Undocumented Immigration, Regularization and Citizenship in the Southern Cone.

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Abstract

In 2004 the Argentine government established that immigration is a human right and launched a large regularization program that benefit almost 0.5 million people, mostly from neighboring countries, or 29% of the immigrant population. Despite a substantial normative and legal literature praising the in-form content of the legislation, little empirical research assesses its real effects. This paper exploits variation in treatment intensity across several dimensions and finds mixed results. The regularization program positively correlates with higher access to non-contributory pensions; but did not increase access to education and formal jobs. Moreover, the regularization program positively correlates with a higher propensity to pay a simplified self-employed tax, but also with a higher propensity to illegally rent and occupy land in shantytowns. Transforming low-educated irregular immigrants into citizens who have full access to their rights, and comply with their civic duties, requires more than a well-intentioned legislation.

JEL Codes: J61, K37, K42, O15

Keywords: Irregular; Migration; Shantytown; Tax Evasion; Argentina

"Cuando nuestras ideas chocan con la realidad, lo que tiene que ser revisado son las ideas"

Jorge Luis Borges

"Mejor no hablar de ciertas cosas"

SUMO

1 – Introduction

In 2004 Argentina introduced a new immigration law (No. 25871), which is considered by legal scholars as one of the most humanitarian and egalitarian legislations in the world (Hines 2010). The two most prominent features of the law are, first, establishing that immigration is a human right, and guaranteeing immigrants the rights to equal treatment, non-discrimination, and access to medical, educational, and social services. This principle is not found in any international human rights conventions nor in the laws of any other large immigrant receiving country (Fine and Ypi 2016; Hines 2010). Second, the new law also introduced a large regularization program, through which the existing stock of irregular immigrants were able to obtain a residency and a work permit, by simply showing evidence that they did not entered Argentina clandestinely and signing an affidavit that they had no criminal records. The program lasted until 2010, and it allowed almost half a million of undocumented immigrants to regularize their situation, representing approximately 30% of the total immigrant population.

The importance of Argentina's Law 25871 in advancing a human rights-based model for immigration is even more noticeable considering that most countries in Europe and North America has recently moved in the opposite direction. Their policies have usually become more complex and restrictive due to concerns over national security (Beine et al. 2016; Rudolph 2003).[1] Furthermore, the Argentine 2004 law replaces a norm passed during the military dictatorship based on xenophobic and restrictive principles (Bastia

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[1] During the last decade, a substantial number of Latin American countries adopted immigration discourses and policies with an unprecedented focus on migrants' rights (Ceriani and Freier 2015). Argentina was the first mover (Melde 2017). This was, in part, a strategy of Latin American politicians to positioning in a morally superior position vis-à-vis Europe and the United States, countries in which undocumented Latin Americans are usually poorly treated (Freier and Holloway 2019).

and vom Hau 2014; Benencia 2011; Caggiano 2005; Hines 2010; Giustiniani 2004; Grimson 1999; Oteiza et al. 1997).[2]

Despite the local and international prominence of the 2004 Argentine immigration policy, and an extensive legal and normative literature, there is little empirical research analyzing its actual impacts. Moreover, this is an example of the bias in the empirical immigration policy literature. While UNDESA (2019) estimates suggest that 44% of all international migration is from a developing to another developing country (what is usually labeled "South-South" migration), the share of studies focused on host developing countries is scant.[3] Recent summaries of the literature (e.g., Bansak 2016) show that the large majority of empirical research focuses either on European countries or on the United States, which passed the last significant regularization program more than thirty years ago (i.e., IRCA in 1986).[4] This paper attempts to contribute to filling these gaps.

I particularly concentrate on the regularization program because the fate of the unauthorized immigrant population is at the center of the immigration debate (Facchini et al. 2017). Part of the discussion revolves around two issues: First, there are worries about magnitudes. Do legalization programs bring more immigrants or not? Second, there are questions related to race and culture. In the case of Argentina, undocumented immigrants are overwhelmingly mestizos from Bolivia, Paraguay, and Peru. This is a blessing for those who prefer a multi-ethnical and cultural society, but a curse for those who support a racial project of "white Argentina" (Barbero 2018; Bastia and vom Hau 2014; Gordillo 2016).[5]

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[2] That norm is locally known "*Ley Videla*". Jorge Rafael Videla was the head of the military junta when the law was passed in 1981.

[3] Some notable exemptions are Facchini et al. (2013), and Freier and Holloway (2019). See the literature review in Cerrutti and Parrado (2015).

[4] For example, the recent special issue on the impact of immigrant legalization initiatives published by the ILR Review in 2018 does not include any host developing country (Cook et al., 2018). An influential work in this area applied to the United States is Kossoudji and Cobb-Clark (2002).

[5] There is an interesting, mainly normative local literature about the regularization programs that includes Bruno 2010; Gallinati 2008; Garcia 2015; Nejamkis and Rivero Sierra 2007; Pereira 2019.

In this paper I do not attempt to answer those two questions. Descriptive evidence suggests that the new immigration policy had a small positive impact on the number of immigrants and on their ethnical composition. Presumably more important is to analyze how the regularization program affected the wellbeing and the behavior of immigrants.[6] More specifically, do we observe an improvement in access to formal employment, education, health, and social benefits, among previously undocumented immigrants as stipulated in the law? And what about compliance with the civic duties of the host country? Does the legalization program produce an improvement in the civic behavior of immigrants, particularly with respect to crime, tax payments and the illegal occupation of land? In few words, did the large legalization program implemented in Argentina enhanced citizenship?

Conceptually, these are complex and undertheorized questions, with ambiguous answers. In the United States and Europe, legalization programs usually improve access to citizen's rights mainly because they allow previously undocumented immigrants to come out of the shadows. But what about countries where the rule of law is often violated? Perhaps, on the one hand, the undocumented immigrants are not that persecuted and excluded to begin with; and, on the other hand, they do not gain access to many benefits after regularizing their situation as in countries where the law is enforced. Furthermore, the same weak state that fails to provide access to basic rights may also fail to promote and enforce even the minimum civic responsibilities, such as for example, allowing individuals to illegally occupy land in the center of town. Scholarship in other fields strongly suggests that, in developing countries like Argentina where compliance is usually low and enforcement partial, it is necessary to go beyond the letter of the law to understand its real effects.[7] Regrettably, simply passing a law that declares the right to immigrate and to equal treatment, could be insufficient to convert an undocumented

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[6] The impacts of immigration on the wellbeing of natives is also an under-researched topic in Argentina. See OECD/ILO (2018) for descriptive evidence.

[7] See the seminal work of O'Donnell (2004) in this area. Other contributions include Dewey (2018) for garment industry regulations; Fernandez Milmanda and Garay (2019) for environmental law; Kanbur and Ronconi (2018) for labor; and Monkkonen and Ronconi (2013) for urban regulations.

immigrant into a citizen who has real access to rights and who complies with her/his civic duties.

Another layer of complexity to answer the above questions is the debate about which factors make people comply with their civic duties. An extensive literature deals with this broad subject, including the socialization role of civic education programs (Gutmann 1987; Galston 2001); the cost of sanctions for violating the law (Becker 1968); and the importance of trust, tax morale, social capital, notions of fairness, and reciprocity (Fehr and Gächter 2000; Gambetta 1998; Putnam 1993; Verba et al. 1995). I return to these issues below when interpreting the results.

The next section briefly describes the historical trends in Argentine immigration and the evolution of immigration policy. The third section describes in more detail the regularization program. The fourth section presents the data and the methodology; the fifth section presents the results, and finally I conclude.

2 – Brief historical background of Argentine immigration

In the mid-19th century, at a time when the nation-state was still forming, Juan Bautista Alberdi, a prominent Argentine leader, argued that "to govern is to populate". The Constitution of 1853 and successive governments followed this principle.[8] During the period of mass European migration between 1850 and 1930, only the United States received more immigrants than Argentina. As shown in Figure 1, immigrants (as a share of the total population) increased from 11.2% in 1869 to 30.3% in 1914 (left vertical axe). Most of these immigrants were form Italy and Spain. Less than 10% of the immigrant population was from neighboring countries (i.e., Bolivia, Brazil, Chile, Paraguay, and Uruguay) and Peru in 1914 (right vertical axe).

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[8] The Constitution of 1853 (which on issues of immigration remains in place) provides generous protections for the foreign born. It states that the government may not restrict the right of entry to any foreigner who arrives in Argentina for the purpose of engaging in beneficial activities, and that all foreigners enjoy the same civil rights as citizens. The first immigration law ("Avellaneda Law" of 1876) reflected these constitutional principles. See Hines (2010) for a comparison between immigration content in the Argentine and United States constitutions; and Castro (1971) for a historical analysis.

Figure 1 – Immigration to Argentina in the long run
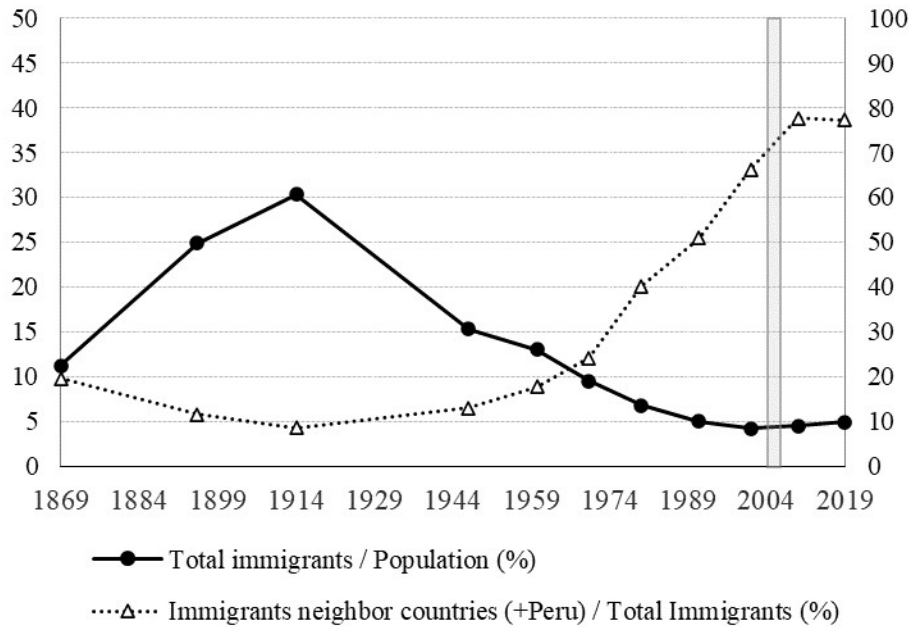
Source: Own elaboration based on INDEC and UNDESA (2019).

European immigration declined strongly in the 1930s, and despite a transitory increase after WWII, it become small. But Argentina was still economically attractive to neighboring countries, particularly workers from Bolivia and Paraguay who accepted jobs that few natives were willing to take such as in construction and domestic service in large cities. Many of these immigrants entered the country without proper documents or were admitted temporarily but chose to stay indefinitely. Successive governments implemented regularization programs, and some were large, such as the one implemented in 1974 which provided residency and work permits to 147,383 people (Oteiza et al. 1996).[9] But, the undocumented immigration from neighboring countries continued growing.

As a reaction to these changes, the military dictatorship introduced a new law in 1981 (*Ley Videla*), which drastically reduced the rights of undocumented immigrants. They were not allowed to receive free public secondary or university education, free public medical treatment, and could not purchase or rent property. Furthermore, irregular

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[9] 50% of people who received regularization were born in Paraguay, 17% in Chile, and 15% in Bolivia.

immigrants could be deported without minimal due process (Hines 2010). This law remained in place until 2004, and during that period two additional large legalizations programs were implemented: The first during 1984-1985, and the second in 1992-1994, regularizing a total of 361,585 immigrants.[10] Despite these policies, or because of then - depending on the perspective- a substantial share of people from neighboring countries continued entering irregularly. In 2004, when the human-rights based law was introduced and the regularization program implemented, almost 500,000 immigrants were irregular (more on this issue below). Clearly, the restrictive in-form *Ley Videla* was not successful controlling undocumented immigration.

3 – The Regularization program

The government launch a regularization program in October 2004 trying to find a solution to the large stock of undocumented immigrants. Several local human-rights and religious activists, with humanitarian intentions, successfully lobby the government for changing immigration policy.[11] The first part of the regularization program benefited non-MERCOSUR migrants, while the second part (known as "*Patria Grande*") started in 2006 and benefited migrants from MERCOSUR and associate member states (i.e., Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, and Venezuela).

In a nutshell, immigrants were able to obtain a provisional residency and work permit and an Argentine tax-ID number (i.e., CUIL) by simply showing evidence that they did not entered Argentina clandestinely and signing an affidavit that they had no criminal records.[12] The permit cost 10 pesos and lasted until June 2010 (the exchange rate in 2006

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[10] Oteiza et al. (1996) is one of the few studies that provides some statistics, which indicate that the legalized immigrants were: 36% from Bolivia, 29% from Chile, and 23% from Paraguay.

[11] See Correa (2004); Giustiniani (2004); Melde (2017).

[12] Initially, irregular immigrants who entered clandestinely, and had not Argentine family members, were excluded from the regularization program. Only a few Africans and Haitians who entered Argentina mainly via Brazil were in such situation. The government introduced a special regularization program for them a few years later.

was 3 pesos per US dollar).[13] Immigrants could then apply for a temporary or permanent residency permit, which required additional documentation and a 200 pesos fee.[14] Immigrants who could not afford the administrative costs of the regularization were exempted after presenting a note declaring a situation of indigence. This was an ambitious legalization program that grants legal permanent residence and a pathway to Argentine citizenship.

To facilitate participation in the regularization program, the government authorized 560 civil-society institutions located across all provinces in Argentina where irregular immigrants could regularize their situation (see Figure A1 in the appendix). To promote integration and foster citizenship, the government had the obligation to provide to the regularized immigrants information regarding their rights and duties under the law.

Administrative data from the Argentine Immigration Office (DNM) website indicates that a total of 436,309 undocumented immigrants received a permit, and only 0.5% of the applications were denied.[15] Demographic information indicates that the regularized immigrants are predominantly single young adults with little formal education: 11.4% are less than 18 years old, 86.5% are between 18 and 64, and 2.1% are 65 years old or more. Among the adult population, 83% are single, 15.5% married, 0.9% widow/widower, and 0.7% divorced. The distribution of educational levels of the regularized immigrants, compared with the native population, is in Figure 2.[16]

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[13] The permit was initially supposed to last for 180 days, but the expiration date was subsequently extended by the government to June 2009, then to December 2009, and finally to June 2010.

[14] Immigrants from non-MERCOSUR countries had to initially pay a $400 pesos fee to obtain a temporary or permanent residency permit.

[15] Downloaded on November 20, 2019 from https://www.argentina.gob.ar/interior/migraciones/estadisticas

[16] The figures are for the population 15 years of age or more. The available data for the regularized immigrants has two limitations: First, it is for the whole population; thus, in Figure 2, I assume that all individuals 14 years old or less have either no formal education or only primary school. Second, it is only available for those born in MERCOSUR countries (i.e., 97% of the regularized immigrants). The data for the native born is from the Census 2010 REDATAM.

Figure 2 – Schooling of the Regularized immigrants compared with the native born
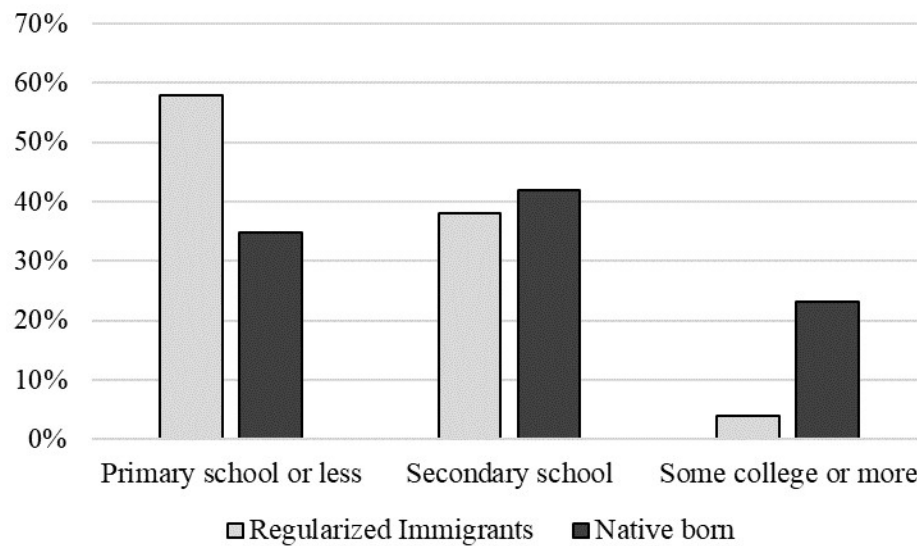
Notes: The figures are for individuals 15 years old or more. Own elaboration based on DNM and Census.

No survey collecting information about the legal status of immigrants was conducted in Argentina before the regularization program. This situation makes it difficult assessing the coverage of the program. Post-program information, however, suggests that it took longer than expected, but by 2015 almost all immigrants residing in Argentina were regular. The DNM published that, out of the 436,309 permits that were initially granted between 2004 and 2008, 187,759 temporary permits were cancelled by 2010 mainly because of lack of renovation. Consistent with these figures, the ENAPROSS survey conducted in 2011 (the first survey in Argentina that collects individual-level data on legal status), indicates that 85.8% of the foreign-born population in Argentina was regular (Baer et al. 2015).[17] But in 2015, another round of the ENAPROSS survey was conducted, and the results indicate that 98.8% of the foreign-born were regular immigrants.[18] From this perspective, the regularization program was successful.

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[17] Using data from the 2001 census, a 14.2% of immigrants without a permit means a total of approximately 220,000 irregular immigrants, a figure somewhat higher than the number of permits that were initially granted but later cancelled reported by the DNM (187,759). Surprisingly, while the ENAPROSS 2011 micro data is available in the Ministry of Labor website, the variable that captures legal status is not.

[18] The ENAPROSS 2015 micro data is also available, and it includes the legal status question.

Administrative data from the DNM also allows determining the country of birth, sex, and place of residency in Argentina of the regularized population. Results are in Table 1.

Table 1 – Immigrants regularized by country of birth

Country	Immigrants 2001	Regularized 2004/10	Share regularized
Paraguay	325,046	248,144	0.763
Bolivia	233,464	104,984	0.450
Italy	216,718	107	0.000
Chile	212,429	5,349	0.025
Spain	134,417	182	0.001
Uruguay	117,564	10,785	0.092
Peru	88,260	47,455	0.538
Brazil	34,712	4,603	0.133
Poland	13,703	9	0.001
United States	10,552	335	0.032
Germany	10,362	79	0.008
Portugal	9,340	12	0.001
Ukraine	8,290	51	0.006
South Korea	8,205	10	0.001
China	7,719	9,205	1.193
France	6,578	140	0.021
Japan	4,753	30	0.006
Russia	4,156	76	0.018
Colombia	3,876	1,247	0.322
Mexico	3,323	155	0.047
Rest of Europe	27,392	223	0.008
Rest of Americas	13,510	1,690	0.125
Rest of Asia	8,769	356	0.041
Rest of Africa	1,885	167	0.089
Oceania	745	34	0.046
Total*	1,531,940	436,309	0.285

Note: The total is slightly higher than the sum of the rows because there is missing information of country of birth of 26,172 foreign-born in the 2001 census, and of 881 regularized immigrants. Own elaboration based on DNM and Census.

The number of immigrants from Paraguay who received regularization was almost 250,000 people, representing 76% of the total immigrants from Paraguay living in Argentina in 2001. If we use as the denominator the population in 2010, the share is

almost 50%. Regularization was also high in absolute numbers, as well as in proportions, among immigrants from Bolivia and Peru (around 50%). The number of immigrants from Chile, Uruguay and Brazil that received regularization, however, represented a much smaller share of their respective populations; and for Italians and Spaniards (the two traditional immigrant groups) was nil. These differences occur because there was large variation in the extent of unauthorized immigration across countries before the program.[19]

Table 2 – Share of immigrants regularized by sex and province

Province	Male	Female
Chubut	0.175	0.142
Cordoba	0.264	0.198
Corrientes	0.156	0.158
Entre Rios	0.209	0.153
Formosa	0.160	0.209
Greater Buenos Aires	0.429	0.340
Jujuy	0.100	0.096
La Pampa	0.078	0.097
La Rioja	0.238	0.224
Mendoza	0.154	0.123
Misiones	0.162	0.211
Neuquén	0.088	0.069
Rest of Buenos Aires	0.187	0.159
Rio Negro	0.037	0.032
Salta	0.160	0.146
San Juan	0.102	0.070
San Luis	0.015	0.019
Santa Cruz	0.071	0.050
Santa Fe	0.184	0.116
Tierra Fuego	0.102	0.084
Tucuman	0.142	0.129

Note: Argentina is organized in 24 jurisdictions. See footnote 16 explaining why this table is organized differently. Own elaboration based on DNM and Census.

Table 2 shows the distribution by place of residency in Argentina and sex. Immigrants who obtained regularization were heavily concentrated -both in absolute and relative

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[19] The Chinese are the group with the highest share of regularized migrants. Using the 2010 population as the denominator, the share of Chinese that regularized their situation is 72%.

numbers- in Greater Buenos Aires (City of Buenos Aires and the 24 surrounding municipalities). [20]

4 – Independent variables, Measurement and Methodology

As discussed above, the regularization program implemented in Argentina between 2004 and 2010 was almost universal. That is, almost every irregular immigrant living in Argentina was offered, and (almost all) accepted treatment.[21] This implies that there is basically no selection bias within the undocumented population; neither the government targeted certain areas/groups, nor significant numbers of irregular immigrants opted out of treatment.

There are, however, other limitations that make identification challenging. First, treatment (i.e., regularization) was not randomly assigned. There was no treatment and control groups as it would be ideal from a research perspective. Second, there is no individual–level data that allows distinguishing the legal status of immigrants in Argentina (except for the ENAPROSS surveys conducted after treatment). Therefore, because we are not able to identify which immigrants were irregular before the program, we cannot compute the usual individual-level panel data difference-in-difference estimator. Despite these two shortcomings, we consider that much can be learnt with the available data from this major policy intervention.

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[20] Argentina is organized in 24 jurisdictions. The regularization data, however, provides information for 21 "local labor markets" due to the location of the 21 administrative offices of the DNM in charge of providing the residency status. There is one office located in Tucuman that covers immigrants who live in the province of Tucuman and Santiago del Estero; the office located in Corrientes covers immigrants in Corrientes and Chaco; and the office located in La Rioja covers both La Rioja and Catamarca. Finally, the office located in the City of Buenos Aires covers immigrants in Greater Buenos Aires, that is, those living in the City of Buenos Aires or in the 24 municipalities surrounding the city that are part of the province of Buenos Aires.

[21] Only a few Africans and Haitians who entered clandestinely mainly via Brazil and had no family born in Argentina were initially not allowed to participate in the regularization. But, the government introduced a special regularization program for them a few years later.

A key source of variation we exploit is the degree of regularization by country of birth. Table 1 above shows that there is large variation in the intensity of treatment (i.e., in the share of members of a group that is regularized) across nationalities. Therefore, it is possible to test the effects of regularization on assimilation by analyzing whether the change in behavior of those immigrants' groups that received a high dose of treatment (such as Paraguayans, Bolivians and Peruvians) is indeed different compared to immigrants' groups that received a low or medium dose of treatment (such as Chileans, Brazilians or Uruguayans). Native argentines could be included as a comparison group. More on this issue is discussed below.

Furthermore, variation in the intensity of treatment also occurred across other dimensions such as place of residence in Argentina and gender as shown in Table 2. Geographic variation in the intensity of treatment was particularly strong. Approximately 40% of immigrants living in Greater Buenos Aires obtained regularization compared to less than 10% of immigrants living in the Patagonian provinces. We can then compare, for example, the behavior of Paraguayans in Buenos Aires (who received a high dose of treatment) with the behavior of Paraguayans in Santa Fe and Cordoba (who received a lower dose of treatment).

That is, the key explanatory variable $Treatment\_Intensity_{ijg}$ (defined as the share of immigrants in group ijg who obtained regularization) varies by country of birth i, province of residence in Argentina j, and sex g. The treatment variable is observed in 2,882 cells out of a maximum of 6,720 cells (i.e., 150 countries x 21 provinces x 2 sex).[22] The main reason for the large number of empty cells is that immigrants from many countries can only be found in Greater Buenos Aires.

We study six dependent variable that, in our opinion, are among the most important and controversial in the immigration debate.[23] Three variables measure immigrants' access to rights and benefits (i.e., pension, formal employment, and education); and the other three variables capture immigrants' civic behavior (i.e., propensity to pay tax, to commit crime

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[22] This is the most disaggregated data we could obtain from the DNM. See footnote 16 explaining why we use 21 provinces instead of the usual 24.

[23] Noy and Voorend (2016) discuss access to health care.

and go to jail, and to squatter, rent or buy illegal property in a shantytown). Selecting policy-relevant variables instead of those that are easily available proved to be difficult, but we expect that the effort helps informing the debate. We describe the main characteristics of each variable next and provide more detailed information in Table A2 in the appendix.

Change in Pension$_{ijg}$ is the share of people 65 years old or more of group *ijg* (that is, of country of birth *i*, living in Argentine province *j*, and sex *g*) that received a pension in 2010 minus the share that received a pension in 2001. The data is of high quality; it captures the population (not a sample) since it is obtain from the Census using REDATAM.[24] This variable attempts to capture whether the regularized immigrants effectively enjoyed the expansion in coverage of non-contributory social security, and particularly pensions, that occurred in Argentina in the late 2000s (Cetrángolo and Grushka 2008).[25]

Change in Formally Employed is the share of employees who work for an employer that contributes to the social security system in 2010 minus the share in 2001. The data is from the Census-REDATAM. Having an Argentine tax-ID number is a necessary condition to access formal employment. Thus, an immigrant that is legalized should improve her/his labor outcomes. However, employer's non-compliance with workers' rights is widespread in Argentina, and government enforcement is low and politicized (Amengual 2016; Gasparini and Tornarolli 2009; Ronconi 2010). Therefore, it is a priori unclear whether the regularization program actually improved access to this fundamental right.

Change in Attending School is the share of children 6 to 17 years of age who were attending school in 2010 minus the share in 2001. I compute two alternative variants of this variable. First, I use the country of birth of the children as the defining characteristic.

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[24] The data is available online at www.indec.gov.ar

[25] The other important expansion in coverage was the creation of non-contributory family allowances in 2009, known as *Asignación Universal por Hijo* (AUH) (Bertranou 2010). This variable is not available in the Census. There is information about access to the AUH in the main Argentine household survey (EPH). But, regrettably this traditionally high-quality survey was manipulated by the government in 2007, making the data unreliable.

In this case the data is from the Census-REDATAM. But, the restrictive 1981 immigration law not only prohibit irregular foreign-born children to attend secondary school, but could also discriminate against native-born children whose parents were irregular immigrants. Therefore, the second variant takes the country of birth of the mother or father of the children as the defining characteristic.[26] In this case, to match children and parents, I use IPUMS which provides micro data but at the cost of working with a 10% sample of the population in the Census.[27] The regularization program should have fostered school attendance if the *Ley Videla* was enforced; but it would have little impact if the restrictiveness of that law was only *de jure*.

Change in Tax Compliance is the share of self-employed who report paying the social security tax in 2010 minus the share in 2001. The data is from the Census-REDATAM. The social security tax for self-employees is locally known as the *Monotributo* tax, which is a simplified, flat and relatively low tax that self-employees must pay every month.[28] Having an Argentine tax-ID number is a necessary condition to register and pay. Tax compliance data based on self-report information can be very misleading, particularly in countries where enforcement is strict because people fear tough penalties. In the analyzed case, the self-reported information appears reasonably accurate.[29]

If the regularized immigrants (many of whom effectively work as self-employees) are reciprocal, then we could expect an increase in compliance. But, if they are mainly

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[26] I first use the country of birth of the mother; if she is native, then I take the country of birth of the father. Cells vary by country of birth and location in Argentina (not sex). The number of locations is 20 (instead of 21) because IPUMS does not allow distinguishing those who reside in the 24 municipalities of GBA from the rest of the province of Buenos Aires (Minnesota Population Center 2019).

[27] IMPUS data can be downloaded from https://international.ipums.org/international/.

[28] Only independent workers with high income (above 10,000 US dollars per year in 2020) do not qualify to the *Monotributo* and must pay higher taxes.

[29] 1.75 million self-employed workers report contributing to social security in the 2010 Census, while administrative data from the Argentine tax collection agency indicates that, on average, 1.51 million individuals effectively payed the *Monotributo* monthly contribution (MTEySS 2020). The difference between the two figures is not large. It can reflect misreporting in the Census, but it can also be partially explained by the fact that some individuals are registered in the *Monotributo* tax but do not make the deposit every month.

guided by a rational cost-benefit calculus, the increase would be quite low because paying the *Monotributo* has some administrative complexities and government enforcement is almost inexistent for this group of taxpayers.

Change in Crime-Prison is the change in the share of the people who are in an Argentine prison before and after the regularization program. I use administrative data of the inmate population in federal and provincial prisons provided by SNEEP. The situation before the regularization program is computed as the annual average from 2002 to 2004, and the situation after the program is the annual average from 2010 to 2012.[30] A limitation of the data is that only provides information about the country of birth of the most prevalent nationalities.[31]

The links between immigration and crime is a controversial topic in Argentina and elsewhere (Ousey and Kubrin 2018). Some media outlets criticize immigration policy after an innocent is robbed or killed by an immigrant, such as for example in the case that was locally known as *"El Crimen de Brian"* (Barbero 2018). However, it is conceptually difficult to find reasons why immigrant regularization would foster the propensity to commit crimes among the benefited population. Providing solid empirical evidence, instead of relying on specific events, would hopefully help informing the debate.

Finally, *Illegal Housing* is the share of people who reside in a shantytown. Living in a shantytown implies infringing the law since they are, by definition, neighborhoods built in illegally occupied land.[32] This is presumably the most controversial of all the analyzed variables because the military dictatorship used to eradicate shantytowns located in the city of Buenos Aires, and most of them were heavily populated by immigrants from neighboring countries. Simple observation, however, suggests that nowadays a large share of the population living in shantytowns are immigrants. The inappropriateness of this situation has become more evident since the COVID-19 pandemic because people in

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[30] The first year of available information is 2002; see https://www2.jus.gov.ar/dnpc/

[31] I compute the variable for immigrants from Bolivia, Brazil, Chile, China, Colombia, Italy, Paraguay, Peru, Spain, and Uruguay. These ten nationalities represent 87% of the foreign-born population in prison in 2002.

[32] The data does not allow distinguishing squatters from those who informally rent or bought property in a shantytown. But, for the purpose of this paper, the point is that all of them are not complying with the law.

shantytowns are particularly exposed. However, the topic is rarely analyzed by local social scientists and most available datasets do not provide information.[33] There are, however, a few exceptions that we discuss and analyze below.

We estimate the following benchmark model:

$$\Delta Y_{ijg} = \beta Treatment\_Intensity_{ijg} + \Delta X_{ijg} + \lambda_i + \alpha_j + \tau_g + \varepsilon_{ijg}, \quad (1)$$

where i is for country of birth, j for province of residence in Argentina, and g for sex. *Treatment_intensity* is the share regularized defined as the ratio between those who obtained a permit between 2004 and 2010, and the stock in the 2001 census.[34] X is a set of sociodemographic characteristics including age and education. ΔY_{ijg} is a placeholder for the change in the dependent variable before and after treatment. Finally, the above specification includes fixed effects to reduce the threats of omitted variable bias. Moreover, it is also possible to include two-way interactions. For example, the two-way interaction fixed effects for specific country of birth-sex cells allow adjusting for all immigrants' nationalities and gender specific changes that are common across provinces and that could be correlated with the regularization share variable.

5 – Effects of the Regularization program on Citizenship

This section provides descriptive statistics as well as econometric estimates of the effects of the program. Most of the variation we exploit is over time and across groups with differences in the intensity of treatment. However, the methods vary depending on the dependent variable and, hence, the characteristics of the data available. I begin analyzing *Illegal Housing*, which is the most challenging from a measurement perspective.

But, first, I devote a paragraph to the potential impacts on the number of immigrants and their composition. A simple before and after analysis of the 2004 policy suggests that it contributed to a small increase in overall immigration (from 4.2% of the total population

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[33] There are some notable exceptions such as Mera et al. (2015).

[34] The ideal denominator would be the stock of immigrants when the regularization program started in 2004, but the data is not available. An alternative is to use the stock of immigrants in 2010, but it is endogenous to the regularization program.

in 2001 to 4.9% in 2019), and to a growing share of immigrants from neighboring countries (from 66.2% in 2001 to 77.3% in 2019). See Figure 1 above. Analyzing whether immigrants have real access to their rights, and comply with their civic duties, is presumably more important.

The Argentine census collects information about various characteristics of the dwelling; including whether it is in a shantytown or not. Regrettably, the information is not available. Cravino (2008), Salvia et al. (2019) and other researchers made an important effort estimating the large and growing population residing in shantytowns in Argentina using other sources. But the collected data does not usually allow exploring the links with immigration.

The most reliable information that allows analyzing both immigration and shantytowns is provided by the City of Buenos Aires Statistical Agency (DGECCBA). Therefore, I focus only on this region. Note that 79.9% of the regularized immigrants reside in Greater Buenos Aires. There are three sources of data that I explore. First, the DGECCBA, has organized various shantytowns-specific census. They were conducted after the end of the immigrant regularization program, and they cover approximately half of the population in shantytowns.[35] Table 3 presents the results.

Table 3 – Composition of the population residing in slums in the city of Buenos Aires

Country of birth	Share of all population	Share of heads of household
Argentina	0,492	0,253
Bolivia	0,285	0,434
Paraguay	0,134	0,192
Peru	0,085	0,114
Other countries	0,005	0,007
Total	1,000	1,000

Note: Own elaboration based on various sources. See footnote 35.

About half of the total population is native-born (49.2%), and the other half from Bolivia, Paraguay, and Peru. It is rare to find immigrants from other countries residing in slums. These figures are almost identical to the estimate in Mera et al. (2015) based on the 2010

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[35] The surveyed shantytowns are Villa 31 and 31bis, Fraga, Rodrigo Bueno, Villa 20, and Barrio Padre Riccardelli. Information is available at https://www.estadisticaciudad.gob.ar/eyc/

census.[36] Many of the native-born residing in shantytowns are the children of foreign-born parents. If we restrict the analysis to heads of household, then 75% of the illegal occupants are from those three countries, the ones that benefited the most from the immigrant regularization program. A limitation of this data is lack of information about changes over time, in particular about the situation before the regularization program.

Second, the DGECCBA based on census data, provides estimates of the evolution of the share of the population in the City of Buenos Aires that resides in a shantytown. In 1962 only 1.4% was living in shantytowns, a figure that drastically increased to 7.2% in 1976; it then declined to 1.3% in 1980 due to the forced eradications implemented by the military dictatorship, and finally grew continuously up to 5.9% in 2010. Regrettably, this information does not allow analyzing the country of birth of the slum dwellers.

Figure 3 – Percentage of the population in shantytowns, City of Buenos Aires
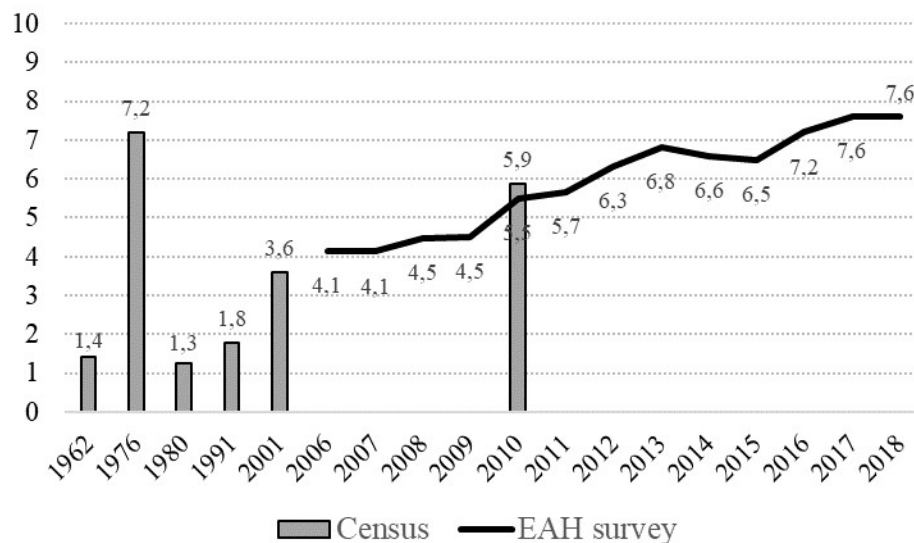
Finally, the DGECCBA conducts an annual household survey (EAH) that measures both country of birth and whether the dwelling is in a shantytown. The first survey was conducted in 2006, and it shows that the population in slums increased from 4.1% to 7.6% in 2018 reaching its maximum historical level.

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[36] Mera et al. (2015) make a good effort to link spatial data from the 2010 census with geographic information about the location of shantytowns in the City of Buenos Aires. They estimate that 49% of the population residing in shantytowns is foreign-born.

One limitation of the EAH is that nationalities are grouped in three categories: native-born, born in neighboring countries (Bolivia, Brazil, Chile, Paraguay, and Uruguay) plus Peru, and the rest. Figure 4 shows that, when the immigrant regularization program for MERCOSUR nationals started in 2006, less than 20% of immigrants from these countries living in the City of Buenos Aires were residing in a shantytown. In 2018, more than 30% of them reside in a shantytown. Conversely, the propensity of immigrants from other countries -who did not benefit much from the regularization program- to reside in a slum was nil during the whole period; and the share of native-born Argentines in shantytowns increased slightly from 3% in 2006 to 4% in 2018. These figures suggest that the immigrant regularization program fostered squatting, informal renting and buying in shantytowns. That is, the program promoted illegal housing. Why?

Figure 4 – Share in city of Buenos Aires' shantytowns, by country of birth
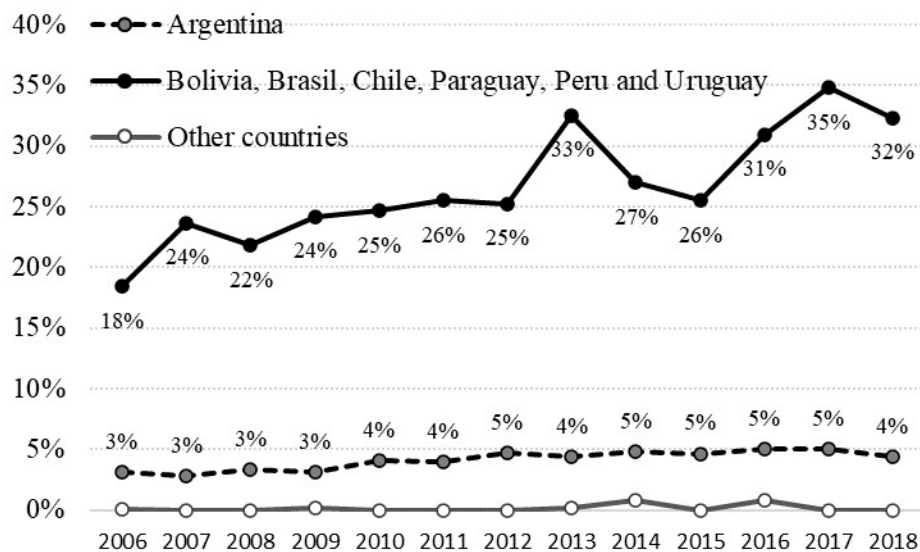
First, we should note that the regularization program was supposed to reduce the propensity of immigrants to illegal housing via two channels: First, access to the residency permit removed one of the barriers to formally rent or buy property in the legal market. Second, the regularization program supposedly provided immigrants with civic education courses where they could learn about their civic obligations.

But having a residency permit is only one of the many barriers to the legal real estate market. To rent legally, it is usually necessary to show proof of having a formal job, and

as we show below, formal employment increased little among immigrants. Buying property formally is even more complicated due to the high cost and the lack of access to credit. Moreover, government authorities did not provide immigrants with any information about their civic duties. The speeches of the two Argentine presidents during the regularization program, emphasized access to rights, but did not mention that immigrants have civic obligations.

Three interesting qualitative studies conducted among Bolivian and Peruvian individuals living in slums located in Buenos Aires and Córdoba, suggest that the emphasis on human rights empowered formerly irregular immigrants. They feared less risk of deportation due to residing in a shantytown, began to consider legitimate to illegally occupy land in any location (including the affluent center of the city), and even demanded the local government for lack of access to public utility services (Canelo 2012; Magliano et al. 2014; Vaccotti 2018).

We now explore the effects on the remaining five outcomes, for which more data is available. Table 4 presents some simple descriptive evidence of the potential impacts of the regularization program, and then we present econometric estimates. Table 4 only includes immigrants from 9 countries, but they represent 92% of the foreign-born population and 97% of the regularized immigrants. I create three categories, each including immigrants from three countries depending on the share regularized. The first group includes immigrants from Bolivia, Paraguay, and Peru. This is the high intensity treatment group, since the number of individuals regularized represents 61.9% of the immigrant population in 2001. The second is the medium intensity treatment group (share legalized equals 10.7%) and is comprised by people born in Brazil, Colombia, and Uruguay. The third group includes immigrants from Chile, Italy and Spain and is the low intensity treatment group (1% regularized). Finally, as a comparison group, the table includes native-born Argentines.

Every column covers a different dependent variable; and for each variable we compute the before-after change within each group, and the difference over time across groups. Column (1) measures access to pensions among the elderly. Only 43.7% of immigrants aged 65 or more born in Bolivia, Paraguay, and Peru received a pension in 2001. In 2010,

after the immigrant regularization program, the share noticeably improved to 75.9%. The group of immigrants who received a medium dose of treatment also improved access to pensions, but by a smaller amount. Before the regularization program, 51.8% received a pension, and the figure increased to 73.1% in 2010. Similarly, we observed improvements in access among the low intensity treatment group as well as among natives, and the changes are of smaller magnitude compared to the first group. The last row measures the change over time in access to pensions among immigrants from Bolivia, Paraguay, and Peru, minus the change over time among native-born Argentines; the estimate equals 8.7 percentage points indicating that the first group benefited more from the expansion in non-contributory social security than natives. One plausible reason is that the regularization program provided the necessary legal documentation to access pensions.

Column (2) explores access to formally registered jobs. Again, the group with the higher share of members with irregular status in 2001, was the one that had the lowest level of access to rights. Only 46% of employees born in Bolivia, Paraguay, and Peru had formal jobs with legally mandated benefits in 2001. The figure improved to 50.6% in 2010. But improvements were of similar or even larger magnitude among groups with lower treatment intensity. This suggests that the better macroeconomic condition in 2010 compared to 2001, was not particularly advantageously for those who obtained a work permit. Presumably, there are too few formal jobs in the Argentine economy, and additional barriers to accessing them such as discrimination (Cortés and Groisman 2004). Contrary to the evidence from countries where the law is usually enforced and informality is low, such as in Canada or the United States (Kaushal 2006; Kossoudji and Cobb-Clark 2002), granting a work permit in Argentina does not appear to improve labor outcomes. Interesting, researchers suggest that the large role of the informal sector in some European economies could explain why legalizations programs in those countries do not always improve labor outcomes (Bansak 2016; Orrenius and Zavodny 2013; Reyneri 2001).

Table 4 – Changes in access to rights and compliance with civic duties among groups with different intensity of treatment

Group		Pension (1)	Formal Job (2)	Attending school (3)	Attending school (3B)	Tax Compliance (4)	Crime and Prison (5)
High intensity treatment 61.9% (Bolivia, Paraguay, and Peru)	level before treatment	0,437	0,460	0,864	0,934	0,178	0,00147
	level after treatment	0,759	0,506	0,876	0,938	0,216	0,00146
	Change	0,321	0,046	0,012	0,004	0,038	-0,00001
Medium intensity treatment 10.7% (Brazil, Colombia, and Uruguay)	level before treatment	0,518	0,665	0,911	0,926	0,347	0,00311
	level after treatment	0,731	0,713	0,951	0,946	0,376	0,00242
	Change	0,213	0,048	0,039	0,020	0,029	-0,00070
Low intensity treatment 1% (Chile, Italy, and Spain)	level before treatment	0,735	0,676	0.937	0,950	0,402	0,00085
	level after treatment	0,918	0,723	0.931	0,941	0,385	0,00075
	Change	0,183	0,048	-0,005	-0,009	-0,017	-0,00010
Native-born (Argentina)	level before treatment	0,704	0,698	0,930	0,929	0,354	0,00128
	level after treatment	0,938	0,715	0,940	0,940	0,345	0,00143
	Change	0,234	0,017	0,010	0,010	-0,009	0,00015
Difference High Intensity vs Medium Intensity		0,108	-0,003	-0,027	-0,016	0,009	0,00069
Difference High Intensity vs Low Intensity		0,138	-0,002	0,017	0,013	0,055	0,00009
Difference High Intensity vs Native-born		0,087	0,029	0,002	-0,006	0,047	-0,00016

Note: Variable definitions and sources of information are in the appendix.

Column (3) presents the results for school attendance using the country of birth of children as the categorizing variable. Children aged 6 to 17 born in Bolivia, Paraguay, and Peru were less likely to attend school in 2001 than the other groups. School attendance increased by 1.2 percentage point in 2010, but the native-born experienced a similar change, while groups with lower treatment intensity experienced higher and lower improvements. Overall, it seems that the regularization did not have any clear impact. Similar results are obtained using the country of birth of the parents of the children as the categorizing variable (column 3B). In this case, the children of parents born in Bolivia, Paraguay, and Peru (most of whom are born in Argentina), had similar school attendance rate as the other groups before the regularization program. Changes over time do not suggest any effect of legalization on access to schooling. Presumably, and fortunately, the 1981 immigration law was more restrictive in-form than in practice.

Compliance with the simplified self-employed tax is in column (4). Compliance rates are low among all groups; but as expected, particularly so for the first group. Only 17.8% of self-employees from Bolivia, Paraguay, and Peru paid the mandatory tax before the regularization program. However, once they obtained an Argentine tax-ID number, compliance increased substantially to 21.6%. This level is still lower compared to compliance rates among the other groups, but the large improvement suggests that the immigrant regularization program did foster tax compliance. A potential interpretation is that immigrants are, to some extent reciprocal, and reacted positively to the more pleasant treatment received from the Argentine society (Ronconi and Zarazaga 2015).[37]

Finally, column (5) presents the results for the incidence of crime and prison. Before the immigrant regularization program was implemented, the share of individuals born in Bolivia, Paraguay, and Peru that were imprisoned in Argentina was 1.47‰, a slightly higher figure compared to the incarceration rate among the native-born population (1.28‰). After the immigration regularization program, the rate of incarceration remained constant in the first group and increased a little among natives. Immigrant

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[37] The increase in compliance with the simplified self-employed tax can also be partially explained by noting that immigrants benefited from the *Argentina Trabaja* temporary public works program (Massé 2015); and that program requires beneficiaries to enroll and pay the self-employed *Monotributo* tax. But, natives and other group of immigrants benefited from the temporary public works program as well.

groups with a medium and low treatment intensity experienced a small decline over time. Overall, the results suggest that the regularization program did not have any impact on the propensity to commit crimes and go to prison. *El crimen de Brian*, although atrocious and irreparable for the family and friends of the victim, does not appear to be part of an increase criminality among immigrants.

The results in Table 4 are illustrative but have several limitations. First, they only include immigrants born in nine countries. A more complete analysis should include immigrants from the remaining nationalities. Second, the results are likely to suffer from omitted variable bias because they do not control for differences across groups. I attempt to confront these concerns estimating equation (1) with OLS.

The econometric estimates are in Tables 5 and 6. Table 5 includes the results for the three measures of access to rights: *Pension*, *School Attendance*, and *Formal Job*; and Table 6 covers the measures of civic behavior: *Tax Compliance* and *Crime and Prison*. Tables are divided in panels, each one covering a different dependent variable. Column (1) presents a simple correlation between the treatment intensity and the dependent variable. Note that treatment intensity equals zero for the native-born population. Column (2) adds country of birth, sex, and province of residence fixed effects. Column (3) adds as controls the change over time in the average age and education of individuals in the cell.[38] Column (4) test the robustness of the results to the exclusion of native-born as a comparison group; and finally, column (5) includes two-way interaction fixed effects between country of birth and sex, and between province of residence and sex. All models weight each cell by the number of individuals used to compute the dependent variable.

The results do not change much compared to the simple estimates in Table 4. Panel A in Table 5 suggests that changing status from irregular to regular immigrant, increases the probability of people 65 years old or more of receiving a pension benefit from the Argentine government by approximately 9 percentage points. All estimates are statistically significant, although they become quite imprecise when natives are not included as a comparison group.

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[38] I include the average age of both parents and children in models where the dependent variable is the share of children attending school and the categorization is based on the country of birth of the parents.

Table 5 – Estimates of the effects of the Immigrant regularization program on Rights

	(1)	(2)	(3)	(4)	(5)
Panel A – Dependent variable is Difference in the Share of Adults aged 65 years or more receiving a Pension between 2010 and 2001					
Treatment intensity	0.090**	0.073**	0.081***	0.054*	0.094***
	(0.043)	(0.034)	(0.032)	(0.032)	(0.030)
# obs.	1201	1201	1169	1127	1169
R2	0.02	0.90	0.91	0.78	0.95
Panel B – Dependent variable is Difference in the Share of Employees with Formal Employment between 2010 and 2001					
Treatment intensity	0.009	-0.107**	-0.086	-0.054	-0.055
	(0.033)	(0.046)	(0.055)	(0.045)	(0.046)
# obs.	1302	1302	1285	1243	1285
R2	0.01	0.74	0.76	0.62	0.83
Panel C – Dependent variable is Difference in the Share of Children aged 6 to 17 Attending School between 2010 and 2001					
Treatment intensity	-0.003	-0.047*	-0.045*	-0.021	-0.036
	(0.010)	(0.024)	(0.023)	(0.030)	(0.029)
# obs.	831	831	794	752	794
R2	0.01	0.82	0.83	0.63	0.88
Fixed Effects	No	Yes	Yes	Yes	Yes
Controls	No	No	Yes	Yes	Yes
Natives	Yes	Yes	Yes	No	Yes
Interaction	No	No	No	No	Yes

Note: See Table A2 in the appendix for exact variables definitions. Treatment intensity is the share of group members that were regularized. Groups are categorized by country of birth (150) – province in Argentina (21) and sex (2). Robust standard errors are in parentheses. *** Statistically significant at the 1% level, ** 5%, and * 10%.

Panels B and C in Table 5 suggest that the regularization program neither had an effect on the probability of employees of accessing formal jobs, nor on the probability of children aged 6 to 17 attending primary and secondary school.[39] The estimates change

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[39] The same non-significant results are obtained using the alternative measure of school attendance based on the country of birth of the parents.

sign across specifications and are statistically insignificant in the most complete specifications.

Panel A in Table 6 indicates that changing legal status, and obtaining an Argentine tax-ID, is associated with a higher propensity to pay the simplified self-employed tax by approximately 8 percentage points, although the estimate again becomes imprecise when native-born Argentines are excluded from the analysis. Finally, Panel B in Table 6 suggests that the immigrant legalization program neither increased nor decreased criminality among the regularized immigrants.

Table 6 – Estimates of the effects of the Immigrant regularization program on Duties

	(1)	(2)	(3)	(4)	(5)
Panel A – Dependent variable is Difference in the Share of Self-Employed who Pay the simplified self-employed *Monotributo* Tax between 2010 and 2001					
Treatment intensity	0.116***	0.215***	0.200***	0.085*	0.079***
	(0.033)	(0.054)	(0.056)	(0.048)	(0.024)
# obs.	1177	1177	1158	1116	1158
R2	0.04	0.74	0.75	0.79	0.81
Panel B – Dependent variable is Difference in the Share of Individuals in Prison between 2012-2010 and 2004-2002					
Treatment intensity	-0.0001	-0.0004	-0.0001	0.0002	-0.0009
	(0.0005)	(0.0006)	(0.0007)	(0.0009)	(0.0006)
# obs.	438	438	437	397	437
R2	0.01	0.43	0.43	0.31	0.71
Fixed Effects	No	Yes	Yes	Yes	Yes
Controls	No	No	Yes	Yes	Yes
Natives	Yes	Yes	Yes	No	Yes
Interaction	No	No	No	No	Yes

Note: See Table A2 in the appendix for exact variables definitions. Treatment intensity is the share of group members that were regularized. Groups are categorized by country of birth (150) – province in Argentina (21) and sex (2). Robust standard errors are in parentheses. *** Statistically significant at the 1% level, ** 5%, and * 10%.

Given the non-experimental nature of the immigration data, researchers have developed creative methods attempting to reduce endogeneity. Such as for example checking whether the pre-treatment trends for the groups that receive a high-dose of treatment and

the groups that receive a low-dose, are effectively parallel. Or more formally, conduct a falsification test, which in this case implies regressing the same models as in equation (1) and checking whether the share regularized between 2004 and 2010 is effectively not correlated with changes in outcomes that occurred before the program, such as for example between 1991 and 2001, or between 1980 and 1991.

There are, regrettably, two major limitations to implement them. The first problem is conceptual. Those tests rely on the assumption that before treatment there was no treatment. Argentina, however, has been implementing large immigrant regularization programs that benefit people from basically the same groups every decade since the 1970s (i.e., in 1974, 1984-1985, and 1992-1994). The second problem is practical. REDATAM is not available for the 1991, 1980 or 1970 census. It would be necessary to use IPUMS, but out of the six dependent variables, the current version only allows analyzing school attendance. Future research relying on better data and identification strategy would be greatly beneficial.

Overall, the empirical evidence indicates that the human-rights based immigration reform implemented since 2004 in Argentina, was not as bright as the changes in the letter of the law suggest. First, the situation before 2004 was not as restrictive as a legalistic analysis indicates. The 1981 immigration law was not heavily enforced at least during the democratic government of the 1980s and 1990s. For example, very few unauthorized immigrants were deported. While in the United States the number of annual deportations represents approximately 3% of the stock of irregular immigrants, in Argentina the figure was only 0.1%.[40] Moreover, the prohibition of attending secondary schools was usually, and fortunately, ignored. Finally, and as mentioned above, the large legalization program implemented from 2004 to 2010 is not the first of its kind. The Argentine government has been implementing extensive regularization programs every decade since the 1970s, and

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[40] The number of deportations per year were, on average, 320,000 in the United States during the 2001-2017 period; and the estimated stock of irregular immigrants was 10.8 million (Pew Research Center 2019). In Argentina, the average annual number of deportations was 612 and the estimated stock of irregular immigrants 0.5 million during the 1992-1993 and 2004-2006 period (DNM website; Oteiza et al. 1996). For another example of restrictive in-form and in-practice immigration policy see Vinogradova's (2016) analysis of the psychological cost suffered by undocumented Thai immigrants in Japan.

in all cases benefiting the same groups (low-educated immigrants from neighboring countries). That is, the literature usually assumes that legalization brings large benefits to the undocumented because it implies the removal of a real threat of deportation. In a country like Argentina, where the law is partially enforced, the effects of regularization are smaller.

Second, improving access to rights among immigrants, such as for example access to formal jobs with legally mandated labor benefits, requires deep structural changes, not just modifications in the legislation. It is necessary to improve government enforcement, to increase investment and the demand for labor, to promote education and enhance workers' productivity, and to eradicate discrimination. Most of these policies and outcomes require time to materialize, and hence, are usually ignored by policymakers who mainly care about the next election (Stein and Tommasi 2006).

Third, since 2004 the Argentine government failed to inform and promote compliance with civic duties among the regularized immigrants, generating the wrong idea that it is legitimate to illegally occupy land anywhere, including the center of town. Regrettably, this produced a substantial increase in the number of people living overcrowded and without access to basic sanitary conditions in Buenos Aires shantytowns. The importance of considering the unintended impacts of the legalization program become more evident with the COVID pandemic since slum dwellers are particularly vulnerable to the virus.

6 – Conclusion

This paper shows that, despite a dramatic change in the letter of immigration law in Argentina in 2004, actual practices changed substantially less. The econometric estimates indicate that those immigrant groups that benefited the most from the regularization program gained access to non-contributory social benefits such as pensions. They did not experience any gain, however, either on access to registered jobs or on access to education. Their changes in civic behavior are also mixed. Groups of immigrants that benefited the most from the regularization program become more likely to pay the simplified self-employed tax; did not change their propensity to commit crimes and go to prison, and did substantially increase their propensity to rent or buy property in illegally

occupied land. Transforming low-educated irregular immigrants into citizens who have full access to their rights, and comply with their civic duties, requires more than a well-intentioned legislation.

References

Acosta Arcarazo, Diego and Luisa Feline Freier. 2015. Turning the immigration policy paradox upside down? Populist liberalism and discursive gaps in South America. *International Migration Review* 49(3): 659-696.

Amengual, Matthew. 2016. *Politicized Enforcement in Argentina: Labor and Environmental Regulation*. Cambridge University Press.

Bansak, Cynthia. 2016. Legalizing undocumented immigrants. *IZA World of Labor*.

Barbero, María. 2018. Immigration policy and belonging in the Argentine 'racial state'. *Journal of Ethnic and Migration Studies*

Bastia, Tanja, and Matthias Vom Hau. 2014. Migration, Race and Nationhood in Argentina. *Journal of Ethnic and Migration Studies* 40 (3): 475–492.

Becker, Gary. 1968. Crime and Punishment: An Economic Approach. *Journal of Political Economy* 76: 169–217.

Beine, Michel, Anna Boucher, Brian Burgoon, Mary Crock, Justin Gest, Michael Hiscox, Patrick McGovern, Hillel Rapoport, Joep Schaper, and Eiko Thielemann. 2016. Comparing immigration policies: An overview from the IMPALA database. *International Migration Review* 50(4): 827-863.

Bertranou, Fabio (coord.) 2010. *Aportes para la construcción de un piso de protección social en Argentina: el caso de las asignaciones familiares*. Buenos Aires: OIT Argentina.

Bruno, Sebastián. 2010. Cifras imaginarias de la inmigración limítrofe en la Argentina. Migraciones y MERCOSUR: una relación inconclusa, Buenos Aires, Editorial Catálogos/Universidad de Buenos Aires.

Canelo, Brenda. 2012. *Fronteras internas; Migración y disputas espaciales en la Ciudad de Buenos Aires*. Buenos Aires: Antropofagia.

Castro, Donald. 1971. *The Development of Argentine Immigration Policy, 1852–1914*. Ann Arbor: University of Michigan Press.

Cerrutti, Marcela, and Emilio Parrado. 2015. Intraregional migration in South America: trends and a research agenda. *Annual Review of Sociology* 41: 399-421

Cetrángolo, Oscar, and Carlos Grushka. 2008. Perspectivas previsionales en Argentina y su financiamiento tras la expansión de la cobertura. CEPAL, Serie Financiamiento del Desarrollo 205.

Cook, Maria, Shannon Gleeson, Kati Griffith, and Lawrence Kahn. 2018. Introduction to a Special Issue on the Impact of Immigrant Legalization Initiatives: International Perspectives on Immigration and the World of Work. *ILR Review* 71(4): 807–22.

Correa, Violeta. 2004. La Nueva Ley de Migraciones y la participación de las Organizaciones de la Sociedad Civil, in *Migración: Un Derecho Humano.* Prometeo.

Cortés Rosalía, and Fernando Groisman. 2004. Migraciones, mercados de trabajo y pobreza. *Revista CEPAL* 82:173–91.

Cravino, María. 2008. *Los mil barrios (in) formales. Aportes para la construcción de un observatorio del hábitat popular del Área Metropolitana de Buenos Aires*. Los Polvorines: Universidad Nacional de General Sarmiento.

Dewey, Matías. Domestic obstacles to labor standards: law enforcement and informal institutions in Argentina's garment industry. *Socio-Economic Review* 16(3): 567-586

DNM (Direccion Nacional de Migraciones). 2010. Estadisticas de Expulsiones. Ministerio del Interior y Transporte, Argentina .

Facchini, Giovanni, Anna Maria Mayda and Riccardo Puglisi. 2017. Illegal immigration and media exposure: Evidence on individual attitudes. *IZA Journal of Development and Migration* 7(14).

Facchini, Giovanni, Anna Maria Mayda and M. Mendola. 2013. What Drives Individual Attitudes towards Immigration in South Africa? *Review of International Economics* 21(2): 326–41

Fehr, Ernst, and Simon Gächter. 2000. Fairness and Retaliation: The Economics of Reciprocity. *The Journal of Economic Perspectives*. 14(3): 159–81.

Fernández Milmanda, Belén, and Candelaria Garay. 2019. Subnational variation in forest protection in the Argentine Chaco. *World Development* 118 (2019): 79-90.

Fine, Sarah and Lea Ypi (eds.) 2016. *Migration in Political Theory: The Ethics of Movement and Membership*, 11–31. Oxford: Oxford University Press.

Fouratt, C. E. 2014. 'Those Who Come to Do Harm': The Framings of Immigration Problems in Costa Rican Immigration Law. *International Migration Review* 48(1):144–80.

Freier, Luisa Feline, and Kyle Holloway. 2019. The Impact of Tourist Visas on Intercontinental South-South Migration: Ecuador's Policy of "Open Doors" as a Quasi-Experiment. *International Migration Review* 53(4): 1171-1208.

Gallinati, Carla. 2008. ¿Inmigrantes o ciudadanos? La construcción del "verdadero" modelo de política migratoria en el marco de la "Patria grande". *Publicación del CIFFyH* 5: 479-500.

Galston W. A. 2001. Political Knowledge, Political Engagement and Civic Education. *Annual Review of Political Science*, 4, 217–34.

Gambetta, Diego. 1988. *Trust: Making and Breaking Cooperative Relations*. Oxford, UK: Blackwell.

García, Lila. 2015. Política migratoria y delitos: expulsión por causas penales y derechos bajo la actual ley argentina de migraciones. *REMHU* 23(45): 197-214.

Gasparini, Leonardo, and Leopoldo Tornarolli. 2009. Labor informality in Latin America and the Caribbean: Patterns and trends from household survey microdata. *Desarrollo y Sociedad* 63: 13-80.

Giustiniani, Rubén. 2004. *Migración: un derecho humano. Ley de Migraciones N° 25871.* Prometeo, Buenos Aires.

Gordillo, Gastón. 2016. The savage outside of white Argentina. In *Rethinking Race in Modern Argentina*, edited by P. Alberto and E. Elena, 241–267. New York: Cambridge University Press.

Gutmann, Amy. 1987. *Democratic Education*. Princeton, NJ: Princeton University Press.

Hines, Barbara. 2010. The right to migrate as a human right: the current argentine immigration law. *Cornell Int'l LJ* 43: 471.

Hujo, K., and N. Piper. 2010. *South-South Migration: Implications for Social Policy and Development*. London: Palgrave Macmillan.

Kanbur, Ravi, and Lucas Ronconi. 2018. Enforcement matters: The effective regulation of labour. *International Labour Review* 157(3): 331-356.

Kaushal, N. 2006. Amnesty programs and the labor market outcomes of undocumented workers. *Journal of Human Resources* 41(3): 631–647

Kossoudji, Sherrie, and Deborah Cobb-Clark. 2002. Coming out of the shadows: Learning about legal status and wages from the legalized population. *Journal of Labor Economics* 20(3): 598– 628.

Magliano, María, Victoria Perissinotti, and Denise Zenklusen. 2014. Estrategias en torno a las formas de apropiación y organización del espacio en un "barrio de migrantes" de la ciudad de Córdoba, Argentina. *Estudios demográficos y urbanos*, 29(3), 513-540.

Massé, Gladys. 2015. El alcance de la protección social argentina hacia las y los migrantes sudamericanos. In *Migraciones laborales en Argentina: protección social, informalidad y heterogeneidades sectoriales*. Oficina OIT Argentina. Buenos Aires.

Melde, Susanne. 2017. *Ahead of the game? The human rights origins and potential of Argentina's 2004 migration policy* (Doctoral dissertation, University of Sussex).

Minnesota Population Center. 2019. Integrated Public Use Microdata Series, International: Version 7.2. Minneapolis, MN.

Monkkonen, Paavo, and Lucas Ronconi. 2013. Land use regulations, compliance and land markets in Argentina. *Urban Studies* 50(10): 1951-1969.

MTEySS. 2020. Observatorio de Empleo y Dinámica Empresarial, sobre la base de los registros administrativos de los sistemas de la seguridad social (AFIP).

Nejamkis, Lucila, and Fulvio Rivero Sierra. 2007. Patria Grande: consonancias ¿y disonancias? entre políticas públicas, prácticas políticas y discursos. In IX Jornadas de Estudios de Población. Asociación de Estudios de Población de la Argentina.

Noy, Shiri, and Koen Voorend. 2016. Social rights and migrant realities: Migration policy reform and migrants' access to health care in Costa Rica, Argentina, and Chile. *Journal of International Migration and Integration* 17(2): 605-629.

O'Donnell, Guillermo. 2004. The quality of democracy: Why the rule of law matters. *Journal of Democracy* 15(4): 32-46.

OECD/ILO. 2018. *How Immigrants Contribute to Argentina's Economy*, OECD Publishing, Paris.

Orrenius, Pia, and Madeline Zavodny. 2013. Regularization programs. In: Ness, I. (ed.). *The Encyclopedia of Global Human Migration*. Hoboken, NJ: Wiley Blackwell.

Orrenius, Pia, and Madeline Zavodny. 2015. The impact of temporary protected status on immigrants' labor market outcomes. *American Economic Review* 105(5): 576-80.

Ousey, Graham and Charis Kubrin. 2018. Immigration and crime: Assessing a contentious issue. *Annual Review of Criminology* 1: 63-84.

Pereira, Andrés. 2019. El nexo entre migración, seguridad y derechos humanos en la política migratoria de Argentina (1990-2015). *Desafíos* 31(1): 273-309.

Pew Research Center 2019. Facts on U.S. Immigrants, 2017

Reyneri, Emilio. 2001. Migrants' Involvement in Irregular Employment in the Mediterranean Countries of the European Union. University of Milan–Bicocca Working Paper.

Ronconi, Lucas, and Rodrigo Zarazaga. 2015. Labor exclusion and the erosion of citizenship responsibilities. *World Development* 74: 453-461.

Rudolph, C. 2003. Security and the Political Economy of International Migration. *American Political Science Review* 97(4):603–20.

Salvia, Agustín, Juan Bonfiglio and Julieta Vera. 2019. Pobreza monetaria y vulnerabilidad de derechos: inequidades de las condiciones materiales de vida en los hogares de la Argentina urbana (2010-2018). Observatorio de la Deuda Social Argentina, documento estadístico # 3. Universidad Católica Argentina.

Stein, Ernesto, and Mariano Tommasi. 2006. La política de las políticas públicas. *Política y Gobierno* 13(2): 393-416.

UNDESA (United Nations Department of Economic and Social Affairs). 2019. *International Migrant Stock 2019*.

Vaccotti, Luciana. 2018. La construcción de un sujeto político. Migrantes y lucha por la vivienda en Buenos Aires. *REMHU* 26(52), 37-54.

Verba, Sidney, Kay Schlozman, and Henry Brady. 1995. *Voice and equality: Civic voluntarism in American politics*. Cambridge, MA: Harvard University Press.

Vinogradova, A. 2016. Illegal immigration, deportation policy, and the optimal timing of return. *Journal of Population Economics* 29: 781–816.

Appendix

Figure A1 – Location of institutions where immigrants could regularize their situation

Source: Own elaboration based on DNM.

Figure A2 – Variables definitions and sources

Variable	Definition	Sources	Level of Aggregation
Treatment intensity (Share regularized)	Number of immigrants regularized between 2004 and 2010 / No. of immigrants in 2001	The numerator is administrative data from the DNM; denominator is from the Census 2001	The administrative data is aggregated by country of birth-Argentine province (21)-sex. Only 21 "provinces" instead of 24 for the reasons explained in footnote 18.
Dependent Variables (Access to Citizen's Rights and Compliance with Duties)			
Change in share of children attending school	Change in the share of foreign-born children 6 to 17 years old attending school between 2010-2001	Census 2001 and 2010	Census-REDATAM. Observations are categorized based on the country of birth of the children.
Change in share of children attending school	Change in the share of immigrants' children 6 to 17 years old attending school between 2010-2001	Census 2001 and 2010	Individual level data (IPUMS). Observations are categorized based on the country of birth of the mother of the children (if she is native, then based on the father's nationality); implying the sex category does not apply. Data does not allow distinguishing the 24 municipalities of GBA from the rest of the province.
Change in share of elderly receiving a pension	Change in the share of people 65+ years old who receive a pension; 2010-2001	Census 2001 and 2010	Census-REDATAM
Change in share formally employed	Change in the share of employees with legally mandated labor benefits (i.e., employer contribution to pension system); 2010-2001	Census 2001 and 2010	Census-REDATAM
Change in share paying tax	Change in the share of self-employed who pay the social security tax, 2010-2001	Census 2001 and 2010	Census-REDATAM
Change in share in prisons	Change in the share of individuals detained in prisons; 2010/2 and 2002/4	SNEEP (Census of population in Argentine prisons) annual reports	Data distinguish the ten main country of origin of immigrants. Data does not allow distinguishing the 24 municipalities of GBA from the rest of the province.
Controls			
Change in age	Change in average age; 2001-2010	Census 2001 and 2010	Census-REDATAM
Change in education	Change in average education (measured as years of schooling); 2001-2010	Census 2001 and 2010	Census-REDATAM