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Prospectus for the ARP Entitled:

An Empirical Analysis of the State’s Legal Monopolization over the Legitimate Means of Movement: Evaluating the Effects of Increased Passport Requirements on International Travel Rates

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1. Statement

In today’s modern world, the ability and right to travel is as synonymous as the freedoms guaranteed by the First Amendment of the U.S. Constitution. Every day, millions of people cross borders around the globe for business, pleasure and an assortment of other reasons. Typically, when travelling internationally, a passport is required to transverse the border. However, prior to January of 2007 in a few select cases a passport was not required. Examples of where a passport was not required in the United States prior to January of 2007; included travel to the Bahamas, Canada, select Caribbean Nations and Mexico. Before January of 2007, United States citizens when traveling to the above stated countries were only required to obtain a ticket, a birth certificate and a variety of state issued identification documents to exit and reenter the country. After the events of September 11, 2001 in the U.S. Eastern Seaboard, a desire spread throughout the country for increased security measures at the nation’s borders. In response, the Intelligence Reform and Terrorism Prevention Act of 2004, which included the Western Hemisphere Travel Initiative (WHTI), was passed by Congress increasing the identification requirements for border crossings, to mandate the use of passports. In January of 2007, all border crossings by air began requiring the use of a Passport. Later in June of 2009, this new requirement will be extended to all land and sea crossings as well, with a few regulated exceptions for frequent crossers. Efforts of this study will look at the effects on the number of travelers by air since the implementation of the WHTI and ***be the first empirical analysis of the State’s Legal Monopolization of the Legitimate Means of Movement.***

Purpose: The purpose of this research study is to determine whether the required use of passports has affected air travel passenger traffic numbers to countries impacted by the Western Hemisphere Travel Initiative.

1. Conceptual Framework

Policies put in place by government are typically designed to place restrictions on an action, obligation or position. Action by the United States Federal Government in the WHTI, places a restriction on the acceptable forms of identification that can be used by American citizens to return from abroad, limiting it to a passport. What this restriction ultimately leads to is a highly enforceable control over movement. With large business and tourism destinations affected, i.e. Canada and Mexico amongst others, and travel to these countries often diagnosed as impulsive, combined with the length of time it takes to obtain a passport; the number of travelers going to affected countries is almost certain to decline from the levels prior to the implementation of the WHTI.

Literature on the subject of requiring the use of a passport to facilitate international travel produces one topic similar to that of the WHTI, the Monopolization on the Legitimate Means of Movement. Work on this subject is a recent topic of study, but its roots are founded in law reviews of the 1950s and 1960s. These original studies bring up one common thread, “another aim – to restrict travel – has become increasingly significant since World War I,” (Ehrlich 1966, 130). Furthered by the fact that, “the latter-day problem has to do with the citizens power to leave his country, however welcome he may be elsewhere,” (Jaffe 1956, 18). These studies introduced the topic of how requiring the use of a passport can restrict travel.

More recent studies have formalized the study of the restrictiveness of travel by requiring the use of a passport, as the States Legal Mopolization of the Legitimate Means of Movement. As noted in Salter’s study, “passports are the primary document that states use to regulate the permeability of their borders,” (Salter 2003, 2). With the implementation of the WHTI, “the result of this process has been to deprive people of the freedom to move across certain spaces and to render them dependent on states and the state system for the authorization to do so,” (Torpey 1998, 239). In essence, “a passport can serve as a means of both opening up barriers and restricting them,” (O'Byrne 2001, 410). Overall, “passports and visas form what I call “a regime of mobility” that has been designed by the state to control the movement of people,” (Wang 2004, 352-353).

Connecting the theme gathered from the literature to this study, is a comparison of goals. The “monopolization” is a field of study that focuses on how the required use of a passport has the possibility to restrict movement as it is a required condition for movement in all but a few cases. While the WHTI, is a real-world example of a country increasing the identification requirements, to mandate the use of a passport, that will in essence increase the “monopoly”. When evaluating the data, this study will look to see whether or not requiring the use of a passport to areas where it was previously not required, has an effect on the number of travelers. Ultimately seeing whether or not this monopoly has enforceability. Featured below is a table that showcases the literature that links the hypothesis and the data.

Table 1.1 Hypothesis

|  |  |
| --- | --- |
| Hypothesis | Supporting Literature |
| The implementation of the Western Hemisphere Travel Initiative will have a negative effect on the number of travelers going to affected countries. | Jaffe 1956  Ehrlich 1966  O’Byrne 2001  Salter 2003, 2004, 2006  Torpey 1998, 2000, 2001  Wang 2004 |

1. Methodology

**Purpose**

The purpose of this section is to explain how the data for this study is gathered and the hypothesis is explored. The hypothesis is operationalized by defining dependent and independent variables. Data sources are also described in the chapter.

**Operationalization**

In determining whether the implementation of the WHTI in the international travel process to affected countries has an effect on travel rates, data must be gathered that takes several items into consideration. The dependent variable is the number of travelers going to affected countries both before and after the program is implemented. This data, is taken from reports of number of travelers to the affected countries over time is supplied by the Bureau of Transportation Statistics in the United States Department of Transportation. The exact database where data is garnered from is the Air Carriers: T-100 International Market (US Carriers Only), which is summarized and modified to reflect On-Flight Market Passengers Enplaned by DestWac by Month for January 2005 through December 2008. This data is the source of the dependent variable as well as an independent variable measuring changes in trends resulting from the travel identification program, since the data can be traced over a particular time period.

In addition to the dependent variable, two additional variables known as co-variants are used to investigate whether or not the changes seen in the analysis of the dependent variable are solely to blame on the program implementation or other outside factors. The first co-variant in this study is Population. This is used because general population shifts can have an effect on the number of traveler going abroad. The estimated general United States population will function as this covariant to control for general population growth in the states as well as shifts in the number of travelers. Since there are no limitations on the population as a whole and the population is typically ever increasing, this may ultimately lead to more travelers, serving this function well.

The second co-variant in this study is economic climate. Effect of the overall economic climate can have an effect upon the number of people traveling to countries affected by the WHTI as reasons for traveling to these countries is often tourism and business related. The official United States Unemployment Rate will function as this covariant to control for general economic climate in the states as well as shifts in the number of travelers. Since there are no real limitations on the economy as a whole and the economy is ever changing, this may lead to different rates of travelers; it should also serve this function well.

Data is collected for twenty-four (24) months prior to the WHTI implementation and twenty-four (24) months after the program implementation. Data collected is the representation of, “when an event or intervention occurs that may affect our dependent measure, we refer to the resultant as an interrupted time-series,” (Harrop 1985, 27). Independent variables, dependent variables, and the covariant are defined in Table 3.1.

**Table 3.1: Operationalization of the Hypothesis**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Variables** | **Definition** | **Unit of Measurement** | **Hypothesis** | **Data Source** |
| **Dependent** |  |  |  |  |
| Travelers Going to Effected Countries | Number of passengers going to affected countries | Number of passengers as measured by BTS statistics | - | Bureau of Transportation Statistics |
| **Independent** |  |  |  |  |
| Passport Requirement Initiative | Enactment of a program requiring a passport to enter the country | 0 before the program, 1, 2, 3 … to measure changes in the trends resulting from the program | - | Self |
| Dummy | A variable to measure slope change as a result. | 0 = before the program  1 = after the program | - | Self |
| Month | The months, including those before and after the implementation | 1-48 | - | Self |
| **Covariant** |  |  |  |  |
| Economy | Unemployment rate data | Each Month’s Unemployment Data. | Constant | U.S. Dept. of Labor |
| Population | US Population | Estimated US Population by Month | Constant | U.S. Census Bureau |

**Design**

An interrupted time series regression is employed to decipher the relationship between the WHTI and the number of travelers going abroad to the affected regions. The interrupted time series design is, “a statistical method for analyzing temporarily ordered scores to determine if an experimental manipulation, a clinical intervention, or even a serendipitous intrusion has produced a reliable change in the scores,”(Hartman 1980, 543). More clearly stated as a quasi-experimental design that examines whether and how an interruption (of treatment, program, etc.) affects a common practice.

This quasi-experimental design is considered strong because data is collected and “scores are plotted on a time line running through the baseline and intervention phases,”(Jones 1977, 151)., as opposed to the smaller numbers of data points associated with simple pre-test post-test analysis. Thusly, “the subjects scores are displayed over time, with interruptions in the time series designated as the change points from one to another phase of the design,” (Jones 1977, 151). Also, this regression formatting helps to eliminate any bias that may occur with few observations. This hypothesis testing format was chosen because regular data sets were available prior to and following the implementation of the program and other typical data collection instruments would not provide the greatest significant data for analysis. In the end, “this procedure involves the empirical construction of a complex mathematical model that is subsequently validated against the very data from which it was constructed,” (Tryon 1982, 423). There has been much speculation about the effectiveness of the WHTI as it relates to travel rates and the monopolization of the legitimate means of movement, but empirical research on the subject is non-existent.

**Weaknesses of the Design**

When using an interrupted time series, two main weaknesses are confronted. Although the interrupted time series design helps to ensure a high level of validity, it commonly does not measure a broad range of effects. It is designed to specifically focus on one effect and takes several different variables into account when examining that consequence. Its other weakness is that there is rarely ever a valid control group to compare the data with. Even the prospect of a comparison group for this study is impossible since there has been no other mass change in passport requirements that has occurred where data was collected, other than the mass implementation of today’s modern passport regime in the early 20th century. As there is no perfect match to the group being evaluated, this form of design is ineligible to be considered a true experimental design. Rarely can one actually obtain a true control group in social research due to a variety of obstructions such as the availability of data, inability to randomize, or fairness of treatment issues inherent in the field. This type of research, however, is crucial to future study because it provides a foundation for further research, such as, stage two of the WHTI, which beginning in June of 2009 will require Americans traveling abroad by land and sea will be required to use passports, instead of a driver’s license and birth certificate. One cannot begin to address other questions regarding the effectiveness of the passport requirement program overall without first looking at fundamental factors such as its impact on the number of travelers.

**Evaluation**

A regression analysis is used to help describe the nature of the relationship between the dependent and independent variables and explain the direction of the relationship. This will help determine whether there has been a change in the number of travelers going to affected countries and whether or not that change can be attributed to the implementation of Western Hemisphere Travel Initiative in the international travel process or other changes like that of the economy or total population.

1. Human Subject Issues

Data gathered for use in this study is garnished from public records and is only able to be traced to individual travelers if compared to confidential Department of Homeland Security records. No sensitive information is revealed and the analysis only focuses on the effect of the WHTI program and the number of travelers going to affected countries. The purpose of this research study was to look at the affect that required use of a passport has on the number of travelers abroad to countries where a passport had previously not been required.

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