.11)

The UK Borders Act in 2007 under the Labour government also led to an increase in restrictiveness. Not only did the act require biometric registration for those entering the UK, but it also allowed the immediate deportation of immigrants with certain criminal offenses, and expanded immigration officers’ detention search and entry powers (DEMIG, 2015; Girvan, 2018). Based on the points-system measurement of restrictiveness, Figure 6 shows that there was no overall change in restrictiveness in 2008. There was an increase, however, of restrictiveness in 2009. This was due to the Borders, Citizenship, and Immigration Act, which required foreign students to be sponsored, introduced fingerprinting for foreign criminals, and restricted access to public services for those on Probationary Citizenship (DEMIG, 2015). The points-based system was also restricted for labor market immigrants (DEMIG, 2015).

In 2010, a Conservative-Liberal Democrat coalition government was voted into power under the leadership of David Cameron (Audickas, 2020). This resulted in a very minimal decrease in 2010, followed by small increase in 2011 and 2013. This is because, although some restrictions were removed on access to the UK labor market, in addition to the introduction of amendments to the appeals process, they were accompanied with increased restrictions in the
form of increased powers to immigration officers, in addition to requiring immigration paperwork to rent and for the issuing of a driver’s license (DEMIG, 2015). This year marked the start of UKIP’s path towards ideological moderation and diversification, in which the party worked to shift its image from a single-issue party focused on leaving the EU to a well-rounded party that addressed a range of political issues (Kutti, 2016). UKIP also worked to distance itself from its extremist counterpart, the BNP, during this time with the aim of entering mainstream politics (Kutti, 2016). Both of these initiatives paid off, as evidenced by the party’s improved electoral performance between the 2010 and 2015 general elections (see Figures 2 and 3).

While the 2014 Immigration Act included provisions for the removal of illegal immigrants, including their partners, children, or other adult dependent relatives, it also placed restrictions on the removal of children along with their parents (Legislation, 2014). This policy was followed by the 2016 Immigration Act under the Conservative government, which increased restrictiveness with regards to illegal migrants, making it harder for them to access housing, open bank accounts, or getting driver’s licenses, in addition to raising sanctions on employers who hire illegal migrants.

There are two notable takeaways from the twenty years of British immigration legislation described here. Firstly, the main restrictions in immigration laws have been placed on low-skilled workers, refugees, and asylum-seekers. These restrictions have been highly comprehensive, addressing the border-crossing process itself and placing restrictions and penalties for the transport, employment, and harboring of these groups. These restrictions have preceded the electoral breakthrough of the far-right in Britain (i.e. the BNP and UKIP). Secondly, the Labour government played a large role in the advancement of the country’s restrictive immigration laws. In fact, the country reached its peak in immigration restrictiveness
under a Labour cabinet. This suggests an alternative path to Mudde’s (2012) democratic order, which focuses only on the effect of the far-right on the mainstream right. The theory fails to take into account the potential pressure of the far-right, and its agenda-setting power, in activating anti-immigration policy positions of the mainstream left as well. The Labour party reacted to the public’s growing anti-immigration attitudes during this period. Therefore, it is important to take into account the potential impact of public opinion towards immigration during the years.

5.3 Electoral Success and Public Attitudes towards Immigration

According to the _verrechtsing_ thesis, and in line with Mudde’s theory of the democratic order, the far-right poses a notable threat to the mainstream right due to their agenda-setting power over the voter-base (Mudde, 2012). This agenda-setting power is responsible for swaying public opinion on the salience of various issues that are pertinent to the far-right, including immigration. Therefore, public opinion may be used to measure the success or failure of the far-right as an agenda-setting power. In order to measure this variable, this thesis will trace changes in the importance of immigration, relative to changes in the public salience of other pressing issues, as a means of measuring the far-right’s agenda-setting power in Britain.

Although I cannot prove a direct cause-and-effect relationship between the salience of immigration amongst the British public and the agenda-setting role of the far-right, I can at least trace the temporal sequence in which factors affecting the salience of immigration occurred. This is achieved by tracking the changes in the importance of immigration amongst the public against changes in unemployment rates, GDP per capita, net inflow of migrants, and the number of votes for each party during the years under study. As illustrated by the literature review in section 2.3, these factors are strong determinants of public opinion and the salience of immigration in the public sphere. Therefore, a notable change in one or more of these factors may have a potential
impact on the changing direction of public opinion towards immigration. Generally, it is predicted that the importance of immigration as a political issue will precede the electoral success of the far-right (Soroka & Wlezien, 2010; Mudde, 2012). This sequence of events indicates that the electoral success of the far-right played a role in the rising anti-immigration attitudes and importance of immigration as a political issue. This is in line with Soroka and Wlezien’s (2010) theory of the ‘thermostatic model’, which maps out a domino effect in which the growing public salience of an issue such as immigration leads to the electoral success of the far-right and the subsequent increase in the restrictiveness of immigration laws.

In order to measure changes in public opinion towards immigration, this thesis requires a source that meets three sets of criteria. The first criterion requires a source that contains relevant variables. This entails that the source tracks the public’s perception of and opinion towards immigration, and that the source uses time-series data. The second criterion requires that the source include Britain in its data. Finally, the source must examine the years between 1990-2016. Essentially, the source must be able to track changes in the British public’s opinion towards immigration between the years 1990-2016. While there are many surveys and polls conducted by professional organizations that track British public opinion on immigration, none of these sources fully meets the aforementioned criteria in the domain of public opinion. Therefore, this thesis measures public opinion through the lens of issue relevance. This is achieved using survey data from Ipsos-MORI, a source reputable for its high-quality data based on its “sampling and interview procedures” (Blinder & Richards, 2020, p.2). Using this source, I measure public opinion towards immigration through the dimension of the relevance of immigration as a policy issue between the years 1990 and 2016.
The relevance of immigration for the public is measured using data from Ipsos-MORI based on the question “What would you say is the most important issue facing Britain today?”. This dimension is a useful alternative to measuring positive and negative public attitudes towards immigration; rather than directly asking the public about their attitudes towards immigration, the method instead asks them to name the “most important issue(s)” facing the nation and measures how often people name immigration (Blinder & Richards, 2020). This data is a useful supplement to the first dimension as it illustrates public opinion towards immigration for all the years under study. It is important to note that, until 2015, the category of immigration was included under the heading of “race relations”; it was only after the 2014 survey that immigration was classified under its own heading (Ipsos MORI, 2013). Despite this change, it is worth noting that the term ‘race relations’ was not completely inextricable to the issue of immigration during this time period. This is illustrated by Labour MPs’ common use of the term ‘race relations’ in parliamentary debates and press conferences discussing immigration laws (see Bloch, 2000). In fact, an entire legislation directed at improving the immigration service was titled the Race Relations Amendment Act in 2000 (DEMIG, 2015). Therefore, immigration commonly fell under the heading of race relations within the sociopolitical context of these years.

Figure 7 places the relevance of immigration against the fluctuations in several other pressing issues in the British political climate, including membership in the European Union and its common market, and unemployment and education. The graph shows that the relevance of immigration fluctuated between the years but increased overall from 2% in October 1990 to 36% in October 2016. The empirical range for the whole period goes from 1% to 56%, with peak salience in September 2015.
Figure 7: Relevance of Immigration in British Public Opinion (1990-2016)

Source: Ipsos-MORI, 2013, (What would you say is the most important issue facing Britain today?)

Figure 8 also tracks the evolution in the subjective opinion about the importance of immigration against potential objective determinants of public opinion towards immigration, including net migration rates, unemployment levels, GDP per capita, and the percentage share of votes received by the far-right parties (the BNP and UKIP) in general elections. The (subjective) importance of immigration generally moved in tandem with the inflow of immigrants to the UK. Indeed, it appears that the two variables followed the same pattern starting in 2002. In contrast, there seems to be no relationship between unemployment, GDP per capita, and (subjective) relevance of immigration. The one exception to this is during the period of the Great Recession, when GDP per capita decreased along with the (subjective) importance of immigration as a political issue.
Essentially, the figures illustrate that public opinion on the importance of immigration was relatively constant in the 1990s, ranging from a scale of 1% to 10% over the 9-year period. This shows that, while a small portion of the British public perceived immigration to be an issue of political importance to the country, the vast majority was relatively apathetic towards immigration. This is the case both in comparison to other political issues and in comparison to the rising importance of immigration in the years to follow. This lack of public attention on the issue of immigration did not match the level of attention that it was awarded by lawmakers under

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9 Importance of migration was calculated using the mean for each year in order to account for fluctuations over the months.
the Conservative and Labour cabinets alike, as shown in section 4.1. Indeed, immigration laws in the 1990s were far from unchanging, experiencing fluctuations towards more restrictive or more open immigration laws under the consecutive governments of Margaret Thatcher, John Major, and Tony Blair. This suggests that the restrictive immigration laws enacted by Labour and Conservative cabinets in the 1990s were most likely influenced by other factors, domestic or international.

The (subjective) importance of immigration as a political issue started to increase in the early 2000s. Indeed, while the (subjective) importance of immigration reached 8% at its peak in the 1990s, the perceived importance of the issue by the British public quickly increased to 27% in September 2001 - coinciding with UKIP receiving its first 2% share of the votes in the 2001 general election - to 40% in February 2005 - when both UKIP and the BNP experience an electoral breakthrough - to 45% in August 2006, before halving in late 2008, in light of the Great Recession, where it remained relatively low until 2010. This coincided with the onset of a number of sociopolitical events that turned public opinion against immigration and increased fears towards immigrants and minorities, including the 9/11 attacks, the heavy media vilification of immigrants and refugees, the surge in asylum application to the UK, and the 2004 EU enlargement (Schuster & Solomos, 2004; Richmond, 2005). This increased public attention and fear towards immigration was met with a shift towards a more restrictive immigration regime under Tony Blair’s Labour cabinet.

The importance of immigration remained relatively constant between 2010 and 2012, with only minor fluctuations between 17% and 33% over the years. This surged in 2013, as the percentage of the British public who perceived immigration to be a pressing issue rose up by a near 10% increment each year, reaching 47% in 2014 and 56% in 2015. This coincided with the
highest ever surge in electoral support for UKIP, in which it received a share of 13% of the votes. By this time, immigration was perceived to be a more pressing issue than unemployment, education, and even Britain’s membership in the EU. This decreased slightly in 2016, so that the relevance of immigration was almost equivalent to that of the EU in the months leading to the Brexit referendum, with immigration leading by 4% in June 2016.

According to Blinder and Richards (2020), despite the British public’s opposition towards immigration overall, public opinion towards immigrants differed on the basis of their countries of origin and skill levels. These factors, in turn, informed the public of more specific characteristics, such as language, religion, culture, and economic status. In general, high-skilled white, English-speaking migrants from European and Christian backgrounds were preferred over low-skilled none-European, coloured migrants from non-Christian or Muslim countries (Blinder & Richards, 2020). In many cases, skill level was awarded higher importance than race, country of origin, or religion among the British public (Blinder & Richards, 2020).

Therefore, the (subjective) importance of immigration as a political issue increased over the years, with notable peaks following the Great Recession and the 9/11 attacks. This suggests that the far-right may have capitalized on the growing political disaffection and mistrust of the political elite at the time, and on larger global socio-political phenomena. In addition to this, the majority of restrictive immigration laws were enacted before the electoral breakthrough of the far-right. This suggests that the Labour party enacted a large part of the restrictive legislation in the 2000s in reaction to the public mood, and not in response to an electoral threat posed by the far-right. This implies that the (subjective) relevance of immigration as a political issue became an important determinant of legislation in the 2000s. Most notably, by 2015, immigration trumped other pressing issues, including EU membership, unemployment, and education. The
(subjective) importance of immigration also correlated with the net inflow of migrants into the country. This illustrates that public opinion towards immigration was not only informed by the media or the anti-immigration declarations of the far-right, but was also informed by actual inflows of immigrants, no matter how relevant.

These findings do not necessarily indicate that the programmatic stances of the far-right did not play a role in influencing immigration laws, but rather that UKIP’s electoral results before 2015 do not capture the effects of its anti-immigration programmatic stances on public attitudes. This is due to Britain’s first-past-the-post electoral system, which makes it difficult for smaller parties to achieve parliamentary representation. Mainstream parties benefit from this disconnect between the public’s support for the far-right’s anti-immigration stances and the electoral performance of the far-right by adapting their policy positions to the public mood that is spurred by the far-right rhetoric - as illustrated by the Conservative and Labour governments’ restrictive immigration laws in response to the public mood.

5.4 Threat to the Mainstream Left and Right

According to Mudde’s theory, the electoral success of the far-right poses a threat to the mainstream right. This thesis takes this theory further, suggesting that the threat of the far-right spills over onto both the mainstream right and left, especially if the far-right undergoes a process of ideological moderation, allowing it to appeal to a greater portion of the electorate, and if the mainstream left is in government and wants to stay there. Looking back at Figures 2 and 3 in section 4.3, we notice that the number and percentage share of votes captured by the mainstream right and left seemed to fluctuate independently of the electoral performance of the far-right. The only exception is the decline in the number of votes received by the Liberal-Democrats in the 2015 general election, coinciding with the rise in the percentage share of votes captured by
UKIP. Despite there being an evident correlation between the electoral performance of the two parties, it is difficult to establish a cause-and-effect relationship. Therefore, in order to explore this further, I must investigate the nature and direction of shifts in voter behavior; in order to understand whether the ideological moderation and electoral growth of the far-right poses any threat to the mainstream left or right, this section will use cross-sectional data from the British Election Study to highlight trends in the direction of shifts in voter behavior.

To begin with, Figure 9 tracks the net percentage change in the votes for the two far-right parties and the parties on the mainstream right and left in general elections. This will illustrate the direction of shifts in voter behavior, if any. Generally, the figure shows that – as expected - each party has had fluctuating votes over the years. The most significant fluctuations for the purposes of this thesis appear to have occurred from 1997 onwards, with the first electoral breakthrough of the far-right. Since then, with the exception of the decline in the BNP’s votes in 2015, the far-right has had a consistently positive net percentage change in votes between general elections ranging between 0.1% to 9.5%. Generally, with the exception of the 1997 general election, the net increase in votes for the Conservative party tended to coincide with support for the far-right; in other words, the Conservative party continued to experience net positive fluctuations in its votes over the years, despite increasing electoral support for the far-right. This preliminary finding suggests that the far-right did not pose an immediate threat to the Conservative party. All parties of the right were increasing their vote shares simultaneously.
In contrast, with the exception of the 1997 and 2015 general elections, electoral support for the Labour party appears to have an inverse relationship with the electoral performance of the far-right; between the 2001 and 2010 elections, inclusive, support for the Labour party progressively decreased, while support of the far-right parties progressively increased. At face value, this may imply that disaffected Labour supporters were opting to vote for the Conservative party or the far-right instead. However, this is not entirely clear at this stage. Finally, although there is a correlation between the increase in UKIP’s votes and the drop in votes for the Liberal-Democrat party in the 2001 and 2015 general elections, the relationship between the two parties appears to move in the opposite direction for the remaining years. Based

on this, there appears to be no evident correlation between the far-right and the Liberal-Democrat party.

To sum up, Figure 9 suggests that the far-right may have posed a threat to the Labour party in the mainstream left, starting in 2001, as increase in electoral support for the far-right coincided with the decrease in the electoral performance of the Labour party. However, this does not prove an unequivocal causal relationship. Thus, in order to deduce whether or not the far-right posed an electoral threat to the mainstream left, Figures 10-16 in Appendix B explore voter behavior in more depth. Using data from post-electoral surveys conducted by the British Election Study, Appendix B illustrates changes in voter loyalties towards the far-right and their mainstream competitors between each general election for the years under study. The data collected is based on responses to two questions that ask which party respondents voted for in the current election and the party that they voted for in the previous election.

Table 6 tracks the direction in which voters changed their votes based on the graphs shown in Appendices C to I. There are three calculations included in this table. The first calculation is shown in the “+/−” column for each party. This illustrates whether the party gained or lost respondents’ votes between the current and previous election. While (+) indicates that more respondents changed their vote to vote for that party, (-) indicates that respondents changed their vote to another party between the previous general election and the current one. The second calculation is shown in the “Net FR” column. This column shows the net increase or decrease in votes for the far-right - the sum of votes for UKIP and the BNP – between the previous general election and the current one. This was used in the third calculation, shown in the “Correlation with FR” column. This calculation measures whether there exists a positive or negative correlation between the performance of the far-right and each mainstream party. While (+)
indicates a positive correlation, (-) indicates a negative correlation, and “none” indicates no correlation between the performance of the far-right and that specific party. An inverse correlation suggests that the mainstream party might be losing its voters to the far-right.

Table 6: Direction of Voter Shifts Based on Post-electoral Survey Data in Appendix B

<table>
<thead>
<tr>
<th>Year</th>
<th>Mainstream</th>
<th>Far-Right (FR)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Conservative</td>
<td>Labour</td>
</tr>
<tr>
<td></td>
<td>+/- Correlation with FR</td>
<td>+/- Correlation with FR</td>
</tr>
<tr>
<td>1987</td>
<td>+</td>
<td>None</td>
</tr>
<tr>
<td>1992</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>1997</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2001</td>
<td>-</td>
<td>+</td>
</tr>
<tr>
<td>2005</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>2010</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>2015</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>Overall correlation with FR</td>
<td>Positive</td>
<td>Mixed</td>
</tr>
</tbody>
</table>

Based on my findings from Figure 9, I expect that Labour will have an inverse relationship with the far-right, indicating that the latter posed an electoral threat on the former by attracting their voters. However, that does not appear to be the case. Indeed, Labour’s electoral
performance based on the British Election Study’s post-electoral survey had a mixed relationship with the electoral performance of the far-right, exhibiting a positive relationship in the 1992, 1997, 2005, and 2015 post-electoral surveys. This suggests that the far-right did not pose a direct electoral threat to the mainstream left in the context of their voters. Nonetheless, although this direct threat did not directly translate into their electoral performance, left-wing politicians may have still felt threatened by the far-right as a result of the combined effects of their gradual electoral success and the heavy media coverage of their rhetoric and agenda. In this regard, Labour’s adoption of the far-right’s anti-immigration ideology may not have been a direct reaction to their electoral pressure but rather a preemptive strategy with the aim of capturing their voter-base before it grew to become a valid threat. This may especially be the case in light of the far-right’s success in surrounding Western European countries, which may have acted as an added incentive for the mainstream left to be proactive in its campaign. This approach was not uncommon in the Western European context. Indeed, one of the strategies used by mainstream parties to prevent the far-right from achieving an electoral breakthrough is that of a cordon sanitaire, which rules out all forms of cooperation with the far-right, effectively creating a “repressive” political environment in which they are unlikely to succeed (Art, 2012, p.44). Thus, the far-right may have been simply perceived as an electoral threat by the mainstream left despite it not posing an actual threat in reality. In turn, this perceived threat may have pressurized the mainstream left to proactively adopt the seemingly popular anti-immigration ideologies of the far-right with the aim of retaining their voters in the dawn of the looming threat of the far-right.

Table 6 also confirms this thesis’ rejection of Mudde’s exclusive focus on the mainstream right by highlighting that the far-right did not pose a direct electoral threat to the mainstream right either, at least not in the British context. Indeed, the far-right appears to have had a positive
or mixed relationship with the Liberal-Democrat and Conservative parties. In the case of the former, the far-right had a mixed effect on the Liberal-Democrat party, exhibiting a positive correlation in 1997, 2005, and 2010; a negative correlation in 2001 and 2015; and no correlation in 1987 and 1992. This suggests that the fluctuations in the party’s electoral performance may not be attributed to the electoral rise of the far-right. Similarly, there was a predominantly positive correlation between the electoral performance of the far-right and that of the Conservative party. This suggests that the far-right did not pose an electoral threat to the Conservative party. On the contrary, the mainstream and far-right parties’ electoral performance appeared to move in the same direction in all but two years, illustrating that the electoral success of the latter did not result in the decline or failure of the former. Both were capturing voters simultaneously.

Overall, this section has operated on a theory-testing and theory-building basis by highlighting the need to consider the effect of the far-right on the mainstream left in Mudde’s theory of the democratic order. Indeed, through its examination of the case of Britain, this section has illustrated the potential threat that the far-right may pose on the mainstream left, compelling the latter to adopt the ideological positions of the far-right in order to prevent it from entering government. Interestingly, this threat is not rooted in any real electoral pressure; although there appears to be an inverse relationship between the electoral success of the far-right and that of the mainstream left, my examination of individual-level post-electoral surveys reveals that there is no true relationship between the two. Instead, it appears that the mainstream left has acted in a preemptive and precautionary manner, working to stifle the far-right before they had a legitimate opportunity to challenge them. Interestingly, the findings question Mudde’s theory in an unexpected direction: the far-right was not a direct electoral threat to the Conservative Party.
since all three parties of the right were growing simultaneously. This is an importance finding on its own. This suggests the need to reformulate Mudde’s theory rather than simply improving it.

5.5 Concluding Remarks

Overall, this chapter has addressed the research question, “to what extent and under what circumstances do far-right parties have an influence on legislation?”. In order to answer this question, I must first establish whether or not the far-right has had an influence - direct or indirect - on mainstream parties. Based on section 5.3, there is a definite relationship between the (subjective) importance of immigration as a political issue and increased support for the far-right in general elections, but this is only the case after the Great Recession in 2009. However, the direction of causality for this relationship is unclear. In other words, it is unclear whether the far-right has had a role in swaying public opinion, thereby leading to an increase in the importance of immigration, or whether the growing public fear of immigration led to the increased electoral support or the far-right. Regardless of the direction of causality, we can assume that there is an overall indirect influence on public opinion.

The next step is to determine whether this indirect influence on public opinion translates into the move towards the enactment of restrictive immigration laws in light of the increased electoral support for the far-right over the years. Section 5.2 illustrated that the most dramatic shifts towards a more restrictive immigration legislation during the years under study occurred in 1992, 1996, 2002, 2006, 2009, 2014, and 2016. When compared to findings from section 5.3, we can see that the majority of these restrictive laws happened before the electoral breakthrough of the far-right, implying that Labour enacted a large part of their restrictive legislation in reaction to the public mood, and not in response to the electoral threat of the far-right. These findings
support Mudde’s theory of the democratic order by showing that the far-right is neither a necessary nor sufficient condition for anti-immigration turns.

My findings from this chapter also suggest that Mudde’s theory of the democratic order is less able to characterize and explain the British case than initially expected. Indeed Mudde (2012) restricts his theory to the potential effects of the far-right on the actions of the mainstream right, effectively neglecting the potential impact that the far-right might also have on the mainstream left. Moreover, the key explanatory mechanism in the theory of the democratic order is the direct electoral threat that far-right parties pose to the mainstream right. I have proved that, for the British case, there was no direct electoral threat, neither to the mainstream right nor to the mainstream left. The reason is not only the first-past-the-post electoral system, since my findings are based on individual-level data about voters’ shifts between parties.

As this chapter has illustrated, the threat posed by the far-right need not turn electoral to be real and to affect both the mainstream right and left. Indeed, both the Conservative and Labour parties were responsible for promoting restrictive immigration laws. Two aspects that remain outstanding, however, are the 1993 and 1994 restrictions, which occurred prior to any real success of the far-right. Indeed, by 1993 the BNP was still a small, inconsequential party and UKIP had only just been founded. Therefore, restrictive legislations enacted during these two years were most likely not the products of the indirect pressure imposed by the far-right. As these restrictions are comparatively smaller to those enacted following the electoral success of the far-right, however, it is safe to assume that UKIP and the BNP had an influence on this continued trajectory. In other words, although Britain had enacted restrictive immigration policy prior to the far-right’s electoral breakthrough, the restrictions in Britain’s immigration policy
following UKIP’s first electoral breakthrough were significantly higher, suggesting that UKIP’s electoral success was, in fact, consequential.

In addition to this, it is important to consider the effects of additional variables on immigration laws. For instance, the Great Recession - and other major events such as 9/11 - have proven to be important turning points in far-right politics. It is also important to note that the far-right’s electoral success co-varied with the inflow of migrants into the country. Regardless of whether mainstream parties enacted their restrictions in immigration law in response to the inflow of migrants or the electoral breakthrough of the far-right, however, it is evident that the voter-base perceived the far-right to be more capable of dealing with the rise in immigration than the mainstream government. This is illustrated by the fact that the electoral success of the far-right came at a time of political disaffection and an increased (subjective) relevance of immigration. Thus, in both scenarios, the far-right appears to act as a legitimate oppositional threat to the mainstream establishment, compelling them to appease the public by promoting a restrictive immigration regime.
6. CONCLUSION

The rise of the far-right camp in Western Europe has sparked a number of concerns around the influence of the far-right on legislation, given their openly racist and xenophobic ideologies. A number of puzzles emerge in this regard; while Brexit was commonly believed to be a response to Britain’s open immigration regime and the rise of the far-right, it appears that the Brexit vote occurred following years of restrictive immigration laws. In addition to this, these laws were enacted prior to the electoral rise of the far-right, illustrating that the far-right did not emerge in response to an open immigration regime. Central to this debate is Cas Mudde’s (2012) influential theory of ‘the democratic order’. Despite its usefulness in explaining the rise of a number of far-right parties in the Western European context, the case of Britain reveals a number of drawbacks overlooked by the theory. Therefore, this thesis has operated on a theory-testing and theory-building basis, working to apply Mudde’s theory of the democratic order onto the case of Britain, while simultaneously fine-tuning and reformulating the theory for future applications. More specifically, this thesis has addressed three areas of Mudde’s theory - electoral pressure, characteristics of the far-right bloc, and timing of the electoral breakthrough - through the research question, “To what extent and under what circumstances do far-right parties have an influence on legislation?”

Chapter 4 has tested and fine-tuned two aspects of Mudde’s theory. In terms of the first aspect, the thesis has acted on a theory-building basis, illustrating the inherently dynamic nature of far-right parties, and particularly extreme right parties (ERPs). Indeed, the case of the BNP in Britain illustrated the dynamic nature of ERPs, illustrating how they exhibit relative ideological moderation in pursuit of votes. In this regard, ERPs move from being policy-seeking to office-seeking parties. Secondly, chapter 4 highlights the importance of considering the effects of the
fragmentation of the far-right on their parliamentary representation and access to cabinet positions, especially in a majoritarian electoral system, which makes it harder for smaller parties to enter government. In addition to these elements, it is important to recognize the Great Recession as a turning point in far-right politics and consider the possibility for a preemptive reaction from the mainstream left in the absence of a valid electoral threat from the far-right.

Chapter 5 has explored far-right parties’ influence on immigration legislation. Essentially, the case of Britain revealed that the emergence of the far-right was not the beginning of the story, but rather a political context that facilitated the emergence of these parties and their subsequent electoral success. Indeed, in the case of Britain, a series of restrictive immigration laws were enacted starting in 1993. This was the same year that UKIP was founded and during a time in which the BNP still held a marginal status in the British political climate. This indicates that Britain’s trajectory towards an increasingly restrictive immigration regime was not a product of the agenda-setting effects of the far-right but rather a product of the greater political context in Britain, and the world, at the time. However, while the trend towards a restrictive immigration regime commenced with the mainstream parties on the left and right, we cannot ignore the far-right’s role in accelerating this course through their effects on public opinion. However, whereas Mudde (2012) suggested that the far-right acts as a catalyst in the law-making process, indirectly compelling mainstream parties to introduce certain laws by posing an electoral threat, my study of the British case shows that even in the absence of a direct electoral threat, the far-right can have an effect on mainstream parties’ legislative behaviour given the right socio-economic, political and international circumstances. Through its analysis of the case of Britain, this thesis has illustrated the electoral breakthrough of the far-right as an effect, rather than a cause, of anti-
immigration turns, with the latter preceding the electoral breakthrough of the far-right rather than vice versa.

In addition to this, while Mudde’s theory focuses exclusively on the effects of the far-right on the mainstream right, this thesis illustrates that the increased influence of the far-right is responded to more greatly by the mainstream left. In the case of Britain, the mainstream left exhibits a response to the rise of the far-right immediately following their electoral breakthrough, despite the fact that the far-right did not pose a direct electoral threat to the mainstream left by attracting their voters. In fact, British far-right parties positioned themselves as ‘the new Labour’, further consolidating their aim to replace the mainstream left (John et al., 2006). This is supported by the fact that most restrictive immigration laws were enacted by the mainstream left in Britain.

One further point to consider is the fragmentation of the far-right camp, which may have contributed to the slow success of the BNP and UKIP. It is possible that the far-right may have been more electorally successful in Britain had they joined forces to make one a relatively more formidable competitor to the mainstream left rather than competing with each other. This is especially the case given Britain’s first-past-the-post electoral system, which makes it even harder for smaller parties to succeed electorally. Although this research is focused on the case of the far-right in Britain, these findings are applicable to other cases with similar electoral systems. These findings are summarized in Table 7.

Ultimately, it is important to not attribute too much credit to the far-right camp in producing legislative change; rather, its effects can be more subtle, but also more encompassing and radical. The case of Britain illustrates that the electoral threat of the far-right is not the main trigger behind the restrictive turn of immigration policy in Britain, but rather the potential threat
that they pose to the credibility of mainstream parties as representatives and defenders of the people’s interests. Mudde’s (2012) theory fails to explain the British case in that the far-right threatens the mainstream left but not in the form of electoral threat, but rather the long-term viability and legitimacy of the Labour party. The far-right also threatens the mainstream right, but, as with Labour, not in the form of an electoral threat, but as a threat to the internal cohesion of the Conservative Party. Nowhere is this effect of the far-right more evident than in Brexit.

Table 7: Summary of Findings

<table>
<thead>
<tr>
<th>Theory-Testing</th>
<th>Theory-Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirm Mudde’s conclusion that the far-right acts as a catalyst in enacting</td>
<td>Timing of the electoral breakthrough of the far-right as an event that follows,</td>
</tr>
<tr>
<td>restrictive immigration laws (not a direct cause).</td>
<td>rather than precedes, anti-immigration turns.</td>
</tr>
<tr>
<td></td>
<td>Effects of the electoral rise of the far-right on the mainstream left.</td>
</tr>
<tr>
<td></td>
<td>Effects of the FPTP system and split in the far-right camp in leading to</td>
</tr>
<tr>
<td></td>
<td>political impotence.</td>
</tr>
<tr>
<td></td>
<td>Dynamic nature of ERPs.</td>
</tr>
<tr>
<td></td>
<td>Considerations of the Great Recession as a turning point in far-right politics</td>
</tr>
<tr>
<td></td>
<td>Preemptive reaction from the mainstream left in the absence of a valid electoral threat from the far-right.</td>
</tr>
<tr>
<td></td>
<td>Preemptive reaction from the mainstream right in the absence of a valid electoral threat from the far-right: Brexit as a reaction of the Conservative Party to protect its internal cohesion, threatened by the rise of UKIP.</td>
</tr>
</tbody>
</table>
6.1 A Final Reflection on Brexit

Although this thesis focuses on the broader question of the effect of the far-right on immigration legislation and the mainstream right and left, it is important to reflect on the implications of these findings on Britain’s Brexit referendum in 2016. The referendum, which resulted in Britain’s exit from the European Union, is perceived to be the culmination of Britain’s extreme anti-immigration and anti-establishment sentiments. However, as this thesis has shown, Britain has been gradually restricting its immigration laws years before the Brexit referendum. This suggests that the referendum was not a reaction to open immigration policies or an open immigration regime. Two things stand out instead: both public anti-immigration attitudes and electoral performance of the far-right, and specifically UKIP, peaked right before the referendum. This suggests that the agenda-setting role of the far-right may have influenced public opinion toward Brexit. The results of the referendum may have also been exacerbated by the FPTP electoral system; with the knowledge that they cannot enter office at their current electoral performance, British far-right parties appealed to every other means possible to destabilize the system in their favour, including capitalizing on people’s fears and political disaffection following the Great Recession in order to use immigration as a scapegoat.

It would be interesting to explore changes in British public opinion and the electoral performance of the far-right post-Brexit. This is an interesting subject for future research: Have the sentiments of the British public towards immigration changed after the referendum?; Has the public’s support for the far-right changed in any way after the referendum?; and most importantly, what triggered the Brexit vote considering that Britain had consistently enacted restrictive immigration laws since 1993, under both Conservative and Labour governments?
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APPENDIX

APPENDIX A– Breakdown of Immigration Policies and Restrictiveness\(^{10}\)

<table>
<thead>
<tr>
<th>Summary</th>
<th>Year</th>
<th>Description</th>
<th>Magnitude</th>
<th>Restrictiveness</th>
<th>Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>1990</td>
<td>-</td>
<td>N/A</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total (1990)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Asylum bill voted, but not enacted</td>
<td>1991</td>
<td>Asylum bill voted, but not enacted</td>
<td>N/A</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total (1991)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>reduction of benefit entitlements for asylum seekers</td>
<td>1993</td>
<td>Asylum and Immigration Appeals Act 1993 - reduced the benefit entitlements of persons who claim asylum in the UK, as well as their dependents</td>
<td>Minor change</td>
<td>More restrictive</td>
<td>0.5</td>
</tr>
<tr>
<td>fingerprinting of asylum applicants introduced</td>
<td>1993</td>
<td>Asylum and Immigration Appeals Act 1993 - establishes the power to fingerprint all asylum applicants (and their dependants) as a means of detecting and deterring &quot;multiple applications&quot;</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>fast track appeal procedures and time limits introduced</td>
<td>1993</td>
<td>Asylum and Immigration Appeals Act 1993 - introduced fast track appeals procedures and time limits within which the Immigration Appellate Authorities must determine appeals</td>
<td>Minor change</td>
<td>More restrictive</td>
<td>0.5</td>
</tr>
<tr>
<td>detention of asylum seekers</td>
<td>1993</td>
<td>Asylum and Immigration Appeals Act 1993 - allowed detention of asylum seekers whilst their claim was being decided.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total (1993)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>new entry program for investors</td>
<td>1994</td>
<td>Immigrant Investors Program - created to allow the immigration of foreigners prepared to invest at least GBP 0.75 million.</td>
<td>Major change</td>
<td>Less restrictive</td>
<td>-1</td>
</tr>
<tr>
<td><strong>Total (1994)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-1</td>
</tr>
<tr>
<td>-</td>
<td>1995</td>
<td>-</td>
<td>N/A</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total (1995)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>extension of penalties for illegal entry to those seeking leave to enter</td>
<td>1996</td>
<td>Asylum and Immigration Act 1996 - extends the penalties associated with being an &quot;illegal entrant&quot; to include those seeking to &quot;obtain leave to enter or remain&quot; in the UK.</td>
<td>Fine-tuning change</td>
<td>More restrictive</td>
<td>0.25</td>
</tr>
<tr>
<td>reduction of benefit entitlements for certain asylum seekers</td>
<td>1996</td>
<td>Asylum and Immigration Act 1996 - withdraw eligibility to non-contributory benefits from asylum seekers who did not lodge their application at the port of entry or who are appealing on a negative decision on their claim. &gt; This resulted in a High Court judgement in October 1996</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
</tr>
</tbody>
</table>

\(^{10}\) Columns 1-5 for the years 1990-2013 are copied from the main source. Therefore, credit for the summaries and descriptions go to the author (DEMIG, 2015).
which established that local authorities have a duty under the National Assistance Act to provide services to asylum seekers with no other means of support.

<table>
<thead>
<tr>
<th>Event</th>
<th>Year</th>
<th>Legislation</th>
<th>Description</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>introduction of employer sanctions</td>
<td>1996</td>
<td>Asylum and Immigration Act 1996</td>
<td>made it a criminal offence to employ a person with no right to work in the UK, but gave employers a statutory defence if they can prove that they tried to establish the immigration status of their employees. &gt; This legislation placed a requirement on employers to conduct basic document checks to prevent the employment of illegal migrant workers.</td>
<td>Mid-level change</td>
</tr>
<tr>
<td>introduction of concept of safe country</td>
<td>1996</td>
<td>Asylum and Immigration Act 1996</td>
<td>introduced the concept of &quot;safe&quot; countries &gt; Asylum applications from these countries were now unlikely to be successful and the right of appeal against removal to safe third countries in the EU (and Canada, Norway, Switzerland and the USA) would be exercisable only from abroad.</td>
<td>Mid-level change</td>
</tr>
<tr>
<td>extended rights for searching and arresting immigration offenders</td>
<td>1996</td>
<td>Asylum and Immigration Act 1996</td>
<td>created new powers for the arrest of immigration offenders and for searching for evidence of immigration offences &gt; Police and immigration officers now have the power to arrest without a warrant those suspected.</td>
<td>Major change</td>
</tr>
<tr>
<td>right of appeal granted to those deported on grounds of national security</td>
<td>1997</td>
<td>Special Immigration Appeals Bill (21 May)</td>
<td>established the right of appeal for individuals liable to deportation on grounds of national security. &gt; The bill was a response to an adverse ruling in the European Court of Human Rights which judged the UK's existing appeals procedures did not meet the requirements of the European Convention on Human Rights in cases where a deportation had been made on national security grounds.</td>
<td>Mid-level change</td>
</tr>
<tr>
<td>Dublin entered into force in UK</td>
<td>1997</td>
<td></td>
<td>On 1 September 1997, the Dublin Convention entered into force in the UK (signed 15/06/1990) - determining the state responsible for assessing asylum claims of third country nationals</td>
<td>Major change</td>
</tr>
<tr>
<td>Processing time for unfounded asylum claims reduced</td>
<td>1998</td>
<td></td>
<td>Reducing processing time for patently unfounded asylum &gt; In cases where asylum applications appear to be based on very weak grounds, the time allowed to make further representations has been reduced from 28 to 5 days.</td>
<td>Minor change</td>
</tr>
<tr>
<td>Better technology for border control</td>
<td>1998</td>
<td></td>
<td>Introduction of better targeting and profiling techniques at the border to check lorries for illegal immigrants &gt; These measures are partly in response to the arrival at Dover of several hundred gypsies mainly from Czech Republic and Slovak Republics</td>
<td>Minor change</td>
</tr>
<tr>
<td>New visa for domestic workers</td>
<td>1998</td>
<td></td>
<td>Domestic workers' visa - introduced and gave domestic workers the right to change employer</td>
<td>Mid-level change</td>
</tr>
<tr>
<td>regularisation of</td>
<td>1998</td>
<td>Third regularisation programme (July 1998-October 1999)</td>
<td></td>
<td>Mid-level</td>
</tr>
</tbody>
</table>
| **undocumented domestic workers** | Requirements for regularisation:  
- Workers had to have been admitted to the UK before 23 July 1988 with the "correct clearance for employment as a domestic worker"  
- Valid passport;  
- Proof of current employment as a domestic worker and ability to support oneself. | **change** |
|---|---|---|
| **Haulage companies and Eurostar made responsible for checking documentation of traveller** | Immigration Carriers' Liability Act 1998 - extended the 1987 act to haulage companies and to Eurostar to make them responsible for checking documentation of traveller  
> Following reports that hundreds of illegal immigrants had entered the country hidden in lorries the government announced in December that in order to encourage lorry drivers to be more vigilant it extended carrier's liability to haulage companies. Also, in response to claims that the Eurostar train service from Belgium was bringing inadequately documented passengers to the UK, the Carrier's Liability legislation was extended to the train operator in April 1998 for the route between Brussels and London. For reasons relating to French legislation it has not been possible to extend the relevant order to the route from Paris. | Minor change | More restrictive | 0.5 |
| **Carrier sanctions introduced for haulage companies and Eurostar** | Immigration Carriers' Liability Act 1998 - extended the 1987 act to haulage companies and to Eurostar to introduce carrier sanctions in case they transport an irregular migrant  
> Following reports that hundreds of illegal immigrants had entered the country hidden in lorries the government announced in December that in order to encourage lorry drivers to be more vigilant it extended carrier's liability to haulage companies. Also, in response to claims that the Eurostar train service from Belgium was bringing inadequately documented passengers to the UK, the Carrier's Liability legislation was extended to the train operator in April 1998 for the route between Brussels and London. For reasons relating to French legislation it has not been possible to extend the relevant order to the route from Paris. | Minor change | More restrictive | 0.5 |
| **New welfare support system for asylum seekers** | Immigration and Asylum Act 1999 - introduces the National Asylum Support Service (NASS) to co-ordinate the arrangements for supporting asylum seekers and dispersing them to different areas of the UK.  
> The act replaces welfare benefits for asylum seekers with vouchers worth £35 a week for an adult and provides accommodation on a no-choice basis around the United Kingdom. | Minor change | More restrictive | 0.5 |
| **more detention powers and capacities** | Immigration and Asylum Act 1999 - gives new powers to immigration officers: they can conduct personal searches on arrested persons, arrest and detain people  
> The law also expanded the use of immigration detention by quadrupling the capacity for detention to 4,000 people at any time. | Minor change | More restrictive | 0.5 |

**Total (1998)** | | | | 0.5 |
carrier sanctions extended to private vehicles 1999  | Immigration and Asylum Act 1999 - introduces fines of £2,000 per illegal passenger on vehicles coming into Britain.  
> The measure was accompanied by the publication of a code of practice for the drivers of road haulage and private vehicles, buses and coaches which advises them how they should secure their vehicles before travelling to the UK. | Fine-tuning change | More restrictive | 0.25 |
more staff abroad to curb number of forged travel IDs used 1999 | Immigration and Asylum Act 1999 - increases the number of airline liaison officers based abroad in order to curb the numbers of immigrants travelling to Britain on forged papers. | Fine-tuning change | More restrictive | 0.25 |
immigration for marriage restricted 1999 | Immigration and Asylum Act 1999 - restricts marriage for immigration purposes by introducing the duty for registrars to report suspicious marriages | Fine-tuning change | More restrictive | 0.25 |
return programme for rejected asylum seekers 1999 | In February 1999, the the Voluntary Assisted Return and Reintegration Programme (VARRP) was created - to return asylum seekers or those whose claim has been refused. | Mid-level change | Less restrictive | -0.75 |

| Total (1999) | 1 |

Fast track work permits for skilled workers 2000 | Fast-track working permit system - created to simplify and speed up the recruitment of skilled foreign workers by companies experiencing severe skill shortages  
> The time taken by the company to renew work permits is to be shortened from 3 months to 1 week. The maximum permit period will be extended from four to five years. Also, the shortage occupation list is expanded to include a wide range of IT posts thus providing a fast track of these applications with no need for a resident labour test. | Mid-level change | Less restrictive | -0.75 |
fast track procedure for begging asylum seekers 2000 | Fast track procedure for asylum seekers who are begging (March)  
> In response to reports stating that significant numbers of asylum seekers are engaged in begging in the streets, legislation would be drafted so that asylum seekers convicted for such offence would automatically be put on a fast track to have their case for refugee status examined, with a presumption that it would be rejected. The first hearing would be held within 7 days, followed by a 3 week period of grace for an appeal to be launched, the success which would be doubtful given the abuse of the benefits system implied by their conviction. | Fine-tuning change | More restrictive | 0.25 |
new scheme for innovators/entrepreneurs 2000 | Scheme for Innovators (Sept) - created to attract entrepreneurs whose businesses are expected to create exceptional benefits for UK.  
> The key features of this scheme are that no minimum amount of investment is required and that third party finance is accepted. The minimum requirement is that these entrepreneurs create at least 2 full time jobs or equivalent, hold at least 5% of the equity capital of their business, are able to support themselves and families without taking other public funds, and can provide proof | Major change | Less restrictive | -1 |
<p>| Family reunification granted to innovators' family | 2000 | Scheme for Innovators (Sept) - allows entry for the innovators' family (spouse and children under 18). | Mid-level change | Less restrictive | -0.75 |
| Antidiscrimination legislation extended to police and immigration service | 2000 | Race Relations Amendment Act 2000 - Broadened antidiscrimination legislation to police and immigration service | Minor change | Less restrictive | -0.5 |
| <strong>Total (2000)</strong> | | | | | <strong>-3.75</strong> |
| Work permits issued in teaching sector | 2001 | Work Permits (UK) launches an initiative to issue work permits to employers in the teaching sector. | Fine-tuning change | Less restrictive | -0.25 |
| New multiple entry work permit | 2001 | Multiple Entry Work Permit category (Nov) - created to enable employers to apply for a permit to allow their current or future employees from abroad to enter Britain regularly, for short periods, without having to apply for a separate permit each time. &gt; The scheme increases the flexibility of work permit arrangements whilst shortening and simplifying the process for these employers | Mid-level change | Less restrictive | -0.75 |
| Detention possibilities of terrorism-suspected immigrants | 2001 | Antiterrorism, Crime and Security Act 2001 - legislated that suspected terrorists who were immigrants could be detained (potentially on a permanent basis). &gt; The Special Immigration Appeals Commission (SIAC) reviews decisions, but the act does not permit judicial review of the SIAC. | Mid-level change | More restrictive | 0.75 |
| Introduction of pilot points-based system for high skilled | 2001 | Highly Skilled Migrant Programme (January) - gives labour access to those with exceptional skills (assessed through points-based system) on a trial basis &gt; The Scheme is based on a point-scoring basis, covering educational qualifications, work experience, past earnings and achievements in their chosen field. Qualified medical General Practitioners receive priority under the scheme. | Mid-level change | Less restrictive | -0.75 |
| Scheme for innovators extended | 2001 | Scheme for Innovators - extended indefinitely. | Fine-tuning change | No change | 0 |
| Youth exchange programme with Japan | 2001 | Japan Youth Exchange Scheme launched &gt; The programme enables Japanese nationals aged 18-25 (with a discretionary upper age limit of 30 years) to enter the United Kingdom for one year, of which employment is an incidental part. A quota of 400 participants in each direction has been agreed to. | Mid-level change | Less restrictive | -0.75 |
| <strong>Total (2001)</strong> | | | | | <strong>-1.75</strong> |
| More technology and border control, especially towards France | 2002 | Nationality, Immigration and Asylum Act 2002 - introduced new technologies and extra security to combat illegal entry, including at various pre-entry points with France | Minor change | More restrictive | 0.5 |
| Expulsion of rejected asylum seekers from safe countries possible | 2002 | Nationality, Immigration and Asylum Act 2002 - reforms the safeguards from expulsion during the appeal procedure for asylum seekers from safe countries &gt; Citizens of these countries who have their asylum applications rejected cannot remain in the UK while they mount an appeal. This means that they can be deported | Mid-level change | More restrictive | 0.75 |</p>
<table>
<thead>
<tr>
<th>Policy Area</th>
<th>Year</th>
<th>Description</th>
<th>Change Type</th>
<th>Change</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>detention of asylum seekers extended</td>
<td>2002</td>
<td>Nationality, Immigration and Asylum Act 2002 - extends the power to detain asylum seekers.</td>
<td>Minor change</td>
<td>More restrictive</td>
<td>0.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>&gt; An asylum seeker can now be detained at any time during their application, not just prior to removal.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>New identity card for asylum seekers</td>
<td>2002</td>
<td>Introduction of new identity smart cards for Asylum seekers.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>High skilled migrant program made permanent</td>
<td>2002</td>
<td>Highly Skilled Migrant Program - transformed into a permanent migration channel that required no previous job offer.</td>
<td>Fine-tuning change</td>
<td>No change</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>&gt; This program uses a point scheme based on educational attainment and salary to admit foreign professions who do not have a pre-arranged job.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Total (2002)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2.75</td>
</tr>
<tr>
<td>students have no need to show intention to leave anymore</td>
<td>2003</td>
<td>April 2003 Amendment - removed the requirement for graduate students to show an intention to leave the United Kingdom when coming to study</td>
<td>Minor change</td>
<td>Less restrictive</td>
<td>-0.5</td>
</tr>
<tr>
<td>new sectors-based work permit scheme for low-skilled</td>
<td>2003</td>
<td>Introduction of a new low-skilled work permit scheme on 30 May 2003 - the Sectors Based Scheme (SBS) with an initial quota of 10,000 work permits per sector.</td>
<td>Mid-level change</td>
<td>Less restrictive</td>
<td>-0.75</td>
</tr>
<tr>
<td></td>
<td></td>
<td>&gt; The scheme should deal with shortages in the food manufacturing and hospitality sectors, to address problems with recruitment in fish, meat and mushroom processing, and hotels and catering.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>no right to work for asylum seekers that did not get decision within six months</td>
<td>2003</td>
<td>The right of asylum seekers to work if they had not received an initial decision within six months is to be ended.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>return programme for irregular migrants</td>
<td>2003</td>
<td>Assisted Voluntary Return of Irregular Migrants (AVRIM) programme was created - for irregular migrants such as illegal entrants, trafficked people, smuggled people, or visa over-stayers.</td>
<td>Major change</td>
<td>Less restrictive</td>
<td>-1</td>
</tr>
<tr>
<td>Total (2003)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-1.25</td>
</tr>
<tr>
<td>EU enlargement no restricted labour market access</td>
<td>2004</td>
<td>2004 EU enlargement - The UK government has decided not to restrict the free movement of workers for the new European Union accession countries for a transitional period. They enjoy free access to the UK labour market.</td>
<td>Mid-level change</td>
<td>Less restrictive</td>
<td>-0.75</td>
</tr>
<tr>
<td>EU accession countries worker need to register</td>
<td>2004</td>
<td>2004 EU enlargement - was accompanied in the UK by the creation of the Accession State Worker Registration Scheme as a temporary measure between 2004 and 2011 to track the way in which the UK labour market was affected by the workers from the eight new EU member states. &gt; The scheme ended on 1 April 2011.</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
</tr>
<tr>
<td>restricted access to social benefits for new EU MS</td>
<td>2004</td>
<td>2004 EU enlargement - workers from the new EU countries only become eligible for benefits such as Jobseeker’s Allowance and income support after working continuously in the UK for at least a year.</td>
<td>Fine-tuning change</td>
<td>More restrictive</td>
<td>0.25</td>
</tr>
<tr>
<td>lower points requirements to qualify for highly skilled migrant programme</td>
<td>2004</td>
<td>Highly Skilled Migrant Programme - changes in October reduce the overall points required and make it easier for younger, skilled applicants to qualify.</td>
<td>Fine-tuning change</td>
<td>Less restrictive</td>
<td>-0.25</td>
</tr>
<tr>
<td>Policy Area</td>
<td>Year</td>
<td>Description</td>
<td>Change Type</td>
<td>Change</td>
<td>Change Value</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
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<td>-----------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Right to work for scientists and engineers after graduation at UK institution</td>
<td>2004</td>
<td>Science and Engineering Graduates Scheme - allows foreign nationals who have studied maths, science or engineering at a United Kingdom institution to work in the country for 12 months following graduation</td>
<td>Mid-level change</td>
<td>Less restrictive</td>
<td>-0.75</td>
</tr>
<tr>
<td>Age limit for SAWS removed</td>
<td>2004</td>
<td>Seasonal Agricultural Workers Scheme (SAWS) - remove the upper age limit of 25 years from the programme through which foreign students can work on British farms</td>
<td>Fine-tuning change</td>
<td>Less restrictive</td>
<td>-0.25</td>
</tr>
<tr>
<td>Working holiday makers scheme extended and access facilitated</td>
<td>2004</td>
<td>Working Holiday Makers Scheme - changes in June 2003 to raise the upper age limit from 27 to 30, remove employment restrictions and allow a switch into work permit employment after 12 months</td>
<td>Fine-tuning change</td>
<td>Less restrictive</td>
<td>-0.25</td>
</tr>
<tr>
<td>Start of the UK resettlement programme</td>
<td>2004</td>
<td>Start of the resettlement Gateway Protection Programme (GPP) in March 2004 - Each year the quota is determined by UK Ministers depending on the global need, the resources available for the programme and the predicted impact on local services. &gt; The quota always ranged around 750 persons per year.</td>
<td>Mid-level change</td>
<td>Less restrictive</td>
<td>-0.75</td>
</tr>
<tr>
<td>Employer sanctions increased</td>
<td>2004</td>
<td>Asylum and Immigration Act 2004 - increases the fines to be imposed on those who employ illegal workers.</td>
<td>Fine-tuning change</td>
<td>More restrictive</td>
<td>0.25</td>
</tr>
<tr>
<td>Increased technology to trace asylum seekers</td>
<td>2004</td>
<td>Asylum and Immigration Act 2004 - allows the government to tag, track and use voice recognition technology to trace asylum seekers &gt; This was viewed as alternative to detention.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>Sanctions for entering on unvalid travel documents</td>
<td>2004</td>
<td>Asylum and Immigration Act 2004 - creates criminal sanctions to punish people who arrive in the UK without a valid travel document unless they have a reasonable excuse (purposely discarding or destroying their travel documents is not a valid excuse), or will cooperate with the authorities to get new travel documents</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
</tr>
<tr>
<td>Refugee support limited</td>
<td>2004</td>
<td>Asylum and Immigration Act 2004 - Limits eligibility for refugee support. &gt; Failed asylum seekers with children can be refused support if they are not &quot;cooperating with the removals process&quot;.</td>
<td>Minor change</td>
<td>More restrictive</td>
<td>0.5</td>
</tr>
<tr>
<td>Implementation of 2002 law, start of &quot;life in the UK&quot; test for naturalisation</td>
<td>2005</td>
<td>Since 1 November 2005, applicants for naturalisation are required to demonstrate some knowledge about life in Great Britain by passing the &quot;life in the UK&quot; test and by proving their English language ability.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>SBS ended</td>
<td>2006</td>
<td>Sector Based Scheme (SBS) for low-skilled workers - phased-out by 31 December, 2006. &gt; Only Romanian and Bulgarian workers were eligible for this permit from 1.1.2007 on.</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
</tr>
<tr>
<td>SBS only available for RO and BG citizens</td>
<td>2006</td>
<td>Sector Based Scheme (SBS) for low-skilled workers - was restricted to Romanian and Bulgarian workers from 01 January, 2007 onwards. &gt; The programme was ended in 2013 when free access to the UK labour market was granted to RO and BG citizens.</td>
<td>Fine-tuning change</td>
<td>No change</td>
<td>0</td>
</tr>
<tr>
<td>Change in Policy</td>
<td>Year</td>
<td>Description</td>
<td>Change Type</td>
<td>Impact Level</td>
<td>Restrictiveness</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------</td>
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<td>-----------------</td>
</tr>
<tr>
<td>Right of appeal restricted for refused entry clearance for dependants</td>
<td>2006</td>
<td>Immigration, Asylum and Nationality Act 2006 - introduced a number of changes to the immigration appeals process, most notably restricting the right of appeal for refusal of entry clearance in cases where the subject intends to enter the country as a dependent.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>Right of appeal restricted for refused entry clearance for students</td>
<td>2006</td>
<td>Immigration, Asylum and Nationality Act 2006 - introduced a number of changes to the immigration appeals process, most notably restricting the right of appeal for refusal of entry clearance in cases where the subject intends to enter the country as a student.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>More surveillance and control on travellers</td>
<td>2006</td>
<td>Immigration, Asylum and Nationality Act 2006 - empowers immigration officers in the identification and information collection of people entering the UK. The Act allows them to confiscate travel documents and record and verify biometric information from people entering the UK and creates powers for the police to obtain advance information on passengers and crew or freight of ships and aircraft arriving, expected to arrive, leaving or expected to leave the United Kingdom.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>Potential terrorists excluded from refugee protection</td>
<td>2006</td>
<td>Immigration, Asylum and Nationality Act 2006 - excludes (potential) terrorists from refugee protection. Refusal of refugee status to anyone who has carried out or has encouraged others to &quot;commit, prepare or instigate terrorism&quot;, as well as those deemed to be a terrorist or major criminal.</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
</tr>
<tr>
<td>Employer sanctions increased</td>
<td>2006</td>
<td>Immigration, Asylum and Nationality Act 2006 - introduces civil penalties and increases criminal penalties for illegal employment. The act introduces a civil penalty scheme and on-the-spot fines of up to £2,000 per illegal employee. Those who &quot;knowingly&quot; employ an illegal worker face a jail term of up to two years and an unlimited fine. The 2006 Act also introduced a requirement for follow-up checks by employers at least once every 12 months, or until an employee produces documents to demonstrate that they can remain permanently in the UK or leave their current employment.</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
</tr>
<tr>
<td>Total (2006)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5.25</td>
</tr>
<tr>
<td>EU enlargement restricted labour market access</td>
<td>2007</td>
<td>2007 EU enlargement - the UK government continues to require work permits from Bulgarian and Romanian workers despite their entry into the European Union. The employer must apply for the permit (except for certain categories of employment) and the worker must apply for an &quot;accession worker card&quot;. Low-skilled workers are restricted to existing quota schemes in the agricultural and food processing sectors. Skilled workers can work if they qualify for a work permit, or under the Highly Skilled Migrant Programme.</td>
<td>Fine-tuning change</td>
<td>No change</td>
<td>0</td>
</tr>
<tr>
<td>Expansion of the &quot;life in the UK&quot; test to permanent residents</td>
<td>2007</td>
<td>As of 2 April 2007, all applicants for indefinite leave to remain (permanent residence) will be required to take the &quot;life in the UK&quot; test as well.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
</tr>
<tr>
<td>Immigration officers given</td>
<td>2007</td>
<td>UK Borders Act 2007 - equips immigration officers with</td>
<td>Minor</td>
<td>More</td>
<td>0.5</td>
</tr>
<tr>
<td>Change</td>
<td>Restrictive</td>
<td>Year</td>
<td>Policy Description</td>
<td>Details</td>
<td></td>
</tr>
<tr>
<td>--------</td>
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<td></td>
</tr>
<tr>
<td>detention, search and seizure power</td>
<td>police-like powers, including increased detention, entry, search and seizure powers.</td>
<td>change</td>
<td>restrictive</td>
<td></td>
<td></td>
</tr>
<tr>
<td>automatic deportation of certain foreign criminals</td>
<td>UK Borders Act 2007 - allows automatic deportation of foreign nationals if they are imprisoned for specific offences or they are imprisoned for more than one year.</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
<td></td>
</tr>
<tr>
<td>higher residency conditions for immigrants with limited leave to remain</td>
<td>UK Borders Act 2007 - introduces additional reporting and residency conditions to be imposed on immigrants granted limited leave to remain. &gt; This could mean reporting regularly to the UK Border Agency or residing at a specific address.</td>
<td>Minor change</td>
<td>More restrictive</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>SAWS restricted to RO and BG citizens</td>
<td>Starting in January 2008, the Seasonal Agricultural Workers Scheme (SAWS) - will be reserved for students from Bulgaria and Romania, denying farmers the available pool of labor from outside the EU.</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
<td></td>
</tr>
<tr>
<td>SAWS only available for RO and BG citizens</td>
<td>Starting in January 2008, the Seasonal Agricultural Workers Scheme (SAWS) - will be reserved for the students from Bulgaria and Romania, denying farmers the available pool of labor from outside the EU.</td>
<td>Fine-tuning change</td>
<td>No change</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>new integration programm for refugees</td>
<td>Since October 2008, individuals over 18 years of age granted 'refugee' status or humanitarian protection were given access to the Refugee Integration and Employment Service (RIES) - This service provides a standard level of integration support and advice empowering individuals to contribute to British society and has a particular focus of helping refugees into employment.</td>
<td>Major change</td>
<td>Less restrictive</td>
<td>-1</td>
<td></td>
</tr>
<tr>
<td>strenghtening of employer sanctions</td>
<td>Employer sanctions were strengthened early in 2008 - increased the civil penalty system for employers &gt; Specifically, an employer may be liable for a civil penalty of up to £10,000 per illegal worker for employing someone subject to immigration control aged over 16 who does not have permission to be in the UK or to undertake the work in question.</td>
<td>Fine-tuning change</td>
<td>More restrictive</td>
<td>0.25</td>
<td></td>
</tr>
<tr>
<td>local immigration teams created to control immigration within the borders</td>
<td>As part of a three-year roll-out programme, two Local Immigration Teams were placed across the UK in 2008 - Over time, Local Immigration Teams will develop to include many of the UK Border Agency activities as practicable, covering both operational and community roles &gt; Tasks include: ● enforce the ‘contract’ with newcomers to the United Kingdom; ● gather and manage intelligence, deploying it effectively to combat criminal activity; ● track down immigration offenders; ● support local businesses that want to legally employ migrant workers; ● undertake enforcement activity, checking that businesses are complying with immigration rules and tackling illegal working; ● address community concerns on migration and exchange</td>
<td>Minor change</td>
<td>More restrictive</td>
<td>0.5</td>
<td></td>
</tr>
</tbody>
</table>

**Total (2007)**

| | | | | 2.75 |
Information which helps the UK Border Agency and other agencies to manage immigration threats and prevent fraudulent access to benefits; and

- support the integration of those granted status in the UK into the community

This effectively introduces border control within the UK borders.

| New Business Visitor Visa | 2008 | Changes in Immigration Rules in November 2008 - introduces a new business-visitor category which sets out clearly the activities that business visitors are allowed to undertake in the UK, and includes two sub-categories for visiting sportspeople and entertainers.
> Under these routes, the following categories of person will be able to enter the UK for up to six months:
- sportspeople and support staff coming for specific events;
- amateur sportspeople joining UK amateur teams;
- professional entertainers coming to the UK to take part in music competitions;
- amateur entertainers travelling to the UK for a specific engagement;
- professional entertainers coming to take part in a charity show or an event for which they will receive no fee; and
- professional and amateur entertainers taking part in a ‘permit-free festival’.

| Age for Family Reunion Raised | 2008 | Since 27 November 2008 the minimum age for family reunion was raised - The minimum age at which a person may be granted entry clearance (including a visa) or limited leave as the spouse, civil partner, fiancé(e), proposed civil partner, unmarried partner or same-sex partner of someone who is settled in the UK has increased from 18 to 21. The minimum age of the UK-settled sponsor of such an application has also increased to 21.

| Compulsory ID Card for Foreign Nationals Created (2007 Law) | 2008 | In November 2008, the UK Border Agency (UKBA) introduced the new identity card for foreign nationals (ICFN) - compulsory for migrants from outside the European Economic Area and Switzerland.
> In order to obtain an ICFN, it is necessary to provide biometric information in the form of a digital photograph and, for those over 6 years of age, a 10-digit finger scan. This information is checked against existing records and stored on the card and on the UKBA’s computer system. If the application is successful, an ICFN will be issued. The aim of the card is to combat illegal working and reduce illegal immigration to the UK. The card also enables holders to confirm their identity, immigration status, and right to work or study and access public services.

| Total (2008) | 0.75 |
| stricter labour market test | 2009 | Tougher requirements for Tier 2 - changes introduced in

<p>| Fine-tuning Change | More Restrictive | 0.25 |</p>
<table>
<thead>
<tr>
<th>Event Description</th>
<th>Year</th>
<th>Act</th>
<th>Change Type</th>
<th>Degree of Restriction</th>
</tr>
</thead>
<tbody>
<tr>
<td>for Tier 2</td>
<td></td>
<td>September introduce stricter labour market tests for skilled workers with a job offer, religious workers, athletes and intra company transferees</td>
<td>change</td>
<td>restrictive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>&gt; The measures double the time for which jobs must be advertised in Jobcentre Plus (to four weeks) and raise the salary threshold for qualification as a skilled worker from 17000 to 20000 GBP.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>new requirements for students to be sponsored</td>
<td>2009</td>
<td>Borders, Citizenship and Immigration Act 2009 - requires foreign students to be sponsored by a licensed college or university</td>
<td>Major change</td>
<td>More restrictive</td>
</tr>
<tr>
<td>fingerprinting of foreign criminals allowed</td>
<td>2009</td>
<td>Borders, Citizenship and Immigration Act 2009 - allows for fingerprints to be taken from foreign criminals liable to automatic deportation under the scheme created in the UK Borders Act 2007.</td>
<td>Fine-tuning change</td>
<td>More restrictive</td>
</tr>
<tr>
<td>introduction of probationary citizenship period before naturalisation</td>
<td>2009</td>
<td>Borders, Citizenship and Immigration Act 2009 - prolongs the residency period for foreign nationals from outside the EEA in order to qualify for naturalisation by a period of &quot;probationary citizenship&quot;</td>
<td>Minor change</td>
<td>More restrictive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>&gt; Foreign national would be required to be resident in the UK for an additional temporary period of three years, called ‘probationary citizenship’; in effect extending their full ‘qualifying period’ for citizenship from a standard five years to eight years. For those applying as a spouse or civil partner of a British citizen, the full qualifying period would be extended from three to five years. These periods can be reduced to six years or three years respectively if the applicant meets the &quot;activity condition&quot;. (Introduces the concept of voluntary community service for migrants, whereby undertaking an &quot;activity condition&quot; can reduce the length of the naturalisation process by up to two years).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>access to benefits restricted during probationary citizenship</td>
<td>2009</td>
<td>Borders, Citizenship and Immigration Act 2009 - restricts the access to public services and benefits during Probationary Citizenship</td>
<td>Minor change</td>
<td>More restrictive</td>
</tr>
<tr>
<td>roll out of e-borders programme</td>
<td>2009</td>
<td>The UK Border Agency introduced an e-Borders programme from 2009, with a full rollout completed by 2014 - to electronically collect and analyse information from carriers (including airlines, ferries and rail companies) about those who travel to or from the United Kingdom before they travel. &gt; The information collected will be the biographical information contained in the section of a passport that can be read by machine, and, for those routes deemed as a higher risk, additional passenger information such as flight number, reservation and payment. The information will be kept for no more than ten years.</td>
<td>Major change</td>
<td>More restrictive</td>
</tr>
<tr>
<td>higher requirements for ICTs</td>
<td>2010</td>
<td>New rules were introduced for inter corporate transfers by multinational companies - While intra-corporate transfers are exempt from the quota on non-EU applicants, the application thresholds on earnings were raised.</td>
<td>Fine-tuning change</td>
<td>More restrictive</td>
</tr>
</tbody>
</table>

**Total (2009)** 3.5
<table>
<thead>
<tr>
<th>Policy Area</th>
<th>Year</th>
<th>Description</th>
<th>Change Type</th>
<th>Change Level</th>
<th>Change Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>No quota for investors and entrepreneurs</td>
<td>2010</td>
<td>Investors and entrepreneurs remain quota-exempt.</td>
<td>Minor change</td>
<td>No change</td>
<td>0</td>
</tr>
<tr>
<td>Language requirements for family migrants</td>
<td>2010</td>
<td>An English language requirement for migrants seeking to enter or remain in the United Kingdom as the spouse of a UK citizen or permanent resident was introduced in 2010.</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
</tr>
</tbody>
</table>
| Return programme for irregular or asylum seeking children and families | 2010 | Assisted Voluntary Return for Families and Children (AVRFC) commenced in April 2010 - for families and unaccompanied children (under 18) who have either sought asylum or who are in the UK illegally and wish to return home.  
> The scheme offers flexibility of reintegration for the whole family and increasing emphasis is placed on the use of reintegration assistance for educational needs as well as income generation. | Mid-level change       | Less restrictive    | -0.75        |
| New equality act to strengthen anti-discrimination rules | 2010 | A new Equality Act 2010 came into force (replacing Race Relations Act 1976) - defining race as a protected characteristic, and setting out the definitions of direct, dual and indirect discrimination respectively. | Minor change           | Less restrictive | -0.5         |
| Family reunification restricted for students     | 2011 | In July 2011, restrictions were imposed on rights to bring dependants for students (Tier 4).                                                                                                              | Fine-tuning change     | More restrictive | 0.25         |
| Quota introduced for Tier 2 and Tier 1 workers   | 2011 | Introduction of quota - valid from April 2011, Tier 2 (skilled workers with a job offer, religious workers, athletes and intra company transferees) will be limited to 20 700 permits and it will require graduate level education.  
Also, Tier 1 (high-skilled workers without job offer) is basically closed except for a numerical limit of 1 000 under the new “exceptional talent” route.  
> Only those applicants with the most points will qualify for one of the certificates of sponsorship available each month if the monthly limit of permits is oversubscribed. | Mid-level change       | More restrictive    | 0.75         |
| Shortage occupations list for Tier 2 severely reduced | 2011 | Following a review by the Migration Advisory Committee in November 2011, the Shortage Occupation List for Tier 2 was reduced, with 29 occupations removed and several added.  
> The new list represents less than 1% of employment in the United Kingdom, about 1/5 of the coverage of the first list published in 2008. | Fine-tuning change     | More restrictive    | 0.25         |
| Duration of stay for Tier 5 restricted           | 2012 | Amendments to the Immigration rules enacted on 6 April 2012 - a maximum duration of stay of 12 months was introduced for temporary workers (Tier 5) and of 6 months for domestic workers | Fine-tuning change     | More restrictive | 0.25         |
| Restrictions of Tier 2                          | 2012 | Amendments to the Immigration rules enacted on 6 April 2012 - restricts applicants within Tier 2 (skilled workers with job offer) to a six years stay (also retrospectively), and raise salary criteria for settlement. | Fine-tuning change     | More restrictive | 0.25         |
| Post-study work route in Tier 1 closed           | 2012 | Amendments to the Immigration rules enacted on 6 April 2012 - closed the tier 1 Post-Study Work route, requiring students who graduate from a university to qualify for Tier  | Mid-level change       | More restrictive | 0.75         |

**Total (2010)**: -0.25

**Total (2011)**: 1.25
| New Graduate Entrepreneurs Route in Tier 1 | 2012 Amendments to the Immigration rules enacted on 6 April 2012 - created the New Graduate Entrepreneurs route in Tier 1 with a quota of 1,000 visas annually for graduating students with innovative ideas but who do not qualify for the Tier 1 Entrepreneurship route.  
> The Graduate Entrepreneur route grants them two years to meet the regular requirements.  
However, it is more restrictive than the Tier 1 (PSW), as not only will applicants have to be sponsored, there are also only 1,000 places open for the first year and furthermore any time that is spent in this category does not count towards settlement. | Mid-level change | Less restrictive | -0.75 |
| New Visitor Visa for High Skilled Professionals | 2012 Amendments to the Immigration rules enacted on 6 April 2012 - creates a new visitor route (permitted paid engagements), a one month visit visa open to those professionals, who are invited to come to the United Kingdom to carry out an engagement that relates to their particular skill or expertise for which they will receive a fee. | Mid-level change | Less restrictive | -0.75 |
| Longer Period Before Permanent Residency of Family Members | 2012 Changes to the Immigration Rules on 9 July 2012 - prolonged the period required for family members to be eligible for permanent residency  
> From previously 2 years, the time before settlement is granted is raised to either 5 or 10 years depending on which family route the person in question entered the UK. | Minor change | More restrictive | 0.5 |
| Total (2012) | | | | 0.25 |
| 2007 Enlargement Free Access to UK Labour Market | 2013 2007 enlargement - the transitional restrictions on access to the UK labour market for Bulgarian and Romanian workers were removed at the end of 2013 | Mid-level change | Less restrictive | -0.75 |
| SAWS Entry Scheme Closed | 2013 2007 enlargement - the current Seasonal Agricultural Workers Scheme (SAWS), which was reserved for RO and BG students, closed at the end of 2013  
> However, the closure of the programme was simultaneous with the free entry for Romanians and Bulgarians and hence in practice there was no change in access to work for those workers. | Fine-tuning change | No change | 0 |
| SBS Entry Scheme Closed | 2013 2007 enlargement - the current Sectors Based Scheme (SBS), which was reserved for RO and BG citizens, closed at the end of 2013  
> However, the closure of the programme was simultaneous with the free entry for Romanians and Bulgarians and hence in practice there was no change in access to work for those workers. | Fine-tuning change | No change | 0 |
<p>| Life in the UK Test Extended to All Immigrants | 2013 From October 2013, all applicants for settlement, unless otherwise exempt, must pass the “Life in the United Kingdom” test and demonstrate at least B1 level English language speaking and listening qualification. | Major change | More restrictive | 1 |
| Total (2013) | | | | 0.25 |</p>
<table>
<thead>
<tr>
<th>Description</th>
<th>Act/Year</th>
<th>Change Description</th>
<th>Change Type</th>
<th>Change Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Easier to identify individuals unlawfully residing in the UK</td>
<td>2014*</td>
<td>Immigration Act 2014 - easier to identify illegal immigrants by extending powers of immigration officers to collect fingerprints, search for passports, apply embarkation controls, and determine the credibility of migrants seeking to marry.</td>
<td>Minor change</td>
<td>0.5</td>
</tr>
<tr>
<td>Facilitate the deportation of illegal migrants</td>
<td>2014*</td>
<td>Immigration Act 2014 - facilitates the removal and deportation of illegal migrants by reducing the number of decisions that can be appealed from 17 to 4 and only allowing appeals for those that assert fundamental rights; allows the deportation of foreign criminals before hearing their appeals; restrict detainees' right to apply for bail if they have been previously denied it.</td>
<td>Major change</td>
<td>1</td>
</tr>
<tr>
<td>More difficult for illegal migrants to live inside the country</td>
<td>2014*</td>
<td>Immigration Act 2014 - Makes it more difficult for illegal migrants to live in the country by requiring private landlords to check tenants' migration status before giving them access to private housing; requires banks to check the migration status of individuals through a database before opening accounts; extending powers to check the immigration status of applicants before giving them a driving license and to revoke the license of immigrants who have overstayed.</td>
<td>Major change</td>
<td>1</td>
</tr>
<tr>
<td>Require temporary migrants to contribute to the National Health Service</td>
<td>2014*</td>
<td>Immigration Act 2014 - Require temporary migrants to contribute to the National Health Service</td>
<td>Fine-tuning change</td>
<td>0.25</td>
</tr>
<tr>
<td>Provide screening power to the Immigration Service Commissioner</td>
<td>2014*</td>
<td>Immigration Act 2014 - Provides the Immigration Services Commissioner the power to regulate applications in order to (1) protect migrants from exploitation and (2) screen inappropriate applications.</td>
<td>Fine-tuning change</td>
<td>0.25</td>
</tr>
</tbody>
</table>

**Total (2014)** 3

- 2015 - No change No change 0

**Total (2015)** 0

<table>
<thead>
<tr>
<th>Description</th>
<th>Act/Year</th>
<th>Change Description</th>
<th>Change Type</th>
<th>Change Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>New director of labour market enforcement</td>
<td>2016</td>
<td>Immigration Act 2016 - New director of labour market enforcement to bring better enforcement in the employment of illegal immigrants.</td>
<td>Minor change</td>
<td>0.5</td>
</tr>
<tr>
<td>Increased penalties for employers with repeat offense of employing illegal migrants.</td>
<td>2016</td>
<td>Immigration Act 2016 - Increased penalties for employers who repeatedly employ illegal immigrants.</td>
<td>Fine-tuning change</td>
<td>0.25</td>
</tr>
<tr>
<td>Illegal employees are committing an offense and their earnings can be seized.</td>
<td>2016</td>
<td>Immigration Act 2016 - Illega workers who are caught will be committing an offense and their earning can be seized.</td>
<td>Major change</td>
<td>1</td>
</tr>
<tr>
<td>Language requirement for public sector workers and the introduction of the 'immigration skills charge' to disincentivize employer from hiring abroad.</td>
<td>2016</td>
<td>Immigration Act 2016 - All public sector workers must speak English. Employers must pay an 'immigration skills charge' in order to bring certain workers into the country. These funds will be used to develop the skills of domestic labour.</td>
<td>Mid-level change</td>
<td>0.75</td>
</tr>
</tbody>
</table>

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11 Sources: Home Office, 2013; Immigration Act 2014 (c. 22)
<table>
<thead>
<tr>
<th>Change Description</th>
<th>Year</th>
<th>Act Description</th>
<th>Change Type</th>
<th>Change Description</th>
<th>Year</th>
<th>Act Description</th>
<th>Change Type</th>
<th>Change Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>More difficult for illegal migrants to live inside the country by further restricting services and allowing landlords to evict illegal migrants.</td>
<td>2016</td>
<td>Immigration Act 2016 - Building on the Immigration Act 2014, the 2016 Act makes it easier for landlords to evict illegal migrants and further restricts access to drivers licenses and bank accounts.</td>
<td>Fine-tuning change</td>
<td>More restrictive</td>
<td>0.25</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resettlement of unaccompanied refugee children from Europe to the UK.</td>
<td>2016</td>
<td>Immigration Act 2016 - Allows the resettlement of unaccompanied refugee children from Europe to the UK.</td>
<td>Major change</td>
<td>Less restrictive</td>
<td>-1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Support for asylum-seekers with unconfirmed claims restricted to poor applicants.</td>
<td>2016</td>
<td>Immigration Act 2016 - Restricts support for asylum-seeker whose claims have not been confirmed - and their dependants - to those who are poor or face a &quot;genuine&quot; problem in leaving the country.</td>
<td>Minor change</td>
<td>More restrictive</td>
<td>0.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expansion of &quot;deport now, appeal later&quot; to other cases.</td>
<td>2016</td>
<td>Immigration Act 2016 - Facilitates the removal of migrants from the country by (1) allowing powers to tag foreign national offenders released on bail and (2) extending &quot;deport now, appeal later&quot; powers introduced in the 2014 Immigration Act to more cases.</td>
<td>Mid-level change</td>
<td>More restrictive</td>
<td>0.75</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional search and seize powers to immigration officers.</td>
<td>2016</td>
<td>Immigration Act 2016 - Extends additional search and seize powers to immigration officers.</td>
<td>Fine-tuning change</td>
<td>More restrictive</td>
<td>0.25</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allows the targeting of vessel suspected of harboring illegal migrants.</td>
<td>2016</td>
<td>Immigration Act 2016 - Allows Border Force to target vessels within the country's waters that are suspected of harboring illegal immigrants.</td>
<td>Major change</td>
<td>More restrictive</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total (2016)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>4.25</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

12 Sources: Immigration Act: Overview, 2016; Immigration Act 2016 (c. 19)
APPENDIX B – Figures 10-16, Voter Shifts between Post-Electoral Survey Results, 1987-2015

Figure 10: Responses to Voter Shifting Questions, 1987

![Bar chart showing voter shifts between previous and current elections for the years 1987. The chart includes data for Conservative, Labour, Liberal-Democrat, UKIP, and BNP parties.]

Figure 11: Responses to Voter Shifting Questions, 1992

![Bar chart showing voter shifts between previous and current elections for the years 1992. The chart includes data for Conservative, Labour, Liberal-Democrat, UKIP, and BNP parties.]

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Figure 12: Responses to Voter Shifting Questions, 1997

Figure 13: Responses to Voter Shifting Questions, 2001
Figure 14: Responses to Voter Shifting Questions, 2005

Figure 15: Responses to Voter Shifting Questions, 2010
Figure 16: Responses to Voter Shifting Questions, 2015

Sources: Clarke et al., 2011; Clarke et al., 2005; Fieldhouse et al., 2015; Heath et al., 1987; Heath et al., 1992; Heath et al., 1997; Whiteley et al., 2010. Based on questions: “Which party did you vote for in the general election?” and “Thinking back to the general election in [year of previous election], do you remember which party you voted for then - or perhaps you didn't vote? IF 'YES': Which party was that?”