**The role of migration policies in the attraction and retention of international talent. The case of Indian researchers**

**Abstract**

Governments are increasingly implementing policies aimed at attracting or retaining highly-skilled migrants. While a growing number of studies examine the effectiveness of these efforts, the actual mechanisms through which migration policies may operate have not been questioned. Drawing on an aspirations-capability framework for mobility, this article explores the role of migration policies in the geographic mobility decisions of researchers, a highly-skilled group that has been specifically targeted by such policies. Focusing on Indian researchers and using qualitative methodology (n=40), we examine their decisions to study and/or work abroad, to stay or move elsewhere. The article shows that whilst migration policies do not seem to be influential in the attraction of students and researchers, they do play a role in the retention and subsequent moves of international talent.

**Keywords*:*** international migration; migration policy; highly skilled; academic mobility; India

# Introduction

At the time of writing, the debates about the role of migration policies seem to be polarised between modelling higher restrictions for unskilled migrants whilst simultaneously designing attractive policies for the highly skilled. The *best and brightest* ought to be attracted and not deterred from arriving and settling in competitive economies of the Global North, whilst regulating the number of those who might potentially occupy ‘low value added’ employment (for a critical evaluation of what constitutes ‘value’ for skill-selective policies see Kofman (2014)). For example, in the UK, academics have expressed concerns about the detrimental effect that the post-Brexit vote landscape may have on the sustainability of the sector (Cressey, 2016; Tabernero and Ciardiello, 2016). The 7% fall in applications by EU students to British universities in 2017 and the large share[[1]](#endnote-1) of EU academics reporting they are now more likely to leave the UK support such fears (Mayhew, 2017). Higher education institutions call for favourable migration policies to attract and retain international students and highly-skilled migrants, who may otherwise turn to other, more welcoming destinations (Marginson, 2017). But to what extent can migration policies actually shape international academic mobility?

As countries, companies and universities compete globally for human capital, skill-selective policies are seen as pull factors that can draw highly-skilled foreigners to the country or as positive welcoming messages. A growing amount of research (Doomernik et al., 2009; Ortega and Peri, 2013; Rinne, 2012) seeks to evaluate the effectiveness of such policies, with contrasted findings. While some studies find no effect of skill-selective policies (Jasso and Rosenzweig, 2009), others show they do indeed work in the expected direction, increasing the inflows of highly-skilled immigrants (Boeri et al., 2012; Czaika and Parsons, 2017). In contrast, the *mechanisms* through which these policies may shape migration decision-making and behaviour have been understudied.

This paper contributes to the literature on global mobility (Reay et al., 2001; Sha et al., 2010; Brooks and Waters, 2009) by unpacking precisely what roles migration policies play in students’ and researchers’ choices about whether and where to move. We apply the conceptual distinction proposed by Carling (2002) and later developed by de Haas (2010) between aspirations and capabilities to migrate, which allows us to distinguish between two potential mechanisms of policy influence. On the one hand, we may expect migration policies to *attract* or *deter* students and researchers to/from particular destinations. Policies would thus play a role in shaping destination-specific aspirations. On the other hand, the policy framework may *facilitate* or *constrain* the ability of students and researchers to join their preferred destination by easing the entry restrictions. Furthermore, we are also interested in how subsequent geographic trajectories unfold, and how policies intervene (or not) in decisions about remaining in the initial destination or moving elsewhere.

We acknowledge that migration scholarship has generally analysed the mobility of students (Findlay, 2011; Findlay et al., 2012; King and Ruiz-Gelices, 2003) and researchers (Ackers, 2005; Harvey, 2009; Khadria, 2003; Mahroum, 2002) as two separate phenomena. Heeding calls to curb existing boundaries between these two forms of academic mobility in future research (Ackers, 2005; Baláž and Williams, 2004), this article addresses the mobility of students and researchers from a biographical perspective (Apitzsch and Siouti, 2007). Using a life-course approach, we interview researchers and inquire retrospectively about their educational and professional trajectories and the impact policies have had at different stages of their careers.

In evaluating the relative weight of these mechanisms, this paper asks the following questions: (i) do students and researchers take into account policies of the destination country when deciding whether to emigrate? (ii) Are academics opting for more ‘open’ countries with regards to their migration policy? (iii) What types of policies (entry/post-entry) are researchers taking into account when making these decisions? (iv) Did immigration policies prevent students or researchers from joining their preferred destinations or from settling there? (v) To what extent were policies taken into consideration when deciding whether to move elsewhere? We consider the relative weight of migration policies in relation to other factors that have been shown to shape researchers’ migration decision-making and capabilities (e.g. perceived prestige of the institution, clusters of scientific excellence, wages, fringe benefits, family proximity, etc.).

In order to answer such questions, we draw on data on the educational and professional trajectories from 40 qualitative in-depth interviews with Indian-born researchers, working in India or abroad. Our findings suggest that immigration regulations and the easiness to obtain a visa have a relatively small importance on researchers’ first moves in comparison with other factors; whilst the impact of migration policies becomes more prominent in shaping the aspirations and capabilities to settle or to re-emigrate as well as researchers’ career progression.

The paper is structured as follows: section two discusses prior research examining drivers of international academic mobility, focusing in particular on the role of migration policies. Section three presents the methodology and data on which this analysis is based. Findings are presented in section four, while a final section discusses the results and advances some conclusions.

# Understanding international academic mobility: the role of policies

The highly-skilled workers that are central to this paper are scientists, researchers and academics hired by universities and research centres. Their mobility is generally regulated by the migration policies that target students and highly-skilled migrants, with a few policy initiatives designed specifically for scientists (e.g. the European Scientific Visa Package[[2]](#endnote-2)). These migration policies generally aim at attracting highly-skilled workers by easing restrictions to entry (in comparison with those applicable to low-skilled migrants) and granting more generous post-entry rights, but also at retaining foreign students by facilitating their study-to-work transition. Prior studies argue that these skill-selective policies have become more common in the last decades in OECD countries (Czaika and de Haas, 2013), with two thirds of OECD nations having implemented them or currently doing so (Artuc et al., 2015).

Despite their growing importance, the role played by migration policies in shaping geographic mobility choices along academic careers has not been extensively researched. Prior studies focused predominantly on supply-side explanations of academic mobility, exploring the motivations and class-based resources of mobile students and researchers (Findlay, 2011). Overseas education has been analysed as a mechanism of social reproduction, a means for privileged groups to maintain their social advantage (Brooks and Waters, 2009; Findlay et al., 2012), reflecting earlier findings on the classed and racialised decision making process for entry in higher education institutions (Reay et al., 2001; Shah et al., 2010). The social embeddedness of international academic mobility also received extensive attention, with studies pointing out the complex roles that family and peer networks play in the migration of students and the highly skilled (Brooks and Waters, 2010; Carlson, 2013; Ryan and Mulholland, 2014; Williams et al., 2004). Prior work further emphasized the crucial role of perceived quality and prestige of institutions in attracting students and researchers (Ackers, 2005; King, 2002; Mahroum, 2002), while material aspects (e.g. wage differentials, tuition fees, scholarships) were also found to be important in triggering mobility (Bauder, 2012; King and Ruiz-Gelices, 2003).

In contrast, demand-side forces shaping international academic mobility have so far been given insufficient consideration (Findlay, 2011). States as well as higher education and research institutions are powerful players in the global education sector, structuring the patterns of academic mobility (ibid.). Focusing on international student migration and particularly on the case of the UK, Findlay (2011) argues that the unevenness of student flows, both between and within countries, and the post-2000 evolution of students’ origins and retention rates[[3]](#endnote-3) cannot be explained solely by supply-side theories. The government initiatives to increase the UK’s market share of international students and highly-skilled workers, as well as the pro-active international recruitment practices may partly be responsible for these trends in global student flows (Findlay, 2011).

Macro-level economics studies have also examined the role of immigration policies in attracting highly skilled workers, with contrasting findings. Some found that such policies are relatively ineffective in comparison to other social, economic and political determinants (Antecol et al., 2003; Czaika and De Haas, 2013; Doomernik et al., 2009). Other studies find that ‘pro-skill’ policy changes have a noticeable effect on the skill-composition of immigrant flows (Boeri et al., 2012). These effects seem however to depend on the degree of those changes (Green and Green, 1995) and of the type of pro-skill policies implemented (e.g. point-based systems appear more effective than shortage lists and labour market tests) (Czaika and Parsons, 2017).

These studies, mostly quantitative, make an important contribution to the literature by focusing on the “forces lying well beyond either the ‘choices’ of students or the social class interests of the sending society” (Findlay, 2011: 165) and thus compensating the supply-side bias of prior work. Yet, it is also important to link these overarching structures to agents’ decision-making processes and understand how they come to shape their behaviour. The objective of this paper is to examine the extent and the ways in which such policies factor in mobility choices and practices along academic careers. Furthermore, the influence of migration policies on the *retention* of students, academics or highly-skilled migrants more generally has so far been understudied.

A few prior studies took important steps in this direction. For example, Oishi (2012) investigates why the pro-skill policies actively implemented in Japan did not meet the expected success in attracting overseas professionals, finding that business practices, the tax and pensions systems and other integration policies have a more decisive and deterring effect on the mobility of highly-skilled foreigners. The role of post-entry rights is signalled by Ackers (2005) when looking at how access to citizenship is important for the retention of scientists in Europe, given that they “need to reassure themselves that their mobility will not jeopardize their own citizenship status, their partner’s right to work, and the wider family social entitlement” (Ackers, 2005: 114). In analysing the decision-making process behind Indian scientists’ return to their home country, Sabharwal and Varma (2016) find that issues linked to immigration status were of central importance to return to India (e.g. delays in getting the Green Card, spouses’ inability to obtain a work permit, visa for parents).

While the studies discussed above conduct, to some extent, an empirical analysis of the role of policies in migration trajectories, they do not make an attempt to theoretically distinguish the different mechanisms through which these may operate. In this paper we argue, following Carling (2002), that insights on these mechanisms can be gained by “addressing the *aspirations* and *ability* to move separately” (2002: p.5). Having an aspiration to migrate has been defined as believing that migration is preferable to non-migration. However, only some among those who aspire to migrate will also have the ability to do so (Carling, 2002; de Haas, 2010). In Carling’s study of low-skilled migration from Cape Verde, immigration regulations act as one of the barriers to migration, preventing some of the potential migrants from moving to their desired destination. They thus curb the *ability* to migrate. In contrast, Favell’s (2008) work on higher-educated Western Europeans migrating within Europe – what he calls the ‘Eurostars’ - points to EU freedom of movement as one of the factors contributing to forming the *aspirations* to move.

Using this ‘aspiration and ability’ framework, we distinguish between two types of mechanisms through which policies may impact researchers’ migration: first, under the *attraction/deterrence* mechanism, policies may shape destination-specific aspirations. Based on the discourse surrounding the adoption of skill-selective policies by an increasing number of countries, we may expect them to work by attracting highly-skilled people – i.e. the easiness of joining the country or generous post-entry rights may directly factor in the choice of destination. In contrast, restrictive immigration regulations deter from selecting those countries that did not adopt (sufficiently) welcoming policies. Secondly, a different mechanism would be one of *facilitation/constraint*. In countries adopting skill-selective policies, highly-skilled migrants enjoy a number of legal facilities both before and post-entry, and may thus be better able to enact their decisions to migrate or settle in their preferred destination. The reverse would happen in countries with more restrictive entry and post-entry regulations, as was the case in the US after 2001.

Both these mechanisms may be at work simultaneously. However, given the discursive gap between migration rhetoric and migration policy implementation (Czaika and de Haas, 2013), deterrence may happen in the absence of actual restrictive policies. Therefore, the two mechanisms are not necessarily directly correlated. Furthermore, their relative weight may be different in decisions of where to (first) move, whether to remain at destination for longer, or move elsewhere. This paper aims to unpack these dynamics at various stages of researchers’ mobility trajectories.

# Methodology and data

The empirical data used in this paper comes from 40 qualitative in-depth interviews conducted with Indian researchers worldwide between May and December 2014 within the framework of a larger project on drivers and dynamics of academic mobility (Author A and B). Our focus on Indians is mainly motivated by the fact that they represent the largest diaspora of researchers world-wide, with around 40 percent of India-born researchers working overseas (Friedman, 2006). Indians are consistently among the largest groups of foreign students and academics in the top destinations for academic migration (such as the US, the UK, Canada, Australia) (Khadria, 2003). Furthermore, their migration destinations have diversified in recent periods (Altbach, 2010), but they are still numerically important in the emerging destinations for a qualitative-quantitative study to be feasible. Third, the Indian higher-education system has been massively developing over the past decades (Jayaram, 2003, 2011), generating new dynamics in academic mobility from India.

Our interviewees were recruited among the respondents of a web-based quantitative survey, which preceded the qualitative fieldwork. We surveyed active researchers, who had published at least one article, research paper, conference proceeding or book indexed in Thomson Reuter’s *Web of Knowledge* database between 2010 and 2014, across all disciplines. These were selected according to a name-based sampling strategy, targeting only researchers with an Indian surname[[4]](#endnote-4). The survey data is however limited for examining the extent and the mechanisms through which migration policies may shape academic mobility. To address this objective, we conducted in-depth interviews (Payne and Williams, 2005) with a purposive sub-sample of respondents who expressed their agreement to be contacted for a follow-up interview (Bryman, 2015). Interviewees were selected only if they were born in India and had an academic job (either at a university or a research institute). We also sought to include a variety of disciplines, age and career-stage levels. Furthermore, we adopted a multi-sited data collection strategy by surveying both mobile researchers currently living in different countries around the globe, as well as researchers based in India who never lived abroad or who had returned to India. In answering our research question, it is crucial to include non-migrants, which many studies fail to do, running the risk of excluding those who might have been deterred or prevented to migrate by immigration regulations.

The sample of interviewees is predominantly masculine - 30 men and 10 women – and skewed towards the natural and physical sciences - 9 researchers in physics, 5 in mathematics and 5 in engineering, with the rest in biology, chemistry, computer science, social sciences, and medicine. These gender and discipline imbalances are also found in the online survey and are probably related to our publication-based sampling. Thomson Reuter’s *Web of Knowledge* indexes substantially more science journals than social science and humanities. Given gender imbalances across disciplines (Ayalon, 2003) and more feminised social sciences and humanities, this translates in a higher likelihood to sample male researchers. Over half of the interviewees are between 30 and 39 years old, 8 between 40 and 49, and 7 are over 50 years old. Most of the interviewees were outside India at the time of the interview (24), 9 were returnees in India with international experience abroad, and 7 never emigrated. The distribution of countries of destination reflects general patterns of Indian academic mobility: 8 interviewees were in the US, 4 in the UK with the rest in Australia, Belgium, Canada, Czech Republic, Germany, Ireland, Switzerland, and Taiwan.

Interviews were conducted via Skype video-calls, with duration between 40 and 70 minutes, and were audio-recorded and fully transcribed. This methodology facilitated reaching a global sample of interviewees without the time and cost limitations of face-to-face interviewing (Janghorban et al., 2014). The interviewers used a semi-structured interview guide, which enabled a structured conversation allowing for cross-comparison across the different cases but also giving enough freedom for the interviewee to elaborate on other topics. The conversation followed a biographical approach (Apitzsch and Siouti, 2007) focusing on educational and professional trajectories, and exploring in particular decision-making processes in relation to where to study/work at key transition stages: BA, MA, PhD, first job and up to the current job.

The transcripts were coded using QSR International NVivo software. The coding process facilitated a structured categorisation of the data in the main nodes of information that surfaced from the interview guide, as well as new themes that emerged during the data collection (Schmidt, 2004). The identities of the interviewees have been anonymised. The excerpts from the interviews utilised in this chapter only account for a sample of the interviews carried out, and exemplify some of the recurrent narratives for each of the themes analysed.

## Findings

Our findings are organized around three main themes. First, we discuss the role migration policies play in students’ and researchers’ first moves abroad, and in shaping both their destination aspirations and capabilities to join their country of choice. Second, we examine how destination-country policies influence subsequent career and mobility choices, and how they may contribute to retaining or redirecting international students and researchers. Third, we explore a somewhat unexpected finding; the role policies may play in postponing return.

## *Migration policies, limited influence on aspirations but shaping capabilities to move*

Our research shows that the immigration policies of destination countries do not play a key role for either students’ or researchers’ decisions of whether and where to move for their degrees or for an academic position. The vast majority of our interviewees did not take this aspect into consideration when choosing between potential destinations, nor were they discouraged from applying abroad because of expected legal difficulties. This applied to both the stages of moving abroad to get a degree or to take up employment. Many were usually informed about the immigration regulations of the countries they were considering. Other factors were frequently mentioned, such as the prestige of the institution, opportunities for career progression, financing available and the influence of more senior colleagues and supervisors (Author A and B). For example, Raj and Irfan conveyed a common narrative among our interviewees where ‘science’ is the element driving mobility, and policies are perceived as just administrative hurdles to be overcome. For Raj, ‘science’ was guiding the mobility to study, whilst for Irfan policies did not play a role either when taking up employment:

I was guided by the science. So at that point of time I had applied everywhere in the US and abroad again […] I believe – again – it will be driven by the science. If the science is really strong I would be happy to jump through any kind of hoops that are required. (Raj, early 40s, genetics, in the USA since 1996)

*There was nothing I thought of from the entry into the country […] I’ve tried for the US but didn’t get accepted. I did apply to Germany and here [Czech Rep]. I got a position here. There was nothing I thought of from the visa side. (Irfan, mid 30s, mathematics, in Czech Republic since 2013)*

Results from the online survey support these findings. We asked our survey respondents to rate the importance of a series of eleven factors in two key career decisions along their trajectories: the choice of where to study for their PhD and of where to take up their current employment. “Legal facilities” was the factor that tried to capture some of the aspects of immigration regulations, and turned out to be at the bottom of the hierarchy of factors. A vast majority of respondents considered the prestige of the institution (85%), the research infrastructure (87%) or the funding available (75%) as very important or essential in their decision of where to study for their PhD. In contrast, legal facility was deemed equally important by only 50% of the respondents. There was more diversity in the factors driving the decision of where to take up their current employment, but legal facilities were again at the bottom of the list (20% compared to 52-53% who considered prestige of the institution or future employment prospects as very important/essential).

While policies may thus not shape destination-related *aspirations*, they may still shape the *ability* to reach their desired locations. We systematically asked our interviewees, both who moved abroad and who did their entire career in India, whether they had negative experiences with the visa or work permit application process. Very few reported being unable to migrate because of legal issues. The two cases where interviewees were refused entry involved the United States and took place in the few years following the 9/11 events. For the vast majority it was a relatively smooth process, lasting under a month, though in some cases - mostly for those taking up employment– that process was delayed for up to a few months.

Our findings thus suggest that migration policies do not factor in Indian students’ and researchers’ narratives about where to migrate, nor did legal issues generally prevent them from reaching their preferred destination. However, these experiences cannot capture how policies actually shape the positions or scholarships open for foreigners. Immigration regulations may reduce their ability to study or work abroad through other channels, of which academics are not necessarily aware. For example, they may affect the recruiters’ willingness to consider applications of nationals for whom the legal procedure is expected to be time-consuming and costly. This may particularly be the case for research project-based positions, which often have a tight timeframe and do not afford waiting several months for the new recruit(s) to join the team. Big universities, with well-staffed international offices, can absorb the costs of recruiting foreigners, but smaller institutions are less equipped to do so. Nishat’s experience in the UK illustrates this:

*I knew it would be difficult because as a non-European you just don't have the options […] – they come up with this – you're not a European. I mean I invariably applied for lots of jobs and most of the jobs I was over-qualified [for]. I was quite often interviewed by people without a master’s degree, and all the time they would always say ‘oh yeah sorry, you can't apply for a work permit’. I actually found a job with a higher education college. And they offered me a job and I actually handed in my resignation at the place that I was doing full-time teaching and I was on the verge of relocating and then they came back and said ‘oh sorry, you can't apply for a work permit’. You know, headshot, typical headshot. And they didn't even explore the possibility of seeing if it would be ok, all they had to do was just fill out a form, which they didn't do, they simply said oh, we can't apply for a work permit, we won't get it, blah blah. So yeah, it was – that was difficult” (Nishat, mid 40s, management, in the UK since 2003)*

Nishat only managed to find a job at a “full-fledged university”, as she calls it, which applied for her work permit and obtained it within a week. None of her previous application at smaller institutions was successful because of the hurdles that obtaining the work permit involved for the institution. Furthermore, in countries where nationality (or a long-term residence permit) is required for obtaining grants, foreigners may be additionally discriminated against, as one of our interviewee has observed in his university in the US:

I don't see the impetus for our calling people from abroad, but selecting from the current pool that is there in the US. Because the immigration has frankly gotten more expensive. And so the researchers want to conserve their funds along those lines. It would be ideal for them to have somebody who has a green card or a US citizenship because then they can be eligible for training grants or apply for their own fellowship funding (…) They can prioritize those candidates, for whom it's easier from a legal point of view (Arjun, mid 40s, genetics, in the USA since 1997)

## *Migration policies influencing the retention and redirection of researchers*

As discussed in the previous section, migration policies do not seem to be a central element in the Indian researchers’ migration aspirations and destination choices. Policies of the (chosen) destination country did however have more of an effect on subsequent career choices. Our interviews show that the effects of the policies regulating post-entry rights seem to have a larger impact on students and researchers capabilities to stay, move or return than when deciding to enter a particular country for the first time. In other words, migration policies are perceived to play a decisive role in retaining researchers in a particular position and/or country, or redirecting them somewhere else.

This effect seems to have more weight on turning points in academic pathways, such as between studies and employment, or moves between employers (e.g. student to work visa or the possibility of acquiring permanent residency). A clear example of this mechanism is the existence of a post-study visa scheme, which is acknowledged as the main policy tool to retain international students into the labour market. The possibility of ‘staying’ on a post-study visa and just ‘giving it a try’ has been narrated by interviewees as shaping their aspirations to stay. In contrast, when post-entry rights are limited, students and researchers may be encouraged to move elsewhere. For example, for researchers venturing destinations in Asian countries where post-study visa schemes were inexistent and access to permanency rights difficult to reach, the migration regulations were negatively impacting their aspirations to stay. This is the case for Sajid, physicist based in Taiwan who is soon moving to Canada. He did not consider settling in Taiwan since, next to language and cultural differences, the Taiwanese government does not facilitate the study-to-work transition nor does it offer permanent residence to foreigners, according to his information. He was encouraged in his decision to move to Canada by the easiness of accessing post-entry rights, which shaped his aspirations to re-emigrate:

*When I finished my PhD degree [in Taiwan] then immediately after one month I got the letter from the Immigration Office of Taiwan saying that you are no longer a student and please write why are you staying here […] My professor offered me a position but it was in process. When my student status was finished then it took I think 3-4 months to get the work permit from Taiwan government. Before I don’t know if I get the permission from the labour department and from Taiwan government to work in Taiwan, because I was no more a student. So it was a little bit more difficult than for a normal student […] they told me that it is difficult to get visa and the work permit, it’s a long process, 6-8 months process […] Now in Canada, in case of my post-doc in Canada, my professor told me that I would get a work permit. This is in process (Sajid, early 30s, physics, in Taiwan since 2011).*

Access to post-entry rights does not only play on the aspirations to move/stay but also on enabling the capabilities to stay. This has been narrated by Kiran, Indian scientist based in London who benefitted from a post-study visa when she explains that the elimination of this policy tool did not allow a close friend of hers to take up offers despite her suitability for the positions:

*I didn't have any problem getting the visa to come here. And I had institutional support. Then I had to exchange my visa when they gave me the post-doc. I switched to what was then called the HSMP or highly-skilled migrants program and that was, that program has now been discontinued, so people can't apply. For example my flat mate, she's an economist, she's Indian like me and she did her PhD at the institution A, and after that she applied for a job and got a job but because there was no possibility of post-study visa, it took her 8 months for her visa to come through. Some departments won’t wait (Kiran, mid 30s physics, in the UK since 2005)*

For those researchers who aspire to stay in their country of destination, the capabilities to do so seem to pass through the access to permanency rights and citizenship. Work permits tied to a specific job constrain their career progression and opportunities for professional development. After having been offered a position in a lab thanks to a particular set of skills she acquired during her PhD, Rita was unable to take up the job since she could not obtain a work permit quickly enough for the departmental needs due to restrictive immigration regulations. She explains it in this way*:*

*I got offered a job as a researcher but they wouldn’t take me because I had no work visa at that time. That was quite surprising because my CV was quite research oriented, and they wanted me on board. But then, the process of facilitating a work permit was much more complicated than that (Rita, late 30s, biology, in the UK since 2010).*

Priya, who says that those academics who want to stay and move between institutions should acquire citizenship, also articulates this:

*You can apply for jobs, but then when you say you have the right to work in the country in your application, things are smoother. And you don’t want to be a hurdle for the institution who wants you, to go through all the sponsorship system. Now I can apply for anything when I want to (Priya, mid 30s, physics, in the UK since 2006).*

***Restrictive post-entry rights limiting aspirations and capabilities to move elsewhere***

Therefore, access to post-entry rights (e.g. permanency/citizenship rights in particular) seems to shape the aspirations to stay, but also the capabilities to do so. However, our data also shows how access to post-entry rights and aspirations and capabilities to stay do not necessarily map onto each other. For researchers who aspire to return to their country of origin, move elsewhere, or engage in transnational academic careers, difficulties in access to permanent residence rights may (temporarily) fix them in a particular territory, limiting their capabilities to leave and circulate. This ‘involuntary immobility’ (Carling 2002) has been an unexpected finding related to the often-assumed ‘hyper-mobility’ of highly-skilled migrants.

This is the case of Parvati, who explains that her husband and her aspire to move back to India, but they would like to keep the door open to Canada, since they do not know whether they will enjoy their working life back home. This is making them hold onto their current jobs for some extra years, renouncing the offers they receive from India, until they manage to get their permanency rights granted:

*We would like to go back to India, my husband is not particularly happy in his current job. But then we are thinking, ‘if we stay for one more year, we will qualify to apply for permanent residence’. This will make things much easier in case we want to come back (Parvati, mid 30s, physicist, in Canada since 2011)*.

Besides keeping the door open to re-migration, permanent residence or access to citizenship enable circulation. The nature of academic research requires the internationalization of the CVs through foreign degrees but also through short visits, longer research stays, or attending international conferences. For those researchers who aspire to go back to India but want to stay in touch and have a dynamic transnational academic life, acquiring permanency rights or even citizenship appears as the only strategy. Siddharta, Indian physicist in Belgium states how ideal would be to have the right passport to transit between India and Europe:

*My wife and I keep discussing about this. So, it’s something [Belgian passport] that allows us to freely move between places. So I would like to really have something in a foreign country, and also back in India, and something that allows me to work half-time here, in a, in a foreign country, and then spend half time in India, or like, even on a yearly basis, we spend one year here, one year in India... (Siddhartha, mid 30s, physicist, in Belgium since 2009).*

Vivek, top biologists at a world famous US institution, is concerned with similar constraints on his capabilities for international mobility, comparing his experiences in Germany and the United States:

*Now that I am in the US, I realize that in Germany it's very nice that you can extend your visa by staying within the country. But in America the system is very different. Once your visa expires you are allowed to stay in the country, but the thing is if you leave the country, you cannot enter unless you get a new visa issued from your home country. And this kind of limits the mobility an international researcher requires (Vivek, early 40s, biologist, in the USA since 2013).*

In summary, a greater access to rights conditions and matches the aspirations to stay, but also facilitates the capabilities to move in different directions: horizontally (within the same country), elsewhere in the world or back to India. A higher restriction in post-entry rights (work permit linked to a particular employer, lack of study-to-work visa, difficult access to permanent residency or citizenship) can have an expelling effect, but also a temporary retention effect, until the foreign researcher manages to acquire more rights to follow their path elsewhere.

# Conclusion

Using an aspirations-capability approach framework (Carling 2002; de Haas 2010), this paper has examined how migration policies influence the past, current and future decision-making processes of researchers in relation to whether and where to emigrate, stay or re-emigrate elsewhere. Drawing on 40 in-depth interviews with Indian researchers, our findings suggest that immigration regulations and the easiness to obtain a visa weigh little on researchers’ first moves in comparison with other factors. The prestige of the institution, the research facilities or family circumstances outweigh the influence of entry policies. Researchers were generally uninformed about the migration regulations of the country of destination and experienced the process as an inevitable bureaucratic hurdle, either to enrol in degrees abroad or to take up employment.

However, the fact that researchers do not acknowledge a significant role of entry policies in attracting or deterring them from certain destinations does not necessarily mean these do not impact their *capabilities* to move. The facilitation/constraining role of policies may also shape other actors’ decisions, in a way that students and researchers themselves may be unaware of. If the administrative procedures for obtaining a residence or work permit are long and costly and if administrative support is low, a foreign candidate may be given less priority in the application process. These meso-level aspects are however beyond the scope of this paper. Future research should explore hiring practices in higher education and research institutions and their interaction with immigration regulations.

The impact of immigration policies, particularly in the form of post-entry rights, becomes more prominent in shaping researchers’ subsequent geographic and professional trajectories. Our findings show that policies have more of a retention/redirecting effect, which is strongly related to foreigners’ access to post-entry rights. Greater access to rights conditions mobility decisions in different directions: it influences the aspirations and capabilities to stay in the country of destination both facilitating longer term settlement (e.g. post-study visa channel, access to permanency/ citizenship rights) and professional mobility (e.g. facilitating the search of attractive positions within the same country since there is no need to be attached to a single employer). But generous post-entry rights also facilitate moving elsewhere or engaging in transnational mobility with the safety of leaving ‘the door open’ to come back.

In contrast, more restrictive post-entry policies tend to have an expelling effect, pushing researchers to re-migrate to countries with more generous post-entry rights. However, delayed access to permanency rights may also have a counter-intuitive, reverse effect since it may temporarily retain the foreign researchers who otherwise wish to return to their country of origin until they manage to acquire permanent residency/citizenship. Our findings parallel those of Massey and Pren (2012) and Czaika and de Haas (2013), who show that more restrictive migration policies actually increase migrant stocks by decreasing return mobility – a mechanism that the latter authors call ‘reverse flow substitution’ (2013, 497).

When analysing our data we searched for heterogeneity in the narratives of researchers in relation to the impact of policies according to gender but we did not find any systematic differences in their experiences. This may be due to the lower number of cases (10 women and 30 men), or due to the broad nature of the policy effects we were interested in (attraction/retention). Nonetheless, future research should address the potentially gendered impacts of migration policies for researchers, following the important work of scholars such as Kofman (2012, 2014) who argued that high-skilled policies favour the attraction of talent in male dominated occupations..

Overall, these findings contribute to conceptualising the role of migration policies in the attraction and retention of researchers and of highly-skilled migrants more broadly. We show how policy developments affecting the highly skilled impose restrictions to settling that condition the trajectories of academics in different ways. If states aim to attract international talent, they ought to focus not only on entry rights but also on post-entry. Generous post-entry rights may not only retain the *best and the brightest*, but also enable researchers to progress in their careers and engage in transnational mobility, stimulate knowledge exchange and sustain international funding networks.

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1. 75% of EU (non-UK) academics, according to a YouGov survey for the University and College Union, January 2017 https://www.ucu.org.uk/article/8584/Academics-survey-shows-little-support-for-HE-Bill-amid-Brexit-brain-drain-fears [↑](#endnote-ref-1)
2. The Scientific Visa Package facilitates the procedure of admitting researchers coming from non-European countries to Europe (excluding the UK and Denmark) for the purpose of scientific research (EU Directive 2005/71/EC). [↑](#endnote-ref-2)
3. Student stay rates in the UK double (1 out of 4 in 2000; 1 out of 2 in 2006) whereas the share of students from China and India, where British universities have local agents, increases threefold during the same period. [↑](#endnote-ref-3)
4. In order to determine whether a name was Indian or not, we compared its frequency within the pool of *Indian-based* researchers to their frequency in the *worldwide* pool of researchers (based on those appearing in the Thomson Reuters *Web of Knowledge* database). See (Author A and B) for more details on the sampling strategy. [↑](#endnote-ref-4)