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Statements on race and class: the fairness of skills-based immigration criteria

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ABSTRACT

It is often argued that states do not have any special obligations towards economic migrants, and that skills-based selection of migrants is morally unproblematic. In this paper, I argue that even if one does not endorse special obligations towards economic migrants, there are good reasons to be critical of skills-based selection due to its effect on the citizens in the country they are migrating to. I introduce the issue of the impact of migrant selection on domestic populations by considering Blake's arguments against racial selection in immigration. He argues that racial selection is wrong because '[…] making a statement of racial preference in immigration necessarily makes a statement of racial preference domestically as well'. In this paper, I consider whether a similar case can be made against selecting migrants based on their marketable skills. I begin with a short overview of skills-based selection and some of the normative arguments put forward in favour of it, before considering Blake's argument. Thereafter, I show how Blake's example of race differs significantly from selection based on skills, in part due to the nature of identification with race and skills. However, I argue that the effects of skills-based selection on domestic population also need to be considered in any normative argument proposing such migration regulations. These effects include changes in our evaluations of equality and citizenship, negative impact on the social bases of self-respect, as well as specific disadvantages for segments of society and a negative effect on social mobility.

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Introduction: skills-based immigration

In the philosophical debate on migration, there has been some discussion on the fairness of the selection of high-skilled migrants due to its effects on countries of origin through 'brain drains'.[1] However, less attention has been paid to how skills-based selection in general

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[1]See for example Debating Brain Drain by Brock and Blake (2015), for a discussion on whether brain drain can justify emigration restrictions.

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impacts the countries these migrants are moving to, and how such an impact should affect an evaluation of the fairness of such policies. In this paper, I address this issue by critically discussing how skills-based selection affects citizens in countries enacting such regulations. In short, I argue that skills-based selection is morally problematic due to its effects on parts of the domestic population. As such, I bracket the question of whether selecting migrants based on their skills is unfair to the migrants seeking admittance and their country of origin, and show how it can be unfair to some of the citizens in the country they are migrating to. This unfairness is due to skills-based selection sending a message of preference to lower-skilled or working-class citizens, the effect this can have on these citizens' social bases of self-respect, and the policy's potential to limit the opportunities for the domestic population. Before I proceed to the normative discussion, I next give a brief overview of what is meant by skills-based selection, and some of the arguments put forward for these kinds of immigration regulations.

What is skills-based selection?

Skills-based selection refers to labour migration regulations that evaluate people according to their marketable skills, and give differentiated treatment on the basis of these evaluations. These kinds of evaluations are increasingly being made, and in more sophisticated ways, as states attempt to fill gaps in their labour market. For example, there is an increasing global competition to attract many so-called highly skilled migrants, such as IT specialists and experienced engineers. Health-care professionals are also particularly sought after, as an ageing population and increased spending on health care have increased the need for these workers in many countries in the global North. Furthermore, as Castles (2006) points out, there is a global trend towards more guest worker programmes, whereby typically lower-skilled workers are given temporary and conditional contracts. Finally, the need for unskilled migrants in many countries is fulfilled by so-called 'illegal' migrants, who have no official residency status. Increasingly then, countries in the global North and global East, such as Canada, Australia, the UK, Singapore, and Denmark, are systematically differentiating their treatment of labour migrants, giving preference and beneficial conditions to highly skilled workers, while either allowing lower-skilled migrants entry subject to certain restrictions, allowing them in on temporary visas or barring their entry.

Before I proceed, a few points on terminology and scope are in order. It is worth noting that the definition of skills is highly contentious, and different approaches define skills in a variety of ways. These definitions can be based on higher education qualifications, work experience, occupation and/or salary.[2] Different countries all have their own definitions of high-skilled, low-skilled and unskilled. While the Organization for Economic Cooperation and Development (OECD) defines a persons level of skill on the basis of years of education, some countries define it according to what types of visas they are eligible for. The UK has no official definition of what counts as low-skilled, but it is commonly used about people who do not qualify for Tier 2 working Visas. As these are given on the basis of projected earnings, low-skilled can therefore, for example, refer

[2]For an overview of the debate on how skills are defined in immigration policies and the merits of these varying definitions see Boucher (2019).

to carers or cleaners.[3] Canada on the other hand has several different types of skill levels (0, A, B, C and D) in its official immigration regulations, wherein managers, professionals and certain trades are amongst those considered high-skilled, whereas: 'Skill Levels C and D occupations include semi- and low-skilled workers in the trades, primary and manufacturing industries, sales and services, as well as certain clerical and assistant categories' (Canada 2019). It therefore seems difficult to conclusively define what counts as 'high-skilled', 'low-skilled', 'unskilled', or even 'semi-skilled'. However, I will for the purpose of this paper consider high-skilled individuals to typically be higher earners working in sectors such as management, IT, or medicine, whereas low-skilled refers to lower earners such as carers, cleaners, etc. Finally, unskilled refers to people without any trade specialization, higher education or personal wealth.

Although skills-based selection varies from country to country, both in terms of which factors they consider and the proportion of migrants selected by these systems, I consider them similar enough to treat them as one type of migration regulation in this paper.[4] When it comes to the scope of the paper, I am primarily referring to skills-based migration restrictions enacted by countries in the global North, as these are the countries that have come furthest in instituting these kinds of restrictions. Now it is worth noting that many countries have migration streams in addition to skills-based selection, most notably family reunification and refugeehood. However, skills-based selection is increasingly being adopted and advocated by politicians. Many countries are also placing restrictions on other migration streams, for example by limiting the number of refugees they receive and making it harder for people to be reunited with their families. Skills-based selection is also increasingly being used on other migration streams. Antje Ellermann traces this development to the rise of human-capital citizenship: 'As a membership *status*, human-capital citizenship renders the link between membership and its benefits conditional and tenuous, transforming rights into earned privileges' (Ellermann 2019, 2). This leads to increasing precariousness of many migrants' rights, whereby they have to continuously live up to the varying countries assessment of their skills and economic contribution.

Ayelet Shachar has shown how there has been a paradigm shift in countries' immigration regulations from selecting by origin to selecting by skills. Whereas previously most countries decided who could immigrate to their country based on the nationality of the person seeking admittance, countries are increasingly using skills-based systems to evaluate who should be allowed entry. These systems are said to be impartial and fair, as they

[3]Due to increased earning requirements, however, nurses can also frequently be unqualified for a Tier 2 visas. (Sumption 2018).

[4]It is worth noting that 'merit-based', 'needs-based' and 'skills-based' are often used as synonyms in the philosophical and political debate on migration. All these terms refer to a variety of systems that select immigrants based on such characteristics as their skills, education, wealth, health or age. In this paper, I use the term skills-based to refer to these kinds of systems. Furthermore, points-based systems are a mechanism used by some skills-based systems, which rank migrant's skills and characteristics according to a mathematical metric, and those who reach a certain total number of points are eligible to apply for a visa. The skills and characteristics countries use are typically chosen in order to attract the workers they need, while minimizing the expenditure incurred by these migrants on such things as health care or language training. Skills-based systems are in place in countries such as Denmark, Finland, France, Germany, Ireland, Japan, the Netherlands, Sweden, the Czech Republic, Singapore, South Africa, Lithuania, and Romania. (Pottie-Sherman 2013, 558). Countries such as Canada (1967), Australia (1989), New Zealand (1991), Hong Kong (2006), and South Korea (2018) have implemented points-based systems.

evaluate all potential migrants according to an objective, impartial and transparent metric, rather than according to their race, religion, or country they were born in. As Shachar puts it: 'Today's skills-based migration priorities reflect a technocratic, econometric, and managerial logic that aims to bring an air of objectivity (though measures such as the point-system rubric) into the otherwise deeply charged and politicized terrain of discretionary immigration' (Shachar 2016, 183). Having briefly sketched out what is meant by skills-based selection, I will now move on to discuss some of the normative arguments put forward for the fairness of these kinds of systems.

The arguments for skills-based migration

Most political philosophers working on immigration do not consider education and skills-based selection particularly problematic.[5] And while most will agree that selection on the basis of racial grounds is ethically problematic, skills-based selection has not received as much normative scrutiny.[6] It is often taken for granted that states have a right to control their borders, and as long as they do so in an open and transparent way, the selection criteria that are used are mostly the prerogative of the countries in question.

In reference to what kinds of immigrations regulations are justifiable, David Miller refers to legitimate and illegitimate policy goals for states to pursue:

> The receiving state has certain policy goals – for example, it is aiming for economic growth or to provide its citizens with generous welfare services – and it is entitled to use immigration policy as one of the means to achieve such goals. This explains why selecting immigrants according to particular skills that they can deploy is a justifiable criterion. […] In contrast, selection by race or national background is unjustifiable, since these attributes cannot be linked (except by wholly spurious reasoning) to any goals that a democratic state might legitimately wish to pursue (Miller 2016, 105-06).

When evaluating what kinds of immigration regulations are morally permissible, Joseph Carens also argues that selecting immigrants based on their marketable skills is morally permissible:

> As a general matter, this is another criterion that seems morally permissible. To be sure, the destination country is not acting altruistically in adopting this sort of immigration policy. It is selecting immigrants on the basis of its perception of the national interest. But since the country is morally free not to take any immigrants at all from the pool under consideration here [economic migrants], the fact that it is guided by its own interest in its selection of some for admission cannot be a decisive objection. Of course, states are equally free to adopt a more generous policy, taking in those whom they judge to be in greatest need. That is an admirable course, but it is not morally obligatory (Carens 2013, 108).

It should be noted that Carens primarily argues for open borders, and he is here merely considering legitimate and illegitimate immigration regulations, given that states are justified in limiting immigration. In short, both Carens and Miller think skills-based selection is permissible, given that states can choose those immigrants it is in their interest to receive. And while they discuss in detail the negative effects of brain drain on the countries of origin and

[5]For an overview of some of the arguments put forward for education-based selection see Tannock (2011, 1338–39).
[6]Most also agree that selection on the grounds of religion and gender is illegitimate, whereas political or cultural background seems to occupy an intermediate position. For example, Miller argues that one can discriminate on political background if the views held are illiberal or undemocratic (Miller 2016, 107).

what can be done to limit these negative impacts, they do not pay much attention to the issue of the potential negative effects of skills-based selection on the citizens in the countries these migrants are moving to.[7] What is important to note in relation to both Miller's and Carens' positions, is that they both treat states' interests as a given, without sufficiently considering the adverse effects for many citizens in the states enacting the proposed policies. As I argue below, there is reason to be sceptical of skills-based selection due to the effects on some of the citizens in states enacting such legislation, and an argument considering legitimate and illegitimate immigration criteria should address this. Furthermore, like any governmental policy, skills-based selection is likely to impact citizens to varying degrees. In order to illustrate how immigration criteria can negatively affect citizens in states enacting such criteria, I turn next to Blake's argument against racial restrictions.

Blake's argument against racial selection

In the philosophical debate on immigration, state-centred approaches often argue that states only have special obligations to their own citizens, and lesser obligations towards the people beyond their borders. States therefore have discretionary control over immigration regulations, as those subject to these regulations have no special claims on the state they seek to enter. However, the same theorists often argue that selection of immigrants on racial grounds is unjust, and therefore need to stipulate a basis for why this might be unjust, which preferably does not refer to those beyond their borders.[8] One of the arguments that bridges this gap and maintains that states have no special obligations towards immigrants, but that some types of selection of them is wrong, is made by Michael Blake in the article Discretionary Immigration (2002, 282–89). This argument considers the effects of racial selection on domestic citizens and argues why racial selection is wrong due to these effects.

Now, while it might initially seem off-putting to justify the wrongs of racial discrimination with reference to its effects on someone other than the person being discriminated, it is worth noting that just because something is wrong for one reason, that does not mean it is not also wrong for many other reasons. As mentioned above, for the purpose of this paper, I bracket the issue of injustices done to migrants seeking admittance and countries of origin, in order to focus on the effects of skills-based selection on the citizens of the country enacting these regulations.

In the article 'Discretionary Immigration' Blake points out that, if one believes that states do not have any particular moral responsibility towards prospective discretionary immigrants, it seems difficult to base the objection to race-based selection on what is owed to these discretionary immigrants. In other words, if we do not have moral obligations towards prospective migrants, what makes selection on the basis of racial criteria unjust? Blake then argues that what is objectionable about this form of selection is that it also significantly negatively impacts the state's own citizens:

[7]It should be noted that they at length discuss the normative validity of treating people differently when they have been allowed into the territory. While Miller opens up for somewhat more differentiated treatment than Carens, they both agree that people who have stayed for a prolonged period of time should be allowed citizenship.

[8]Some also argue that even though one does not have special obligations to economic migrants, states still need to treat them fairly according to some less weighty obligations. For example, Miller argues that racial discrimination is insulting to those seeking admittance (Miller 2014, 374). Blake argues elsewhere that one has a moral duty to give economic migrants reasons they cannot reasonably object to (Blake 2008).

> Racially conscious immigration is of moral importance, in this instance, more for what it says to those already present than for what it says to prospective immigrants. If we examine the message of a racially discriminatory pattern of immigration, we might understand it as a public announcement of racial favouritism. This can be understood as deeply problematic even if the interests and rights of the immigrants are taken off the table. The state making a statement of racial preference in immigration necessarily makes a statement of racial preference domestically as well. (Blake 2002, 284)

So, according to this argument, what makes racial selection objectionable in immigration policies, is that the state by enacting such restrictions makes a statement of preference, which negatively impacts those in the domestic population who happen to share this identification.

Blake argues that racial selection has two kinds of negative impact on the population. Firstly, he refers to Rawls' description of: 'the social bases of self respect. A state which articulated a message that one racial group is to be preferred over another in immigration makes a public statement; this statement undermines the ability of citizens with the disfavoured racial identity to see themselves as full participants in the project of self-rule' (Blake 2002, 284). So, racial selection impacts the agency and self-respect of people who share this group identity. According to Rawls self-respect is fundamental to our valuing ourselves as individuals, something we need in order to be pursue our own ideas of the good and to contribute in society as citizens. Furthermore, this self-respect is reliant on others respecting us, and fair treatment by institutional structures. Rawls describes the social bases of self-respect in the following way: 'these bases are those aspects of basic institutions normally essential if citizens are to have a lively sense of their own worth as persons and to be able to develop and exercise their moral powers and to advance their aims and ends with self-confidence' (Rawls 2005, 308–09). While there is much disagreement within political philosophy on how to conceptualize self-respect and which social structures that best support it, most agree that it is important to foster, and that fair treatment by institutional structures and social interactions foster it. So, in relation to racial selection, Blake is plausibly claiming that this practice affects people's sense of their own worth, and thereby restricts their ability to exercise their agency as citizens in modern democracies.

Secondly, Blake argues that racial selection also has practical implications for citizens, more specifically as a kind of gerrymandering of the population: 'It is one thing, we might think, for a certain ethnic group to tend to find itself in the minority in electoral politics. It is quite another for a state agency to seek to alter the electoral landscape so that this minority status is guaranteed to continue' (Blake 2002, 285). Indeed, controlling demographics has historically been the primary goal of racist immigration policies. The Australian Immigration Restriction Act of 1901, part of the White Australia Policy, the British Aliens Act of 1905, and the US immigration Acts of 1917 and 1924, were all aimed at keeping unwanted ethnicities and races out.[9] In short then, Blake argues that racial selection in immigration policies affects both the self-respect of the discriminated groups domestically, and allows the majority population to politically cement its power.

[9]For an overview of the relationship between immigration regulations and racist discrimination, see Fine (2016, 125–50).

Now, one might question whether the same argument would hold if the racial group which is being selected is a minority. Would 'positive discrimination' of racial minorities in immigration regulations be morally problematic in the same way? While this is not the place to dwell on this question, such a policy could intuitively affect the social bases of self-respect of other non-selected groups. Yet, as the groups affected are not already disadvantaged the effect does not seem as morally problematic, and it furthermore would not seem to contribute to any majority cementing its power. One can also be critical of an underlying assumption relating to the second factor of power cementation here, namely that Blake seems to assume that ethnic groups vote as a block and share the same political preferences, as this varies from country to country. Perhaps if we expand Blake's second point to also include power entrenchment of demographic groups, not merely in elections, but also in wealth and resources, the argument holds even more force. I will consider this in more detail in the next section when comparing racial selection to skills-based selection.

Blake also argues that racial immigration policies are likely to be more unjust the more multicultural a society is. Furthermore, he points out that as there in a racially homogenous society would be no minority population to be adversely affected, it would not in principle be objectionable with such policies, but that no such homogenous society exists and these policies are therefore always objectionable.[10]

Blake is not alone in grounding the objection to racial selection on effects to domestic population. In a similar manner, Altman and Wellman argue that racial criteria are morally wrong as they constitute disrespecting citizens who happen to be part of the same racial group. '[It] is not difficult to see how Asian Australians, for instance, would be disrespected by an immigration policy banning entry to non-whites because they were regarded as inferior to whites. Even though this policy in and of itself in no way threatens Asians with expulsion, it sends a clear message that, qua Asians, they are not regarded with equal concern and respect by their fellow white citizens' (Altman and Wellman 2011, 187). As we can see, the moral basis for the wrongness according to Altman and Wellman is also an injury to some of the already residing citizens' self-respect.

There also seems to be some empirical support in psychological research for these philosophical kinds of arguments against racial selection. As Hue et al. (Huo et al. 2018) have found, immigration policies also send a statement to domestic citizens, which has a measurable impact on their sense of belonging: 'Subnational immigrant policies (i.e. those instituted at the state level in the USA) are not only key to successful integration, they send a message about who belongs. Our evidence suggests that welcoming state-level immigrant policies lead to greater belonging among foreign-born Latinos, US-born Latinos, and even US-born whites' (Huo et al. 2018, 954). As such, there seems to be good reason to believe that Blake's argument concerning the negative impact on domestic citizens is correct, and that this can plausibly impact the social bases of self-respect. However, Blake does not believe the same holds for skills-based selection.

In the article Immigration and Political Equality from 2008, Blake argues that selection based on 'economic success', as opposed to racial selection, is legitimate: 'It is difficult to regard this as objectionable from the standpoint of social justice – bearing

[10]Blake does consider that an exception might be made for ethnic groups who have been made particularly vulnerable, and gives the example of Israel. (Blake 2002, 286).

in mind […] that we are discussing here only individuals with no individual right to status as immigrant. […] The moral equality of persons, after all, requires us to give reasons to people that they could not reasonably reject; it rules out reasons that demand the moral denigration of some segment of the population in question' (Blake 2008, 972). But is Blake correct in making this distinction? Might not skills-based selection also amount to moral denigration?

Skills-based selection revisited

Statements of preference on skills

Now let us consider the case of skills-based selection, and whether it is vulnerable to the same criticisms as Blake's arguments against race-based selection. A certain group is being rejected at the border or allowed in on worse terms, people belonging to the same group are also citizens of this state, and by publicly announcing this group as less favourable or unfavourable the state is also sending a signal to its domestic population. As mentioned previously Blake states that: 'The state making a statement of racial preference in immigration necessarily makes a statement of racial preference domestically as well' (Blake 2002, 284). Now, does this also apply in relation to skills-based selection, and if so, how does it affect the citizens? I will first consider the argument concerning the social bases of self-respect, before moving onto the practical effects the selection might have for the population.

On the face of it, we seem to be faced with a similar type of restriction. A group is being selected for admission, while others who do not match these criteria are being kept out. As previously mentioned, skills-based selection typically grants wealthy and high-skilled individuals easier entry, while keeping out, or allowing in on worse terms, the less educated, less healthy and less wealthy, often referred to as working-class and lower-class people. Moreover, no state is homogenous enough in the skill-levels of its citizens and class distribution that it does not have citizens of all skill levels and classes. As such the state is selecting a group of people at the border, and sending out a signal, implicitly through public policy and sometimes explicitly through public statements, that people without specific skills, education or wealth are unwanted. It is important to clarify that a problematic message can be sent and received, whether or not it is intended to be sent. By giving fewer rights and conditional residence status to the less-skilled, the state is concretely manifesting the lower value it places on some skills. And while states frequently reward people with different skills differently, through for example wages and employment, it would seem to contravene a liberal understanding of equality to give differentiated citizenship rights on the basis of the citizens' skillsets. Furthermore, in response to countries enacting these kinds of immigration regulations, some researchers and politicians have pointed out how they contradict central political values.

With regards to Canada's selective skills regime, Harald Bauder stated that: 'In the statistical exercise, the newly proposed selection guidelines were matched with data from the 1996 census to examine how many Canadians would actually qualify to immigrate to Canada as skilled workers. The results indicate the vast majority of Canadians are not good enough for Canada' (Bauder 2001, 1). While Bauder primarily

believes these types of regulations are unfair due to their effects on the migrants, and the countries they are moving from due to a 'brain drain', he also points out that these kinds of regulations seem '[…]to contradict Canadians' keen sense for justice, equality and democracy' (Bauder 2001, 2). As such, the regulations seem to contradict what many Canadians think of as central political values, and by having an impact on their views of fairness and equality, one could argue they affects Canadians' social bases for self-respect. For if everyone is not viewed equally as citizens, they are not equally able to develop the self-respect needed to participate in self-rule.

Skills-based selection has also long been a contentious issue in US politics. When immigration reform was discussed in the run up to the 2008 presidential elections, then Senator Barack Obama stated: 'How many of our forefathers would have measured up under the point system? How many would have been turned back at Ellis Island?' (Obama 2007, 6512). Obama's statement was made in relation to proposals that the US go from a system where most immigrants were being granted entry based on family reunification and marginally through the green card lottery and refugee status, to more of a skills-based system as in Canada. Now, while his emphasis was primarily on fairness to the immigrants seeking admittance, he also points out what this kind of migration might do to the US itself, referring to the points-based system as a 'radical experiment in social engineering' (Obama 2007, 6512). In other words, he raised concerns about what kind of society the US would become by employing such policies and questioned the underlying fairness of such policies.

So, in both the US and Canada, critics have claimed that these policies contradict central political values, but what kind of message is being sent and might it also impact their own citizens? Yolande Pottie-Sherman has used a critical discourse analysis to analyse the US migration debate. As she puts it: 'Admission policies (both permanent and temporary) embody conceptions of who belongs within the borders of the nation' (Pottie-Sherman 2013, 559). According to Pottie-Sherman, rather than merely being a practical device to choose desirable immigrants, these regulations also show a preference for what kinds of citizen a state wants. And while there will always be diverse opinions on migrants amongst citizens of a state, immigration control is a concrete manifestation of state's preferences. Consequently, there seems to be good reason to assume that a state employing skills-based selection is sending a message of preference to its own citizens.

It also needs to be added that skills-based selection sometimes works as a proxy. For even though proponents will argue that skills-based regulations are fair, objective and transparent, these kinds of immigration regulations in practice tend to disproportionately favour some groups over others. As Tannock has described in the Canadian case: '[…] education-based discrimination in Canadian immigration policy should be challenged not only because as many of the critics have recognized previously, education very often serves as a proxy whether intentional or not, for other forms of discrimination based on race, class, gender, or national origin' (Tannock 2011, 1332). So, even though many countries in the global North have changed their previous racial restrictions, their immigration regulations could tend to favour the same groups. In a similar manner and in relation to the US debate, Pottie-Sherman mentions how: 'The points system, because of its certain uneven racial bias against Latinos and other immigrants from the global South, became a veiled way of talking about race (as well as class) and

immigration policy' (Pottie-Sherman 2013, 572). In both these cases, it looks like in addition to sending a message that the unskilled are less-wanted, skills-based migration in practise discriminates against the same groups that were previously subject to racial restrictions.[11] Therefore, unless this proxy effect is remedied, skills-based restrictions can still be perceived as racial, and Blake's argument could hold more directly. As such, any country implementing skills-based selection needs to consider whether their selections might still work as a proxy for selecting on other clearly impermissible grounds, such as race, religion and gender.[12]

In sum, there does seem to be good reason to think that the state, in practising skills-based selection, can be perceived to be sending a message to the domestic population; a message about who is wanted and who is not. Indeed, it is reasonable to assume that the message about undesirability is received by state's own citizens, whether or not they are the intended recipients of the message. However, as opposed to racial selection criteria, these policies are not usually taken to be normatively problematic. Why might this be the case? Let us consider three possible reasons why skills-based selection might not have similar effects on the social bases of self-respect: firstly, that the groups in question do not have as strong an in-group identity, secondly, that citizens believe the state is pursuing its legitimate goals through this selection and that they therefore are not the intended recipients of this statement of preference, and thirdly, that many citizens believe immigration in general is bad for their prospects on the job market.

Firstly, we are obviously considering distinctly different kinds of groups. Most people, at least at present, seem to identify more with people of their own nationality and race, than people from other countries who might share their skill levels, social class and their level of wealth. Therefore, although a public announcement of skills favouritism could in principle have the same effect on the social bases of self-respect as public announcement of racial favouritism, in practice it might have less of an effect. Furthermore, the history of immigration restrictions is also interwoven with racism, as most of the early immigration restrictions were instituted to limit the arrival of unwanted ethnic and racial groups. These same groups were also subject to racist policies inside the countries instituting these restrictions. Therefore, there has long been an awareness of the interplay with racial restrictions in immigration, and internal mistreatment of these same groups. As such, the relative novelty of skills-based selection criteria could plausibly indicate less of an impact on the domestic populations' self-respect. However, this could be subject to change over time as more states institute such

[11]For more information on the relationship between immigration restrictions and racial injustice, see Fine (2016, 125–50).

[12]In the article 'Immigration and Political Equality', Blake addresses the issue of the proxy effect to skills-based migration (Blake 2008, 973–74). He uses the example of gender imbalance in education, and argues that if women in general are less educated, skills-based migration criteria would seem to give preference to men. Blake holds that this would be particularly unfair if the reasons for underdevelopment in the origin state have in any way been caused by the receiving state. However, he contends that this is not enough to deem skills-based criteria morally unfair, as firstly, it is difficult to identify who is responsible for underdevelopment, and secondly, this unfairness gives rise to other duties of assistance, rather than changes in migration systems. I do not think this response is successful, as I do not believe one needs a clear causal link to identify responsibility, and since other duties of assistance are not being met today. However, these issues are clearly beyond the scope of this paper, and what is important to note for our present purpose is that Blake's underlying moral reasoning here is based on how one is treating prospective migrants, and that one needs to give prospective immigrants reasons they cannot reasonably object to. In other words, the argument and response does not address the issue of any proxy effect skills-based selection might have on the social bases of self-respect for the domestic population.

restrictions, and the consciousness around the mode of selection increases. And while the degree of class identification differs from country to country, evidence suggests that it increases with the degree of economic inequality (Andersen and Curtis 2012), so the more unequal a society becomes the larger the effect on self-respect could become. Furthermore, as skills-based evaluations are increasingly being used on other migrant streams (Ellermann 2019), the awareness of these restrictions, and consequently their impact on self-respect, is likely to increase.

Secondly, while racial selection cannot claim to contribute towards the legitimate policy aims of a state, skills-based selection can arguably do just that, as amongst others Blake (2008) and Miller (2016, 105–06) have pointed out. So, while racial selection can only point to some rather ethnocentric or racist claims as reasons for this kind of selection, states can argue that skills-based selections are made on the basis of the benefit to the wellbeing of their own citizens. In a similar manner to a job interview, they are getting the best people for the task at hand, namely filling gaps in their labour market. This could lead citizens to realizing that they are not the intended receiver of this statement of preference. However, it is difficult to see how the state can make this statement of preference without any domestic recipients who share the same skill-sets also identifying with it. In short, the fact that states argue that they need some people and not others, while true, might at the same time hurt some of their citizens' self-respect. It is not as if many states are refusing entry to lower-skilled and unskilled people; they are often letting them in, but on different terms, thereby concretely manifesting their evaluations of various people's worth. It should be noted that some skills-based selection are being made on federal levels, such as in Australia or Canada, and this could also affect both the message being sent, and how it is perceived. If the local selections vary considerably, they are less likely to be perceived as a clear statement of preference. Furthermore, the local citizens are more likely to see the selection as justified if they address specific skills shortages in the area.

Thirdly, the view one has of skills-based selection will also be based on the perceived effect it might have on one's livelihood. As Mavroudi and Nagel have pointed out: 'Whether one views migration in positive or negative terms, it seems, hinges on the position one occupies in the labour market and in social hierarchies' (Mavroudi and Nagel 2016, 82). So, if one thinks one's job is likely to be threatened and is suffering from economic anxiety, it is likely that one will be sceptical to a large influx of workers. Hainmueller et al. have showed that workers in the US are not more sceptical to immigrants with their own skill-sets. Indeed, they found that all workers in general were more positive to high-skilled than low-skilled immigration (Hainmueller, Hiscox, and Margalit 2015, 205). Furthermore, there is evidence, at least in the case of the US, that low-skilled citizens are more sceptical of economic immigration in general, and that the more skilled someone is the less sceptical they are (Hainmueller and Hiscox 2010, 79). In short, many working-class people are sceptical of immigration, as it is frequently argued that migrants have undercut and put pressure on wages. And whether or not this is actually the case, it is clear that a commonly held assumption that this is the case will have an impact on the ways in which skills-based selection affects people's self-respect. In sum, although skills-based selection intuitively would seem to have an effect on the social bases of self-respect, there are other overriding concerns that diminish the effect of such policies. Furthermore, the complicated nature, diversity

and relative novelty of skills-based selection criteria might also diminish the effects of the message, as opposed to the clear and transparent message of racist immigration criteria.

Practical effects: power entrenchment and educational opportunities

The second effect Blake argues racial selection has on domestic population are the practical effects, more specifically that it alters the demographics of the population by allowing the majority population to cement its numerical advantage by granting members of their own group entry, while other groups are stopped at the border. As mentioned above, Blake seems to be making the assumption that racial selection is made on behalf of a majority and that members of racial groups share political interests, which while historically often the case, will vary between historical and societal settings. In the case of skills-based selection, the situation is even more complex. As previously mentioned, countries often give high-skilled people more rights and easier tracks to citizenship, while less-skilled individuals are given temporary residency and fewer rights. Furthermore, whether high-skilled migrants will contribute to a kind of cementing of political power is questionable, after all why should we assume that they share the same views? For although wealth and earnings are often an indicator of how one votes and attempts to influence the political process, they are far from the only ones.

It seems difficult to be certain concerning the precise effects of skills-based selection on political power entrenchment, yet skills-based selection has other practical effects on domestic citizens, primarily in relation to education and the labour market. While many have argued that an influx of people with particular skillsets can have a depreciative effect on wages in certain sectors – this is frequently an argument put forward against low-skilled migrants – the effects of skills-based immigration on public education has been less appreciated. As Mavroudi and Nagel ask: 'To what extent do skilled migration programmes allow governments and businesses to ignore the training and educational of national labour forces?' (Mavroudi and Nagel 2016, 82) While the long-term effects of skills-based selection on public education have yet to be revealed, it is clear that it can alter the needs of a government to spend funds on training their domestic population. As Tannock has recognized in the Canadian case: '[…] we need to recognise immigration policy as constituting another potential mechanism for the privatisation of public education as well' (Tannock 2011, 1340). This seems intuitively plausible, for if it is cheaper to attract a nurse from the Philippines or a doctor from Ethiopia than to educate a young citizen, there seems to be an incentive for the state to prioritize the former over the latter. In short, the influx of high-skilled migrants could lead to fewer opportunities for advancement for citizens in general, and this should be considered by anyone advocating skills-based selection. It should be emphasized that while I have not found any empirical evidence that this has been proven, the concern does seems reasonable. Shachar describes the issue in the following way:

> "The basic concern is that if the world's best and brightest can be "imported" at will, with government's fast tracking admission to those they covet on the basis of an expected return – material, reputation, or otherwise – we might see decreased attention paid to the kind of persistent, long-term investment that is required in order to build up a creative and professional workforce to meet the challenges of the knowledge economy in the twenty-

first century and to cultivate home-grown talent in arts, athletics, sciences, and the like" (Shachar 2016, 194).

Consequently, some states which receive many skilled migrants, such as Singapore and Hong Kong, have already put policies in place in order to assuage such concerns among their citizens (Shachar 2016, 194). There are also ongoing discussions in the US to tax employers of skilled migrants in particular STEM sectors (science, technology, engineering, and mathematics), and use these funds to educate the domestic population in similar degrees. These policies constitute concrete examples of how states are attempting to remedy the appearance of unfairness in giving high-skilled jobs to foreign citizens, and thereby prioritizing integrating them before educating their own population.

In sum, how can we evaluate whether the effects of skills-based selection on the domestic population should make us limit or alter these practices due to considerations of fairness? Well, it might be normatively problematic to different degrees. Firstly, one might ask whether skills-based selection is wrong in all cases due to the kind of negative effects it has on the domestic population. Based on the above discussion, I cannot conclude decisively on this. Secondly, one can contend that these negative effects need to be part of a utilitarian calculus, and that when calculating the permissibility of skills-based selection one needs to consider the effects discussed in this paper. I believe the latter to be the case, and that a normative evaluation of skills-based selection should take into account the negative effects, as well as the gains, brought about by such migration; in particular in relation to any effects on the self-respect of citizens in the society the migrants are moving to, and any power entrenchment that might come about as a result. If the society in general benefits from skills-based selection, and in particular the less skilled and unskilled people in that society, it would seem like a more compelling case can be made for it than if merely a segment of society or particular industry benefits.

Conclusion

The ideals of citizenship are continually being re-examined and redefined by states in various ways. One of the ways in which this is done is at the border, where states decide who is wanted, and who is not. The effects of skills-based selection on countries, not just for the migrants and the countries these migrants are leaving, needs to be considered when evaluating the fairness of such policies. Rather than being merely a neutral framework for deciding who is allowed in, skills-based selection makes a statement regarding the kind of citizen a state wants. And while this selection is not as problematic for the formation of self-respect as selection based on race, some negative impacts are clearly discernible. In addition to potentially influencing the formation of self-respect, skills-based selection has practical effects on the population in the short term, and its effects in the long term are uncertain and affected by many other governmental policies. It also seems likely that skills-based selection might have a detrimental effect on the funding of public education. As the effects of such policies have yet to reveal themselves, it is worth being mindful of how differentiated treatment of migrants on the basis of skills, with respect to rights and opportunities, impacts treatment of citizens already residing in a state. These effects should

be considered in any normative evaluation by states before instituting, or increasing the use of, skills-based immigration systems.

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