



The political economy of immigration policy: The example of Scotland

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ABSTRACT

The inward mobility of labour can serve as a driver of economic growth and the immigration policies of many countries are orientated towards this end. However immigration is also a contentious issue, with the general public often displaying hostility towards liberal immigration policies. The compromises between economic and political considerations that states make when developing immigration policy are poorly theorised in academic literature. This study contributes to conceptual understandings of the voices of ‘elites’ in the political-economy of immigration policy through a critical interrogation of the narratives and preferences of employers in the context of the Scottish constitutional change debate.

KEYWORDS

Immigration policy; Scotland; elite perspectives; political economy.

EDITORIAL NOTE

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ACKNOWLEDGEMENTS

This research would not have been possible without the generous support of various individuals and organisations. We would like to express our gratitude to the Economic and Social Research Centre for funding this research through the Centre for Population Change. We also owe an enormous debt of gratitude to the numerous individuals who volunteered their valuable time in order to share their views and experiences with us. The research would have been impossible without the kindness of these individuals.

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The ESRC Centre for Population Change (CPC) is a joint initiative between the Universities of Southampton, St Andrews, Edinburgh, Stirling, Strathclyde, in partnership with the Office for National Statistics (ONS) and the National Records of Scotland (NRS). The Centre is funded by the Economic and Social Research Council (ESRC) grant numbers RES-625-28-0001 and ES/K007394/1.

This working paper series publishes independent research, not always funded through the Centre. The views and opinions expressed by authors do not necessarily reflect those of the CPC, ESRC, ONS or NRS.

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1. INTRODUCTION

Immigration can drive economic growth, but it is also a highly contentious issue. One of the central responsibilities of independent nation states is to formulate and implement an immigration policy; that is to legislate on the quantities of migrants that can legitimately enter a country, their qualities, and the source countries that they can come from (Bach, 2010). Such decisions inevitably incur compromises between competing policy agendas. On the one hand, economic theory postulates that liberal ‘open-door’ immigration policies are most conducive to the aggregate economic welfare of countries (Giordani and Ruta, 2011). However there are few, if any, examples of developed countries operating open-door immigration policies. Conceptually, this paradox has been referred to as the ‘immigration policy puzzle’: liberal immigration policies favour economic growth yet they are not fully pursued by states (Giordani and Ruta, 2011, 922). This contradiction can be explained by the fact that most governments are democratically accountable, typically to electorates that are opposed to significant levels of immigration. For example the 2013 version of the respected British Social Attitudes survey pointed to over three quarters (77%) of the British public wanting a reduction in immigration, the highest proportion ever recorded in the surveys 20 year history (BSA, 2014).

However public opinion cannot fully explain immigration policy, since this would result in legislation being much more restrictive than is usually the case. Theoretically this disparity between the restrictionist desires of the public (and reductionist rhetoric from politicians) and the actual immigration policies implemented by governments has been described as the ‘public opinion gap’ and has been found to exist in most developed countries (Facchini and Mayda, 2009; Freeman, 2002).

States thus have an ambivalent approach to migration, with immigration policy being an inconsistent compromise between the interests of business (liberal immigration policy) and those of the electorate (restrictive immigration policy). How do democratically accountable governments go about ‘squaring the circle’ between these mutually opposing interests? The literature on the political-economy of migration policy is sparse (Facchini et al, 2008) and the studies which have been conducted frequently rely on statistical abstractions of the ‘optimal’ levels of migration (Benhabib, 1996) (Giordani and Ruta, 2011). Additionally, theoretical understandings of international labour mobility

have tended to ignore or underplay the role of the state in actively channelling such flows. Contrary to this Morawska (2007) does incorporate the state into her understanding of international migration, arguing that a small number of hegemonic states dominate global trade, finance and mobility patterns through the concentration of political and economic power. This develops the pertinent point that governments do not just arbitrate between different interests in immigration policy, but are an important actor in stimulating and perpetuating international migration (Russell, 1989; McCollum et al, 2013). Whilst valuable in identifying the state as a migration channel as well as intermediary, these perspectives have however shied away from conceptualising the preferences and actions of important actors in the process of immigration legislation formation. Immigration policy theory is thus an underdeveloped field (Meyers, 2000); with only a small number of scholars seeking to bridge the gap between political economy and migration studies (see Cerna, 2014; Caviedes, 2010; Menz, 2011 for praiseworthy exceptions).

This investigation seeks to contribute to understandings of immigration policy theory by examining the preferences and role of one particular group of actors; employers. The following section offers a review of the existent literature on this topic. This is followed by a description of the Scottish case and the ways in which it can act as an empirical lens through which the political-economy of immigration policy can be explored. The methodological perspectives employed in the research are then discussed, followed by a presentation of the research findings. The article concludes by considering how these sit within and may advance theoretical understandings of the political-economy of immigration policy.

2. THE POLITICAL-ECONOMY OF IMMIGRATION POLICY: EXISTING UNDERSTANDINGS

The issues considered in this analysis sit broadly within so-called domestic politics models of immigration policy theory. The starting point for these perspectives is that the state is a neutral space, whose function is to adjudicate between competing interests. According to Meyers (2000) policymaking then is the end result of bargaining and compromises between these interests or, more radically, a consequence of one or more of these actors capturing the state. This is a point well-argued by scholars such as Anderson

(2010) and Scott (2013), who contend that immigration policies can serve to produce ‘precarious’ or ‘good’ workers over whom employers and labour users have particular mechanisms of control. There is a long history of employers in Britain and elsewhere seeking to encourage more liberal immigration regimes (Collins, 1988; Esser and Korte, 1985; Freeman, 1979; Craig, 1971) and according to Menz (2011) and Spencer (2003) these pressures have been influential in the liberalisation of national labour migration policies across Europe since the mid-1990s.

Perhaps the most prolific commentator on the political economy of immigration policy is the US political scientist Gary Freeman. In line with Anderson (2010), Freeman (1995) draws parallels between the configuration of immigration policies and pro-business interests. In this sense the ‘public opinion gap’ on immigration policy (Facchini and Mayda, 2009) is said to exist because the electoral system is regarded as an ineffective means of directly mandating specific policy choices (Freeman, 1995). As a consequence interest groups such as employers, ethnic groups, trade unions and nationalist groupings, despite each only representing a minority of the population, can have a disproportionate influence on immigration policy (Meyers, 2000). As Freeman and Kessler point out, this is because ‘in the legislative, administrative and electoral process the interests of organised groups are more important than the opinions of individuals’ (2008, 670). The relative strength of the interest groups who benefit from immigration is said to lead to a ‘client politics’ (Freeman, 1995, 886) whereby organisations favouring expansionist immigration policies develop and nurture relationships with the officials responsible for immigration policy and influence policy in other surreptitious ways beyond the scrutiny of public debate. Immigration policy is thus often portrayed as the result of an organised pro-migration lobby ‘winning over’ a resource weak and diffuse anti-migration lobby.

Much of the literature discussed above centres primarily on the US context, where pro-business influences on immigration policy may be expected to be relatively powerful. Few studies have attempted to explore how these dynamics operate in other contexts. A notable exception is the work of Statham and Geddes (2006) on the drivers of UK immigration politics. Taking a contrasting position to that espoused by Freeman, this approach focuses on the salient point that immigration policy is influenced by much more than just collective action by interest groups. A somewhat obvious but important point in

this respect is that the actual mechanisms, and effects, of pro-business/migration interest group influence on policy are ill suited to empirical elucidation. Thus it would be foolhardy to make the case that employers (presuming homogeneity and a clear and unified voice) exert X influence via Y strategies and that the resultant immigration policy is Z. Rather a much more realistic approach may be to conceive of pro-businesses/immigration voices as a potentially powerful force in immigration policy formation, but as a set of voices that competes internally and with other influential actors, that speaks with different accents and that exerts influence in often intangible, unintended and contradictory ways (Caviedes, 2010).

As opposed to a pro-business lobby or sceptical public directly determining immigration policy, Statham and Geddes (2006) make the valuable point that it is political elites (politicians and government officials) who are the ultimate actors in producing policy. These elites are said to be relatively insensitive to direct action by interest groups, but instead consciously and subconsciously ‘internalise’ the messages purveying from opinion polls, the media and business groups; which in turn goes on to influence their policy decisions in often imperceptible ways. Another adept study of interest group influence on immigration policy is provided by Menz (2011), who examines what he calls the important but widely overlooked role of employer associations in shaping immigration legislation. Again, Menz (2011) emphasises that there is not a direct causal link between employer preferences and practices and immigration policy, and that such a link, if it does exist, is difficult to assess empirically. Key actors in terms of pro-immigration business interest groups in the UK include organisations such as the British Chambers of Commerce and the Confederation of British Industry. Sector specific interest groups also exist, such as Oil UK and the Recruitment and Employment Confederation for example. These employer associations are each comprised of a large number of individual businesses and whilst they claim to ‘lobby’ policymakers for expansionist immigration legislation, the academic literature has little to say about how these strategies operate, how effective they ultimately are or whether they accurately reflect the preferences of the multifarious business interests that they claim to represent.

A criticism that can be levied at the perspectives discussed above is that, whilst they consider whether immigration policy can be influenced by special interest groups

such as employers, they do not attempt the admittedly challenging task of deciphering how these processes might operate. Another important point to draw attention to is the limitations of employer influence. Immigration policies are patently more expansive than the general public would wish them to be, which could be attributed to pro-business influences. However they are also much less expansionist than businesses would like them to be. Therefore immigration policy might be seen as a messy compromise between economics and politics, a trade-off in which the interests of neither is fully satisfied. This is a tricky dilemma that has faced policymakers for some time, with Western European governments having largely failed in their initial attempts to import labour but not people (Castles and Kosack, 1973).

Related to this point is the view put forward by Boswell, who makes the case that states often practice what she terms ‘intentional incoherence’ (2007, 96) in policymaking. This policy ‘incoherence’ is regarded as a deliberate ploy, which allows the state to follow an economic growth agenda whilst also retaining its ‘legitimacy’ in the eyes of its citizens through calculated (but usually limited) anti-immigration rhetoric and measures. The motive behind ostensibly muddled immigration policies may therefore be to attempt to at least partially simultaneously satisfy pro- and anti-immigration interests. The policy balance between these competing interests inevitably varies over time and across space. The particular applicability of these debates to the Scottish case is discussed below.

3. IMMIGRATION PATTERNS, PERCEPTIONS AND POLICIES: THE SCOTTISH CASE

In some respects the case of Scotland can be thought of as rather particular with regards to migration. Firstly, Scotland is an advanced developed nation yet until recently it lost more people than it has gained through migration. Consequently international migrants make up a small part of Scotland’s population relative to many other European countries (Packwood and Findlay, 2014). Secondly, analysis of social attitudes survey data infers that the general public in Scotland is somewhat hostile to immigration, but less so than is the case in other parts of the UK (McCollum *et al*, 2014). Thirdly a modest rate of natural increase means that Scotland is heavily reliant on immigration for demographic stability and growth in the short to medium terms. Recognition of these demographic trends, coupled with a conviction that immigration can boost economic growth, has led the

Scottish Government to enact an official Population Target, which aims to see population growth in Scotland match the EU-15 average over the period 2007-2017 (Scottish Government, 2011).

Whilst it could be argued that Scotland ‘needs’ migrants on demographic and economic grounds, and has a population that is relatively less hostile towards immigration, paradoxically at the time of writing (July 2014) the Scottish Government had little direct control over immigration policy. Under the 1998 Scotland Act which reinstated the Scottish Parliament, the immigration system and border controls were issues which remained ‘reserved’ to the UK government. The positive policy rhetoric in Scotland concerning migration stands in stark contrast to debates at the UK level generally, where the issue of immigration frequently dominates the political agenda and is regularly discussed in pejorative terms. Despite the Office for Budget Responsibility (2013) highlighting the fiscal benefits of immigration, the mainstream political parties in Westminster are firmly committed to reductions as opposed to increases in international inflows. As such, whilst the Scottish Government wishes to pursue modestly expansionist immigration policies, it is currently unable to do so and must instead operate under the same ‘one size fits all’ immigration legislation as the rest of the UK.

Whilst the ultimate outcome of the 2014 plebiscite was a ‘No’ vote, the referendum represented an opportunity for Scotland to develop a more nuanced immigration policy that fits more closely with its needs, either through full independence or further devolution of powers from Westminster. The possibility of change provided an opportunity for employers to identify the immigration policy issues that are relevant to their businesses. In the UK as elsewhere, employers collaborate with the state to access international labour (Rodriguez, 2004). From an employer’s perspective, there are grounds for optimism in this regard: the Scottish Government has consistently espoused the benefits of immigration and has sought to attract specific types of migrants to Scotland (most notably students with the potential to add to the country’s talent pool). In the *Scotland’s Future* White Paper, the Scottish Government reiterated this desire, stating that: ‘Scotland has a different need for immigration than other parts of the UK... the current UK immigration system has not supported Scotland’s migration priorities’ (Scottish Government, 2013, 267-8). Interestingly in the Scottish case and elsewhere, pro-immigration politics produce what Freeman and Kessler (2008, 672) term ‘strange

bedfellow' coalitions consisting of a curious mix of cosmopolitans, employers and ethnic minority groups, each in favour of expansionist immigration policies but for very different reasons. According to Cerna (2014) the varying ability of these pro-immigration coalitions to exert pressure on governments can explain variations in immigration policies in specific spatial and temporal contexts. Scotland is therefore an interesting empirical lens through which the political economy of immigration policy can be explored. The 'coalition' favouring immigration in Scotland is arguably broader than is the case in the UK generally and includes the groups traditionally in favour of immigration (employers, ethnic groups) but also the mainstream political parties and a relatively large part of the public. However even in Scotland a potentially significant pro-immigration coalition sits against wider voter opposition by some members of the general public to immigration. Whilst the general public in Scotland are less hostile to immigration than other parts of the UK, a majority of Scots are opposed to rather than in favour of future inflows (McCollum *et al*, 2014; Bell *et al*, 2014). The three research questions which the research aimed to address were;

1. What narratives and discourses do employers invoke to try and justify their desires concerning immigration policies?
2. How articulate are employers with regards to the particular immigration policies that they would like to see enacted?
3. To what extent are employers actively engaged in strategies to achieve their preferred immigration policies?

4. METHODOLOGICAL PERSPECTIVE

As Scott (2013) and Rodriguez (2004) have pointedly argued, employer-orientated research remains an unjustifiably neglected area of migration studies. The focus of this analysis is on how employers and employer associations in Scotland go about framing their preferences regarding immigration policies. Significantly, the literature emphasises that the 'requirement' for migrant labour should not be regarded as a 'given'. Rather 'labour shortages are socially, economically, culturally and politically constructed and ... need not exist' (Geddes and Scott 2010: 211). Alternatives to the widespread use of migrant labour could arguably be pursued by employers, such as offering higher wages to attract more local labour into work or the substitution of capital for labour. Thus, it is important to question why employers elect to perceive and represent migrant labour as essential or desirable, and to investigate the nature of the relationship between these

discourses and immigration policy in terms of how states legislate on the quantities of migrants that can legitimately enter a country, their qualities, and the source countries that they can come from. This analysis aims to critically examine the narratives created by labour market actors to rationalise why Scotland should have a relatively liberal immigration policy.

Employer discourses surrounding migration therefore are significant and worthy of scrutiny because they will represent a powerful voice in the debates over the future of Scotland's stance towards immigration. Of course employers in Scotland are a far from homogenous group, and many individuals within firms hold views towards constitutional change and immigration that are at odds with the economically rational 'pro-business' view that Scotland should have influence over its immigration policy and that it should enact expansionist legislation. In line with Caviedes's (2010) reminder that there is often little consensus amongst employers or dominant economic sectors in terms of influence on immigration policy, the analysis seeks to be sensitive to the tensions and internal contradictions that exist within the discourses constructed by elites (such as Scottish employers).

This approach hopes to advance academic understandings of employer discourses surrounding labour and immigration and how they should be conceptualised. Scholarship on this issue can be guilty of homogenising employers and treating them uniformly as 'elites'. Scotland is not alone in having a diverse economy, thus the term 'employers' covers a broad range of firms of varying sizes, sectors and priorities: at risk of stating the obvious the practices and preferences of a large multinational oil firm operating in the North Sea are very different to those of a small fruit farm in rural Perthshire. As well as recognising tensions between employers, it is important to recognise that firms are collections of individuals. So whilst businesses may seek to influence policy decisions in their favour, the policies that they argue for may well be at odds with the personal views of many of the individuals that constitute the staff of these firms. For example an HR manager may be opposed to migration on a personal level, but recognise its positive impact on the functioning of his/her business. Academic analysis needs to be sensitive to these internal contradictions and tensions within 'employer' narratives. This has implications for understandings of the apparent tussle between employers and the electorate in terms of the desired orientation of immigration policies and for thinking

about which ‘voices’ academics should privilege when reporting on these debates. The following section describes the data collection strategy that was undertaken in this research.

This research involved research interviews with twenty employers and employer associations in a number of key economic sectors in Scotland in the second half of 2013. The interviews were designed to solicit employer views of: immigration policy, how effective it is in meeting their needs and whether the prospect of constitutional change in Scotland was seen as an opportunity to try and push for more favourable policy rhetoric and practice. One of the challenges associated with interviewing elites is access (Rice, 2010). Initially this was facilitated through contacts with large Scottish employers and inter-business organisations. However most interviews were secured through a tactic of ‘cold calling’ specific businesses. Around one in five of the businesses contacted in this manner ended up participating in the research. The most commonly cited reasons for non-participation were that potential respondents felt they could not offer anything of value to the research or that they simply did not have time to take part.

Employer preferences have been shown to vary by sector (Caviedes, 2010), for this reason organisations in parts of the Scottish economy which attach a relatively high importance to the availability of migrant labour were particularly targeted to take part in the interviews. These sectors were identified using an online survey, designed by the authors, disseminated through the Scottish Chambers of Commerce and completed by over 700 employers in early summer 2013 (Tindal *et al*, 2014). The sectors emerging from the survey as being of particular interest were: health and social care, hospitality and tourism, construction, retail, property, agriculture, wholesale, and transport and storage. The researchers also wished to gain the perspectives of high-value sectors in the Scottish economy, and so finance and insurance, oil and gas, and higher education were also incorporated into the sample.

Given likely variations in migration preferences by employer size (Caviedes, 2010), the companies covered by the research ranged from small employers to large multi-national corporations. In the case of small or medium sized companies, the interviewees were usually company directors. For larger organisations, the interviewees were most often directors of human resources or directors of operations. Other

stakeholders that were included were directors or representatives of inter-business organisations, or representatives of specific economic sectors. Many of the stakeholders interviewed also held positions in specific companies as well as working as industry representatives. These stakeholders generally had an expansive overview of the sector as a whole, identifying challenges and opportunities that exist in the respective sectors that they represent, not just for specific companies. Ten of the twenty interviews were with employers and the other half were with stakeholders (inter-business organisations and representatives of specific economic sectors). Pseudonyms have been used to protect respondent anonymity.

5. ANALYSIS: ‘ELITE’ VOICES, IMMIGRATION AND IMMIGRATION POLICY

The investigation focuses on three key themes: (1) the narratives used by employers and employer associations to construct immigration as being a ‘good thing’, (2) articulations of the ‘ideal’ immigration policy for Scotland, and (3) the strategies used to try and influence immigration policies at the UK and Scotland levels. The discussion seeks to be sensitive to the tensions and contradictions between and within these narratives. The findings are then used to consider the wider implications for how employers’ voices are conceptualised in migration research.

5.1. IMMIGRATION AS A ‘GOOD THING’

Not surprisingly the research found that employers universally spoke of immigration in positive economic terms. In general migrants were lauded as filling labour shortages, particularly in rural areas and in instances where the local supply of labour is derided as being of poor quality. Towards the higher end of the labour market, migrant workers were described as essential in addressing sector specific skills shortages (e.g. in healthcare and oil and gas) and as a catalyst for growth for multinational companies with operations in Scotland (e.g. through intra-company transfers). The underlying factors driving businesses to either require or favour immigrant skills are well rehearsed (Anderson and Ruhs, 2010) and are not repeated here. What is more interesting is how immigration was positioned as being a ‘good thing’ not only for their specific businesses but for Scotland more generally. Employers sought to align their business interests with what they thought represented those of Scotland’s economy, thus legitimising their

preferences for supporting liberal immigration policies. The narratives constructed by interviewees to frame immigration as being of value to Scotland are summarised in Table 1.

Narrative	Signifiers of 'value'
Demographic boost: improves working age population relative to retirees	<i>'We need more people in Scotland, not less... our population is getting older and that's not a recipe for success... so we definitely need more migrants in Scotland'</i> Wayne, inter-company organisation
Spurs economic growth and net fiscal benefit	<i>'High end immigration is what is required to drive the economy recovery...and these people are paying huge quantities of tax, so it makes no sense whatsoever to limit it'.</i> Paula, finance company
Boost Scottish economy by filling skills and labour gaps	<i>'Dentists are in very short supply in Scotland... and Romania has got exactly the same dentistry qualification, so academically they are absolutely a hundred per cent qualified for the role'.</i> Daniel, recruitment firm
Positive characteristics of migrants	<i>'A lot of the A8 workers are skilled professionals and they've settled here and contributed to the local economy, unlike our unemployed they don't rely on benefits... it's not in their culture'.</i> Thomas, hospitality recruitment firm

Table 1: Employer narratives regarding the benefits of immigration for Scotland

As the above quotations illustrate, respondents made plausible cases for why their desires for migrant labour were closely aligned with the interests of Scotland more generally. These narratives involved the construction of a discourse that Scotland was 'different' to other parts of the UK, particularly southern England and as such merited a 'distinctive' policy approach to immigration.

'The demographic situation here [in Scotland] is frightening, so we definitely need migrants. We need more people in Scotland, not less... the rest of the UK, actually sorry the South East of England in particular, probably doesn't need them and they have got some real problems with immigration... but Scotland's problems in that area are not the same at all and we shouldn't allow UK immigration to be dictated by London I'm afraid'.
Wayne, inter-company organisation

Scholarly musings on the construction of differentiation between 'us' and 'them' in national contexts have a long history and are perhaps best exemplified by Said's

(1978) feted treatises concerning Orientalism and Othering. These ideas are particularly interesting in the Scotland-UK context. As Cohen (1994) has ably noted, the UK is unusual in having four distinct 'nations' (Scotland, England, Wales and Northern Ireland) within a single state. Thus when Wayne refers to differing migration needs and experiences between 'we' (Scotland) and 'they' (rest of the UK/South-East England), he invokes the notion of the idiosyncratic psychological 'fuzzy' internal boundaries that prevail within the UK (Cohen, 1995). These complex processes of spatial differentiation play an important role in making the case for different policy measures across space. Framing Scotland as different from 'the rest of the UK/South-East England' (in economic, demographic or cultural terms) seeks to rally support for more geographically nuanced immigration policies.

In contrast to other research (Anderson and Ruhs, 2010; Koven and Götzke, 2010; Facchini *et al*, 2008), which often presents employers as solely promoting the benefits of immigration, it was clear from the interviews that respondents acknowledged the potential negative externalities of their business needs for immigration. There was recognition that public and political concern existed in relation to immigration and that they could 'understand' this unease.

'I can completely understand why the UK Government would want to control unskilled immigration, because we are all British and we want to do what's best for Britain, so we do have to be aware of the unemployment issue and of bringing people through the ranks... we all get that. But we are restricted because there is lot of unemployed people in Scotland and most of them just do not have the skills to work in such a dangerous environment'.

Olivia, oil and gas

Note Olivia's contention that 'we are all British' and 'want to do what's best for Britain'. This view stands in contrast with many other employers, who positioned 'what's best for Britain' (particularly southern England) as being against Scotland's interests. In this sense, constructions of place play an important role in the narratives used to rationalise views towards immigration policy, and the extent to which business and/or public interest fits with 'national' interest.

Whilst the business gains from immigration were praised and prioritised, familiar pejorative stereotypes surrounding immigrants emerged, reflecting ambivalence about immigration on the part of the very people whose companies benefitted from it.

‘Scotland financially could not cope with an influx of hundreds of thousands of Eastern Europeans... we refuse to take Latvians and Lithuanians now because their work ethic is shocking. They come here and they don’t work, they just want to come and drink... unfortunately our benefits system seems to look like a pot of gold, so they [migrants] just come over and live off it’.

Harriet, agribusiness

Employers universally praised the advantages of immigration from a business perspective (see Table 1), yet many of the very same individuals made disparaging comments about migrants. This apparent contradiction might seem curious under a conventional reading of the practices and preferences of economic actors as powerful ‘elites’ pursuing economically rational policy outcomes. However in terms of thinking about how employers are conceived in academic research, the analysis uncovered multiple instances of employers reporting their personal ‘values’, with all of their associated contradictions and irrationalities, as opposed to the functional ‘values’ of their firm. This points towards the need for researchers to be critically reflective of how they elect to portray ‘elite’ actors in the political-economy of immigration policy: elites are ultimately individuals situated within larger social, economic and political networks and structures which inevitably shape their values (Cormode and Hughes, 1999).

5.2. THE ‘IDEAL’ IMMIGRATION POLICY FOR SCOTLAND

The previous section has argued that employers construct narratives which make a case for immigration policies that suit their business interests by positioning their case relative to Scotland’s ‘problems’ and what ‘we need’ in Scotland. It has also highlighted the importance of thinking carefully about how the voices of ‘elites’ such as employers are presented in migration studies. The analysis now turns to consideration of the ‘ideal’ Scottish immigration policy from the perspective of employers. At the time that the research was carried out Scotland did not have direct control over immigration policy. However most respondents felt that the Scottish Government would soon have greater control over at least some elements of it in the near future, either through independence or enhanced devolution of powers from Westminster.

In sum, employer preferences centred on a desire for continued labour mobility within Europe, as provided under EU law, and a wish for measures to enhance the ability of businesses to recruit highly skilled workers through changes to the UK five-tier Points

Based System (PBS) for migrants from outside the EU. Rather than a radical liberalisation of immigration policy, interviewees generally called for pragmatic and quite minor adjustments to legislation, were Scotland to gain the relevant policy levers to shape its own immigration policy. Other interviewees were generally content with and therefore in favour of a continuation of the *status quo* with regards to the legislative environment governing immigration.

‘The free movement of both goods and people is very important to us, so if we [Scotland] become independent then for reasons of competitiveness it’d be more important to be a member of the European Union than anything else... but as things stand we do well already out of Europe and the free movement that it brings’.

James, logistics and transport

The level of contentment with, or at least lack of widespread opposition to, current UK immigration policy was perhaps surprising given suggestions from the literature that business is fundamentally in favour of liberal immigration policies (Giordani and Ruta, 2011; Cerna, 2014). However when employers did raise concerns they often related not so much to concrete policy measures but to the negative rhetoric surrounding immigration at the UK level.

‘We have to make sure that we are open for business in terms of the migration of talent and that we are seen in that way too. We kind of have that here [Scotland] because there is a very strong cross-party consensus that the free movement of people is absolutely crucial to Scotland’s wellbeing... but I don’t think that the UK at the moment is really positioning itself as open and welcoming for the attraction of international talent’.

Toby, higher education

In this sense Scotland was positioned as being ‘different’ to the rest of the UK, where generally positive discourses were compared favourably to the perceived negatively surrounding political discussions of immigration south of the border.

‘Alex Salmond has positively welcomed them [migrants] and said that they’ll be welcomed to Scotland and local government too has been really good for funding free language lessons... but there’s the racism aspect down in England where they’re saying they’re all thieves, gypsies and beggars, so people are coming up to Scotland because they know that there’s less racism here’

Thomas, recruitment, hospitality

In terms of the political-economy of immigration policy, conceptually what is of interest is not the particular legislative mechanisms that employers would like to see

enacted, but rather the discourses that are constructed to rationalise these aims, and the actions that are made to actualise them. These narratives tended to centre on the 'exceptional' nature of Scotland's (economic and demographic) 'needs' for migrants and how the ability to attract hyper mobile 'top talent' was seen as essential to the success of companies and economies in an intensely competitive global arena. In this sense what was 'good' or 'essential' for employers in terms of immigration was constructed as being inevitably 'good' or 'essential' for Scotland. In line with the observations of scholars such as Scott (2013), employers were less likely to portray immigration in terms that framed it as an important mechanism in the hegemony of capital over labour. Analysis of the interview transcripts also leads to a questioning of the depiction of 'business interests' as a homogenous, unified or even powerful voice in immigration policy. Rather employer desires were often poorly articulated, conflicted with each other and often did not advocate purely 'open-door' immigration policies. This complexity in terms of 'elite' voices extended to how employers sought to influence immigration policy.

5.3. 'ELITE' DOMINATION OVER IMMIGRATION POLICY?

Employer pressure is often framed as being influential in states producing immigration policies that are more liberal than their citizens would like (Menz, 2011). This is presented as the outcome of an organised pro-migration lobby 'winning over' a larger but resource weak and diffuse anti-migration lobby (Freeman, 1995). Determining whether employer voices ultimately 'win' in immigration policy is beyond the scope of this paper, and perhaps empirical elucidation more generally. What does however emerge from the research is an appreciation of the limited efficacy of so-called elite attitudes and actions in relation to immigration policy (Giordani and Ruta, 2011). The constitutional change debate proved to be a valuable lens through which employer views and influence on immigration policy could be explored: with many interviewees describing the situation as an opportunity for more favourable legislation to develop.

'Scottish independence could create better policy responses to our needs, and it is much easier to get the ear of a Minister here than it is in the UK Government... but the Scottish Government would be pressurised by everybody; the oil industry, retail, hospitality and manufacturing think they'll all going to get the ear of government and that they'll prioritise their respective industries, but some of them will have to lose out'.

Rory, healthcare

As the above quotation illustrates, employers inevitably have competing demands on government priorities. In line with Caviedes (2010) this range of preferences unsurprisingly leads to divisions between and within economic sectors in relation to which ‘elite’ voices are heard.

‘Independence would mean that we could sort out all of those messy migration policies that we have issues with, but given that the Yes campaign makes a big deal out of the oil industry, they really need to talk to the oil industry... they’re engaging with organisations like the Wood Group because of Sir Ian Wood, but they are not engaging with the vast majority of other businesses that are actually supporting the sector and who produce more money for the UK than these guys do’.

Olivia, oil and gas

Even when interviewees did claim to make efforts to influence (both UK and Scottish) government policy, it was unclear how these processes operate or what their actual effects might be. This may be attributed to three key factors: (1) employers, whilst wishing to send out a message that immigration was broadly beneficial, were not particularly articulate in terms of what types of specific legislation they actually wanted, (2) interviewees were uncertain whether their efforts at influencing policy had any measurable impact and (3) research participants displayed a limited understanding of the actual mechanisms through which their preferences might be translated into policy. Thus whilst there was a consensus that disseminating positive messages about immigration to politicians, policymakers, the media and the public was desirable, much less confidence surrounded whether this had a tangible effect on policy. For example Wayne (inter-company organisation) complained that *‘we try and guide economic policy in Scotland so that business is doing better, but growing the economy and business is a minority voice in Scotland’*. Similarly Harriet (agribusiness) protested that *‘we are lobbying and rural MPs are putting in reports too but it just doesn’t matter, you might as well be speaking to a brick wall’*.

The picture that emerges from this analysis is not therefore one that conforms to the notion of state immigration policies being at the behest of an articulate, unified and powerful pro-business voice. It can be reasonably assumed that pro-business voices do influence immigration policy, but in probability they do so in often indirect, unintended and imperceptible ways. The perception of employers (and others) as dominant ‘elites’ manipulating immigration policy may therefore be misplaced. A conclusion that is more

realistic, but perhaps less intellectually satisfying, ties in with the notion of policy incoherence: elites in all probability do influence immigration policy, but do so in numerous and complex ways that are difficult for researchers and even elites to identify and articulate (Boswell, 2007; Menz, 2011; Statham and Geddes, 2006).

6. DISCUSSION: RE-THINKING ‘ELITE’ VOICES IN MIGRATION RESEARCH

Immigration policy theory is an important but under researched topic. This analysis has sought to contribute to its development by focusing on a particular aspect of the relationship between businesses and the state and its public; the preferences and role of employers with regards to immigration legislation. This perspective has pointed towards the need for a more critical take on the narratives used by businesses to rationalise their favouring of more liberal immigration policies than the public would like and contradictions within articulations of their ‘ideal’ immigration policy. It also emphasises that, counter to some opinion, immigration policy should not be viewed as the result of an organised pro-migration lobby ‘winning over’ a resource weak and diffuse anti-migration lobby (Freeman, 1995).

The research findings support the expectation that employers are generally very much in favour of immigration, as it serves to enhance the supply of labour available to them and thus helps to address skills and labour shortages. Narratives used to rationalise a pro-immigration stance centred on immigration being inherently ‘good’ for Scotland and Scotland’s economic and demographic needs being ‘different’ to other parts of Britain, especially the South East of England. Uncertainty over the constitutional future of Scotland was regarded as an opportunity by employers, who saw it as a chance to raise and perhaps push for policies better suited to ‘Scotland’s needs’. A critical interpretation of these discourses leads one to reflect on what is *not* voiced by employers. As Scott (2013) and Anderson and Ruhs (2010) have emphasised, few if any businesses will interpret increased labour immigration as a mechanism favouring the intensification of workplace regimes and exerting downward pressure on wages and conditions for employees, migrant and non-migrant alike. The role of immigration in facilitating the escalation of ‘flexible’ labour market structures, at various levels of the occupational

hierarchy, is an issue that merits much more attention than it has received to date (Røed and Schøne, 2012; Ruhs, 2006; Castles and Kosack, 2010).

Whilst employer preferences for positive approaches to immigration legislation have long been acknowledged (Castles and Kosack, 1973), an important contribution of this analysis is that it encourages a more nuanced understanding of how ‘elites’ such as employers are portrayed in migration studies. The narrow neo-classical view of labour migrants as economically rational and utility maximising units has long been open to the charge from postmodernists that such a representation discounts the innate contradictions and complexity of human thought and action (Papastergiadis, 2000). Whilst understandings of migrant behaviour have evolved far beyond simplistic rational choice models, elites such as employers are still often framed as behaving in such a deterministic manner. However this research uncovered many instances of employers thinking and acting in ways that contradict expectations of private businesses as purely profit maximising actors. For example many interviewees freely drew attention to the perceived negative aspects of immigration and used pejorative terminology to describe immigrants. So whilst the literature might conceive of business elites as being more concerned with success in a globalised economic arena than parochial national political issues (Lasch, 1995; Sklair, 1991), the reality is more nuanced. It is sometimes forgotten that business elites are also individuals and as such are situated within and influenced by wider networks and structures (Cormode and Hughes, 1999). So although their overall stance can be described as pro-immigration, their views and the narratives that they use to rationalise them can be thought of as unstable and internally contradictory as a consequence of this embeddedness (Shubin *et al*, 2014). The views of ‘the public’ and private business, whilst distinctly different, may therefore not be quite as far apart as is sometimes assumed. Employers are in the main pro-immigration, but not without reservation. Similarly social attitudes data shows that the public is generally opposed to immigration, yet recognises the positive economic aspects of it (Saran, 2009; Rolfe *et al*, 2013; Duffy and Frere-Smith, 2014). A more sophisticated interpretation of the preferences of elites and general publics is thus warranted in migration studies.

Finally, the analysis rejects the view of immigration policy as being determined by the lobbying efforts of an organised and coherent body of elites. Just like the public, employers express dissatisfaction with immigration policy (although usually for different

reasons). Whilst this research cannot shed light on the actual impact of pro-business preferences on immigration policy, it can encourage a more sophisticated conceptualisation of these key labour market actors in migration studies. Employers hold divergent views and are not particularly articulate regarding the immigration policies that they would like to see, are not confident that their voices are listened to by policymakers and are unsure of the mechanisms whereby their preferences might be translated into policies. How a diverse set of competing voices are translated into immigration policy therefore remains something of a 'black box' in the minds of businesses and indeed the authors of this article. Whose voices are prioritised by policymakers in these tussles remains an important question that is very difficult to prove. The perennial question of whose voices *should* be listened to is of even greater significance.

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