

Chapter 6

Conclusion



It felt strange to be called privileged. Privilege was more like Kayode DaSilva, whose passport sagged with the weight of visa stamps, who went to London for summer and to Ikoyi Club to swim, who could casually get up and say “We’re going to Frenchies for ice cream.”

“I’ve never been called privileged in my life!” Ifemelu said. “It feels good.”

Chimamanda Ngozi Adichie (2013). *Americanah*. Lagos: Kachifo

We are coming to the end of this research journey, which examined the mobilities of “highly skilled migrants” towards Switzerland. My goal was to highlight the role of migration intermediaries in the construction of distinctive categories of immigrants with access to different forms of support and privileges. This has enabled the focus to shift from an approach that takes the category of highly skilled migrant for granted to one that regards contexts as crucial for structuring migrants’ characteristics, trajectories, and experiences, and for informing the perception of mobile people as skilled or unskilled, wanted or unwanted, welcome or unwelcome. I have defended the argument that definitions of highly skilled migrants depend less on an objective evaluation of individual characteristics than on the way special interest groups value potential migrants.

Overall, the analysis underscored tensions at the heart of discussions about highly skilled migrants. Skill-based migration policies tend to be praised as contributing to a country’s economic development and enabling the smooth liberalisation of national border regimes (Hercog, 2008; Hercog & Sandoz, 2018a; Tannock, 2011). In this type of migration system, highly skilled migrants are presented as good migrants to be attracted and welcomed, in contrast to low skilled migrants who need to be tolerated and controlled. However, my research shows that the definition of a migrant’s value is complex and subjective, even from an economic perspective. Far from being meritocratic, the attraction, selection, and retention of migrants is a highly politicised process, which involves a variety of actors with competing interests.

In order to provide a better understanding of the complexity and subjectivity of the term “highly skilled migrant”, I included in my analysis actors who are usually invisible in migration discourses, although they are involved in the process of selecting, supporting, or employing migrants who represent value to them. I showed how some of these actors came to be involved in monitoring migration processes despite the fact that they have nothing to do with national border controls. I also examined mechanisms through which actors who belong to the state apparatus develop strategies to circumvent restrictive admission policies in the name of economic interests. My research thus contributes to the growing scientific field on migration industries and intermediaries by showing that migration governance relies on networks rather than on single institutions. In particular, the analysis of the Swiss case reveals that the state constitutes a mosaic of actors and institutions, which sometimes collaborate and sometimes oppose each other. Furthermore, a significant part of migration governance happens beyond the state’s control or in areas in which the border between state and non-state actors is blurred.

I started my analysis by focusing on Swiss admission processes and the ways in which various policy objectives and practices influence the selection of labour immigrants. The dual admission system, which makes a clear distinction between EU/EFTA and non-EU/EFTA labour immigrants, constitutes a compromise between opposing political tendencies towards openness and closure. This communicates an impression of state control over immigration to the electorate while staying flexible enough to adapt to the needs of major economic actors. Moreover, this system relies on an ambiguous definition of highly skilled migrants as economically profitable, socially independent, and culturally close individuals. Cultural preference, although not currently explicitly mentioned in policy documents, remains a particularly important selection criterion that is legitimised through economic arguments, as well as through arguments about public good and social cohesion. In the second part of this chapter, I showed that the concrete implementation of Swiss admission policies involves complex interactions between state employees and a vast network of non-state institutions – employers, consultants, relocation agents, lawyers, economic promotion agencies – for which the mobility of highly educated workers is an economic driver. These actors facilitate access to residence and work permits for foreigners who are expected to generate profit. However, they can also force migrants into situations of dependency and immobility, as restrictive admission systems in Switzerland and elsewhere make them reliant on the administrative support of a sponsor. In practice, a migrant’s successful admission is based on factors that have little to do with their actual skills and more to do with the type of support received from employers or experts in admission processes. Hence, the authorities’ perception of the economic interests and legitimacy of a candidate’s application for admission is crucial for defining their value in the Swiss labour market.

In the third chapter, I examined place-branding strategies in order to observe how local administrations and related actors define the valuable immigrants who they want to attract, but once again the categories are unclear. While cantonal administrations in charge of integration informally differentiate between “highly qualified expats” and “less privileged migrants” based on markers of difference such as class

and nationality, they do not want to show favouritism towards already privileged groups and tend to focus their activities on groups perceived as socially disadvantaged. Nevertheless, actors in charge of economic promotion develop strategies to foster regional development and create services that directly target the most profitable companies. In this way, some foreign employees benefit from special treatment due to their employer's status. In some instances, the cantonal administrations in charge of economic development also delegate the task of welcoming and settling "wanted immigrants" to private sector institutions. This enables local administrations to develop support services targeted at foreigners who they perceive as most valuable, while avoiding political controversies by blurring the borders between the public and private sectors. Some highly educated immigrants participate in these political processes by mobilising their cultural, social, and economic capital in order to advocate for more recognition from the state. Immigrants who define themselves as "expats" insist on their specificity with regard to other immigrants. Although their main goal is to raise awareness about the difficulties that they experience when moving to Switzerland, their claims also challenge classical perceptions of belonging, since they substitute nationality with economic contribution as a legitimate factor for defining state duties towards them. Moreover, they insist that their cultural capital defines their value and legitimacy to participate as local residents. These claims contribute to making more visible the needs of newcomers, but they also reproduce the idea of a normative distinction between more and less deserving immigrants.

The fourth chapter focused on mobility within the framework of internationalised companies. In this case, employers define "highly skilled migrants" based on their ability to fit into specific situations and to fulfil perceived needs. The selection, attraction, and retention of qualified workers rely on mobility infrastructure composed of intermediaries such as headhunters, relocation agents, consultants, and short-term labour providers. The main role of these intermediaries is to facilitate access for companies to workers who can be immediately efficient, thus reducing the need for employers to invest in training employees. Efficiency, however, means more than skills in this context, since it often implies an evaluation of a candidate's social background, lifestyle, values, and perceived cultural attributes. Beyond abilities or qualifications, a person's biographical background, life choices, origin, class, and gender all influence their chances of being selected by a recruiter and offered a job. In addition, the recent emergence and rapid growth of a migration industry specialised in the short-term staffing of skilled workers has contributed to creating new norms and constraints for employees. By facilitating mobility, these intermediaries have trivialised it. To illustrate this argument, I focused on management consultants, who have become major providers of expertise and highly skilled labour for short-term projects within multinational companies over the past decades. This case study showed that in some sectors, mobility has ceased to be a career choice and has instead become a condition for climbing the corporate ladder. Individuals rather than institutions have become responsible for assuming the difficulties associated with frequent mobility. Such constraints have created new challenges for reconciling work with private and family life, as well as new uncertainties and forms of precariousness, even among well-paid and socially valued professions.

I concluded my analysis by identifying obstacles and opportunities associated with different migration channels towards Switzerland. I used data from the nccr – on the move Migration-Mobility Survey to analyse the kinds of support that immigrants receive when relocating to Switzerland. I highlighted the central role of employers in attracting foreign workers and providing privileged access to Switzerland for some. The analysis revealed that the relocation practices of employers tend to favour certain nationalities, in particular workers from rich anglophone countries, while disadvantaging married women and citizens of non-EU/EFTA countries. I then qualitatively analysed the experiences of individuals moving through different migration channels which are structured by a combination of state policies and private initiatives. I considered enabling and disabling factors associated with the company-oriented channel, the family-oriented channel, the study-oriented channel, and the protection-oriented channel. I showed that the legal frameworks regulating each channel, as well as the support structures available to immigrants in these channels, create different resource environments associated with specific obstacles and opportunities. Being highly skilled means something very different depending on whether one comes to Switzerland as a refugee, an employee, a spouse, or a student. Yet, I also showed that individuals are not restricted to just one of these environments: given certain conditions, migrants have the agency to develop strategies in order to improve their situation, which sometimes involves navigating between channels to access new opportunities.

To conclude, I argue that the various forms of categorisation of highly skilled migrants analysed in this book involve two main mechanisms, which require further scrutiny:

1. Migration intermediaries construct the legitimacy of highly skilled migrants based on powerful economic narratives, which can overshadow issues related to social justice and discrimination.
2. Selection processes of highly skilled migrants withdraw certain practices from the public sphere and depoliticise them.

Regarding the first point, I observe a constant in the processes of defining highly skilled migrants: the various actors who select immigrants use economic narratives as a main legitimisation factor for identifying “wanted” categories of immigrants to the exclusion of others. The prevalence of these economic narratives derives from the power of states to control access to national territory and from the nation-state logic according to which immigrants have to fulfil a need in order to be welcome and supported. Promoting the mobility of certain people makes sense only in a context in which the mobility of others is hindered. The very notion of highly skilled migrant arises from the fact that borders exist but are more porous for some categories of people. This logic suggests that some immigrants have more value than others and should therefore be granted more rights. From this perspective, the distinction between more and less desirable immigrants is either taken for granted or supported with economic arguments (Hercog & Sandoz, 2018b; Sandoz, 2018; Yeung, 2016).

These economic arguments are powerful because they legitimise exclusionary practices. In the case of non-EU and non-EFTA workers in particular, the populist fear of foreigners who take jobs from local workers or remain perpetually unemployed justifies a system in which the state partially delegates employment-related migration selection to employers. In these situations, my research revealed that ethnicity, class, age, nationality, and gender can easily become markers of lower economic profitability – and thus grounds for exclusion – especially when they are associated with fears of low productivity, for instance in the case of immigrants who have large families, or whose legal status leads to an excessive administrative workload, or because their cultural background is perceived as incompatible with local norms and values. In contrast, migrants who correspond with dominant representations of success, efficiency, and power have an advantage when negotiating conditions of relocation and employment, whether with the state authorities that approve their admission or with their future employers.

These findings are of course not new in the social sciences. Many authors have already highlighted prejudices that prevent some potential immigrants from accessing new territories and labour markets because of race, nationality, ethnicity, gender, class, and so forth (e.g. Kofman, 2014; Sandoz & Santi, 2019; Tannock, 2011; Zschirt & Ruedin, 2016). More surprising, however, is the observation that the state employees and the corporate actors whom I interviewed rarely considered that excluding individuals for economic reasons could be problematic. Furthermore, offering advantages to those whom they considered more productive was seen as perfectly legitimate. The idea that these practices contribute to general economic interests was so strong that it was not only acceptable, but in some cases even necessary. The long-term social consequences of systematic exclusionary practices, their ethical dimensions, and the potential loss of diversity were not issues that my interlocutors seemed to reflect upon. More importantly, their legitimations eclipsed the fact that these practices contributed to reproducing systematic patterns of exclusion. In other words, they did not acknowledge that apparently rational economic arguments can be discriminatory from a structural perspective when they arise from and perpetuate systems in which opportunities for mobility are unequally distributed.

I have tried to complicate this discourse by underscoring the problematic nature of immigrant valuation processes with three main arguments which question the scope of these economic legitimations. First, I showed that the definition of value is always contextual, structured by the power dynamics within a specific social environment, and dependent on this environment to maintain itself. For this reason, skills are not valuable in and of themselves. Their worth arises from the ability of social actors to use and market them in specific situations. This means that a person may be considered highly skilled in one context and low skilled in another. In other words, the value of skills is relative to the structure of specific resource environments. Second, skills are embodied. They are not products that can be dissociated from the person who holds them. The way they are developed, deployed, and valued is intimately connected with individual biographies. Skills mature in interaction

with other social characteristics, meaning that the chance of being recognised as highly skilled is unequally distributed among social groups. Third, economic narratives can act as self-fulfilling prophecies. In other words, they can create the realities they describe. The fifth chapter on migration channels showed how certain immigrants who are viewed as sources of profit by corporate and state actors are offered various forms of support that enable them to make use of and develop their economic potential under favourable conditions. In contrast, other immigrants with similar qualifications and competences face obstacles because their personal characteristics – such as national origin, gender or marital status – position them in categories perceived as less valuable by these same actors. What differentiates “highly skilled migrants” from “low skilled migrants” is thus not so much their skills as the profit that other actors expect from them. From a social justice perspective, these findings are major reasons for considering that economic arguments alone are not sufficient to legitimise immigrant selection practices. Yet, they are rarely a theme of political debate. Although immigration is currently a trendy topic in Switzerland and elsewhere, the admission of “wanted” immigrants tends to remain an invisible process.

This brings me to my second point, which is that the selection process of highly skilled migrants involves mechanisms that withdraw certain practices from the public sphere and depoliticise them. In a nation-state system, governments control access to national territory by defining differentiated migration conditions for non-citizens. In a democratic system, however, governments must define these conditions based on criteria that the electorate consider legitimate. I have shown that the process of defining highly skilled migrants involves networks of actors from both the public and private sectors who select immigrants according to their specific needs and priorities. For example, in the employment-related admission of non-EU/EFTA nationals, state authorities partly delegate the recruitment of foreign workers to employers, who can then outsource the task to intermediaries such as headhunters and consultants. The logic that governs these processes is, as I have discussed, mainly economic, yet it can lead to the perpetuation of structural forms of discrimination, which violate the principle of equal opportunity. The problem here is accountability: no single actor can be clearly held responsible for the outcomes of the selection process. The multiplication of intermediaries and the administrative intricacies of each decision dilutes responsibility, and the fragmentation of the system eclipses moral questions. By posing as bureaucrats who simply validate the decisions of other economic actors, state authorities can discharge their liability regarding possible dysfunction within the system.

This phenomenon has several consequences. First, the application of immigration laws becomes the responsibility of people who know little about it. Consequently, many procedural mistakes occur, which can dramatically affect immigrants whose personal and financial stability depend on the outcomes. Second, knowledge of how the admission process functions becomes an unequally distributed tool of power. People with the right resources can strategically use this system to reach personal objectives, whereas people without the necessary capital have little chance of influ-

encing the process to their advantage. Third, labour immigrants who rely on this system for admission have limited opportunities to appeal in the case of unjust treatment. The invisibility of discretionary procedural power means that even if administrative decisions could be proved discriminatory, applicants for admission may never know the details of their own cases. In addition, their foreign status limits the possibility of appeal even in cases where their rejection is in clear violation of the laws. Whatever its outcomes, legal action against immigration authorities does not matter if a potential employer hires someone else in the meantime.

These observations call for the recognition that immigration policies based on demand, economic interests, and vague criteria favour relationships of dependence and control between the immigrants and those who support them. These schemes form part of a system in which immigrants are expected to remain profitable and flexible in order to meet the economic needs of the environment into which they are admitted. Moreover, these schemes have a disciplining function, in the sense that they restrict the agency of the immigrants and empower the actors who can profit from them. In the context of my research, this disciplining function mainly concerns non-EU and non-EFTA nationals, who constitute a minority of the migration flows towards Switzerland. Examples such as Brexit in the UK and the initiative “against mass migration” in Switzerland, however, remind us that the return of more restrictive migration policies within Europe might not be as unlikely as one may have thought in recent years.

In the beginning of this book, I discussed the fact that many authors researching highly skilled migrants view them as privileged elites who move easily between places and jobs. My findings in the Swiss context show that if such people exist, it is because other actors have an interest in supporting them. Highly skilled migrants are granted privileges because of their position within a system that constructs them as valuable, but they risk of losing these privileges as soon as they are no longer wanted. The privileges associated with certain skills are fragile because they constantly need to be earned, and ultimately depend less on the individuals who possess them than on those who evaluate them. In other words, the designation “highly skilled” is context-dependent and can therefore be lost or taken away.

“Highly skilled migrant” might thus not be the best term to describe a mobile person in a privileged position. Beyond skills, other elements need to be considered, such as forms of capital, nationality, legal status, gender, ethnicity, and class. Therefore, the most relevant questions to raise when analysing status and privilege in a migration context are not only “who is this person?” and “what can they do?” but also “how do they move?” and “with support from whom?” These questions enable us to situate individuals within institutional environments and to deconstruct static representations of skills and merit. They also highlight interactional dimensions of power by showing that privilege results less from hard work and/or talent than from decisions taken by various actors in specific social environments. Finally, the crucial importance of borders must be taken into account, as well as the strategies that some people develop in order to cross them. In a constantly mobile world, power lies not with those who move but with those who define the borders.

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