

**Does Implementation Matter?  
Informal Administration Practices and Shifting Immigrant Strategies in Four  
Member-States.**

Project acronym: **IAPASIS**

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# **FINAL REPORT**

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## **PROJECT CONSORTIUM**

Prof. Bo Stråth, Joint Chair in History and Civilisation (RSCAS -EUI) Email:

[bo.strath@iue.it](mailto:bo.strath@iue.it)

Dr. Anna Triandafyllidou, Project Coordinator and Senior Research Fellow

Email: [anna.triandafyllidou@iue.it](mailto:anna.triandafyllidou@iue.it)

Robert Schuman Centre European University Institute, Convento, via dei Roccettini 9 San Domenico di Fiesole (Fi), 50016.

(+39) 055 4685749 | Fax: (+39) 055 46 85 771

-----

Prof. Bill Jordan and Dr. Franck Düvell

Department of Social Work and Probation Studies University of Exeter, Richards Building, St. Luke's Campus, Heavitree Road, Exeter, UK EX1 2LU

(+44) 1392 262873 | Fax: (+44) 1392 262875

E-mail Bill Jordan: [G.M.Watson@exeter.ac.uk](mailto:G.M.Watson@exeter.ac.uk) (to his attention); E-mail Franck Düvell: [fduvell@uni-bremen.de](mailto:fduvell@uni-bremen.de)

-----

Institut für Bildung und Kommunikation in Migrationsprozessen (IBKM) Universität Oldenburg, Postfach 2503 26111, Oldenburg, Germany

(+49) 441 7984008 | Fax: (+49) 441 798 2189

Postal addresses:

Dr. Dita Vogel, Oberkirchener str. 14, Bremen 28211, Germany

(+49) 421 445374, E-mail: [dita.vogel@uni-oldenburg.de](mailto:dita.vogel@uni-oldenburg.de)

Mr. Norbert Cyrus, Boeckhstr. 40, 10967 Berlin, Germany

(+49) 30 6922489 | Fax: (+49) 30 61659288,

E-mail: [cyrusnorbert@aol.com](mailto:cyrusnorbert@aol.com)

-----

Prof. Koula Kasimati

Dr. Iordanis Psimmenos

E-mail: [iordanispsimme@yahoo.co.uk](mailto:iordanispsimme@yahoo.co.uk)

Centre of Social Morphology and Social Policy, Panteion University of Social and  
Political Sciences Singrou avenue 136, Athens, 17671, Greece

(+30) 1 9238473; (+30) 1 9236077; Fax: (+30) 1 9238290.

tel. +30 1 9238473, +30 1 9236077, fax +30 1 9238290

## ABSTRACT

Immigration policy outcomes differ widely among EU member -states despite convergence at the decision level. Our aim in this study has been to highlight some of the mechanisms involved in policy implementation, which may account for the differing degrees of success in achieving the desired goals. This project has, more specifically, sought to assess the impact of the organisational culture of public institutions on the implementation of policy measures, to investigate the role played by identity processes in the interaction between public officials and immigrants, to assess the similarities and differences among the four member-states under examination with regard to the above two elements, to study the ways immigrants make sense of the institutional environment of the host country and how they adapt their plans and survival strategies to it, and to suggest how the findings of this research may be taken into account in policy design and implementation.

We have identified the main values and ideologies that guide the implementation practices of each service within each country and, where relevant, have taken note of the internal differentiation of such ideologies within different administrative services. We have highlighted how these ideologies underpin and justify specific kinds of discretionary practices in each country; thus identifying the nationally specific ways national preferences and market ideologies are combined at the micro -level of immigration policy implementation. We, therefore, critically revised our initial comparative dimensions based on the 'old' versus 'new' host countries, rational and efficient versus clientelistic and inefficient administration systems, and ethnic versus civic views of the nation. We proposed an alternative set of dimensions paying attention, on the one hand, to the different interpretations of how the management of immigration can contribute to a national advantage in economic competition within the framework of globalisation, and, on the other hand, to the prevalence of a market -driven ideology that places an emphasis on values such as efficiency, flexibility and user -friendly public services.

In our analysis of immigrant 'survival' strategies, or strategies of adaptation, to the host country, we have shown how immigrants take advantage of, or react to, the windows of opportunity opened to them by immigration policy design and implementation practices. We have highlighted how immigrants prepare and execute their migration plans, find employment and adapt to the institutional and social environment of the host country, as well as to their own wishes and needs. We thus put emphasis on the micro -level of the migration phenomenon and the dynamic relationship between policy design, implementation, and immigrant strategies.

Last but not least, the project consortium has conducted an intensive and systematic dissemination campaign at the national and European level through the organisation of workshops with policy actors, non governmental organisations, and national, regional, local and European authorities working on immigration policy and politics.

## **1. EXECUTIVE SUMMARY**

### **1.1 Objectives**

The IAPASIS research project has investigated the impact that the organisational structure and culture of institutions in charge of implementing migration policy and the identity processes related to immigration have on the actual implementation of specific policies and on the relationships between agencies. As a matter of fact, legal policy provisions are mediated by less formal, administrative routines structuring a bureaucratic organisation and guiding public officials in the accomplishment of their tasks. The particular nature of such practices influences the implementation of a policy measure and determines, at least to a certain extent, its outcomes. It has been hypothesised that such practices are to a large extent conditioned by the organisational culture prevailing within an institution. It was also expected that identity processes involved in the interaction between public officials and immigrants may influence these informal practices. More specifically, it was hypothesised that the national self-understanding of public officials will determine the ways in which they perceive immigrants and their attitudes and behaviour towards them.

Research conducted within the framework of this project aimed at fulfilling five main objectives:

- 1) To assess the impact of the organisational culture of public services on the implementation of policy measures
- 2) To investigate the role played by identity processes in the interaction between public officials and immigrants
- 3) To assess the similarities and differences among the four member-states under examination with regard to the above two elements
- 4) To study the ways immigrants make sense of the institutional environment of the host country and how they adapt their plans and survival strategies to it
- 5) To suggest how the findings of this research may be taken into account in policy design and implementation

In the following sections of this report, we shall illustrate how we have pursued and achieved these objectives, we shall highlight our findings concerning the daily routines of implementation in the countries studied, the similarities and differences between them, the main 'strategies' used by immigrants to survive in the host country and deal with its institutional and social environment, the common patterns among these strategies and, last but not least, we shall briefly outline the policy implications of our findings and related recommendations for improving the policy design and implementation practices.

### **1.2 Main Findings**

### **1.2.1 The Role of Organisational Cultures and Identity Processes on Immigration Policy Implementation**

The first phase of the IAPASIS project had a double aim. First, we analysed the relevant agencies in each country, highlighting national and agency particularities, we then considered their relevance in the European context. We have thus tried to do justice to the richness of the individual cases, studied in their own context, in order to fully explore the organisational and identity mechanisms that influence policy implementation. Our country specific findings<sup>1</sup> are summarised below:

#### *Germany*

Third-country nationals are generally not permitted to work in Germany; however, there are exceptions. In our study we have looked at the decision processes related to these exceptions, investigating which categories of third-country nationals are permitted to work legally in Germany and, concentrating on first-time employment, how they obtain work permits. Different departments in the Federal Labour Office, FLO, are involved in making work-permit decisions. Based on qualitative interviews with these ‘street-level bureaucrats’ in one Berlin labour office, we have reconstructed the scope of discretion within decision-making procedures and explored how interviewees see their work and their own role in it. Although our results are by no means representative, they do give an insight into principal patterns of work-permit administration in Germany. We argue that employees display a legalistic and professional attitude and closely follow regulations handed down from higher hierarchical levels. In Berlin, formal discretion is considerably limited and the internal division of labour generally contributes to restrictive interpretations. The friendliness and comprehensiveness of consultation and the thoroughness of investigations are identified as fields for informal discretion.

#### *Greece*

Against a background of globalisation and labour market restructuring, a new mode of implementing immigration control in Greece is emerging. To respond to a changing economy and society, welfare organisations and staff members rearrange, negotiate and construct new controls for welfare services and the distribution of social rights to immigrants. These new practices redefine economic and cultural boundaries for the immigrant population in Greece, as well as establish new values that guide the work of civil servants. Within this general context, our study has concentrated on the welfare management of labour migration into Greece. It has investigated the role organisational

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<sup>1</sup> The detailed results concerning the country studies are described in our national project reports (all available at [www.iue.it/RSCAS/Research/Iapasis/Index.shtml](http://www.iue.it/RSCAS/Research/Iapasis/Index.shtml)) and in our publications (see list of publications at the project’s web site).

culture and work values play in the management of immigrants' statuses, and, in particular, how both act as mediators between the state and the market. In light of global economic restructuring and the Greek government's policies on flexibility, our study asks the important question of how and in which direction current changes affect the immigration control practices, ideas and professional alignments of welfare employees. In turn, the Greek case study asks how these changes affect the implementation of state immigration policies and the benefits accorded to the country's immigrant population. Through a presentation of the cases of the Social Insurance Institution (IKA) and the Manpower Organisation (OAED), this study offers a reflexive cultural account of how officials construct an organisational culture and create work values in order to regulate immigration as well as the Greek labour market.

### *Italy*

The Italian case study has investigated the micro-level of immigration policy implementation, paying particular attention to the management of immigrant participation in the Italian labour market. More specifically, we have analysed the organisational culture and identity processes that guide the daily routines of police agents in the Foreigners' Office (FO) of the Police Headquarters of the city of Florence. Foreigners' Offices are the main agencies responsible for issuing and renewing stay permits for work purposes (*permessi di soggiorno per motivi di lavoro*) in Italy. The research design has been ethnographic and has incorporated a wide range of materials including qualitative interviews, participant observation, policy documents, materials obtained through the Internet, information and other materials gathered from the agencies during fieldwork and newspaper articles. Interviews and participant observation were conducted at several statutory agencies and non-governmental organisations in the Florentine metropolitan area with the aim of achieving a better understanding of the implementation process. The findings suggest that the FO uses a high level of discretion in processing immigrant applications for stay permits for work purposes. The discretionary practices adopted reflect a combination of a formal hierarchical and clientelistic culture with new demands for efficiency and a user-friendly service. In the end, the FO manages to show high levels of output, however, in reality, produces a rather poor outcome as real efficiency is not achieved and clientelistic relations or common-sense ideologies of organised philanthropy towards 'needy foreigners' prevail over a rational organisation of work.

### *United Kingdom*

In the United Kingdom, immigration control during the 1990s shifted its focus from restricting the entry of immigrants from new Commonwealth countries to limiting asylum-seekers from all over the world. The rationale driving organisational change in the Home Office's Immigration and Nationality Directorate had to do with a desire to promote 'good race relations' and to follow the New Labour government's programme for modernising public services. However, during the period of research, a new approach to

migration management, focused on international labour flows under conditions of globalisation, increasingly influenced policy changes. This is, therefore, the study of a system in transition. We present qualitative evidence that shows the impact of this shift on organisational cultures, practices and identities of staff in two different services charged with tasks of management, control and enforcement. At the cutting edge of new thinking and practice was Work Permits (UK), a small, dynamic agency that served as a model for New Labour's principles of user-friendliness, efficiency, and adaptability. Significantly, its customers were businesses, not migrants. The Home Office Immigration Service Enforcement Directorate (ISED) struggled to keep up with new priorities and methods and is still trying to deal with the backlog of asylum over-stayers and the aftermath of administrative chaos created by computerisation

### *Comparative European Context*

The second step of our study puts the four country studies into a specific theoretical and historical framework that can yield analytical results relevant not only to the four countries in question, but also within a wider European Union context. A summary of our comparative analysis is presented below.

The selection of the four country studies was based on three dimensions seen to organise the similarities and differences between them. Thus, in our introductory paper, we distinguished between 'old' (Germany and the UK) and 'new' (Greece and Italy) host countries, between rational, efficient (Germany, UK) and clientelistic, inefficient (Greece, Italy) administrative systems, and between ethnic (Germany and Greece) and civic (Italy and the UK) national identities and citizenship laws. It was our intention at the outset to test whether the division between the industrialised North (Germany, UK) and the less-favoured South (Greece, Italy) is still valid in terms of policy-making within the EU. We also wanted to understand the relevance of ethnic and civic understandings of the 'nation' for immigration policy implementation.

These fundamental aspects of the four countries were not, of course, openly displayed in the practices of staff concerned with immigration control. They were, rather, structural and cultural aspects of those administrative systems, part of the taken-for-granted infrastructures of the agencies within which staff practised, and often concealed by the complexities of organisational procedures and the issues presented by migrant applicants. In describing their daily work to research interviewers, practitioners in all four countries appealed to broadly similar versions of national preference and interest, as well as highlighted values of efficiency, flexibility and a market-led approach to immigration. They also claimed to be guided by notions of impartial public service, user-friendliness and compassion towards human distress. However, as we shall show, the way these shared notions were interpreted in practice varied greatly according to the national context and organisational culture.

The increasing influence of market values and forces in European societies, underlined by the importance of the Single Market as the lever for European integration, along with strong globalisation processes in the fields of economy, society and culture appear as orientations and reference points in the accounts given by staff of immigration control agencies. The goals of efficiency and rapidity in processing a high volume of claims, all influence the organisation of their work. However, the wider context in which these tasks are performed also means that quite different methods are used to achieve these ends, relating to the culture of the administrative environment.

These differences can be analysed according to various dimensions. At the most general level, an economic analysis of the choices facing decision-makers in these organisations points to variations in how a common imperative -- i.e., to save the transaction costs associated with immigration control decisions -- might be achieved in each organisational culture. In a system that gets things done by processing complex material through standardised regulatory checklists, this consists in adopting office methods and support systems that motivate and sustain front-line staff to attain high standards and targets. In a system that operates through networks of personal contacts, oiling wheels, and cutting corners, it involves intensification of mutual interdependence and the exchange of favours. The former relies on incentives for greater productivity and the elimination of barriers and frictions, the latter on the accumulation of social capital and informal pathways.

However, of at least equal importance is the question of how access to the legal labour market of the country is guarded and managed, i.e. the kind of agency appointed to these tasks, how the regulation of foreigners' access is integrated with other aspects of labour-market regulation, and how the overall orientation of the agency is defined. For example, is the immigration-related task of issuing work permits part of a national or local system of managing employment issues, or is it dealt with by a separate organisation? And is the task of the broader administrative framework in which the agency is placed concerned with unemployment, public order or international labour flows? Our comparison suggests that the answers to these questions strongly influence the interpretations of both national preference and administrative efficiency in the implementation of immigration policy.

**Table I. Structural Differences in Immigration Control in Relation to the Labour Market: Four Countries Compared**

Country	Main organisations responsible	National or local office	Immigration-related task	Overall orientation of broader administrative framework
Germany	Federal Labour office Several local sub-departments	Local Local	Work-permit applications	Reducing unemployment Enforcing labour-market regulations Administering unemployment benefits
Greece	<i>Manpower Institute</i> (OAED)	Local	Work permits and legalisation of	Reducing unemployment Enabling labour supply

	Social Insurance Institution (IKA)		undocumented immigrants	Administering welfare benefits
Italy	Foreign Office of Police	Local	Stay permits for job applicants and other immigrants	Keeping public order
UK	Work Permits (UK)	National	Work permits	Managing international labour flows
	Home Office	National	Work permissions	Controlling immigration Administering benefits
	Benefits Agency	Local	National Insurance numbers	

Table I summarises the structural differences between the four countries concerning how the tasks of immigration control in relation to the labour market are organised. The structural differences in turn influence the agencies' perceptions of who their clients are and the nature of the service to be given. In all countries, the staff of these organisations are in some sense primarily accountable to their national governments for the performance of immigration control tasks; and only secondarily to immigrants for a fair determination of their claims. But in some cases (notably Greece and the UK), employers are the direct clients of the agencies, and therefore mediate between the national interests in migration control and the immigrants' interest in access. In such cases, national preference may be interpreted as requiring increased access and the use of discretion to widen immigration channels. Alternatively, where local unemployed workers are the direct clients of the agencies (as in Germany), their interests become the primary concern and may be seen as requiring increased control and, hence, a rule-governed approach that minimises discretion in practice. This dimension is set out in Table II.

**Table II. Managing Immigration, Clients and Work Permits: A Four-Country Comparison**

Country	Direct clients	WP preference	Consequences for implementation
Germany	Employment office: unemployed locals WP office: immigrants	Exceptional hardship only  Applicants with co-operative employers	Rule-bound implementation  Some informal discretion

Greece	OAED: Employers and local community  IKA: Immigrants in need of health services	Job holders, those in local demand, family persons (except Albanians or Romanians) Immigrants showing 'responsible' 'proper' behaviour	Use of informal networks to promote selected applicants  Informal networks between IKA and OAED for the selection of 'appropriate' applicants
Italy	Immigrants	Selected individuals	Formal discretion to repair deficiencies in the policy provisions. Informal discretion based on personalised clientele relations or common-sense ideologies
UK	WP UK: national employers Home Office: immigrants BA: local beneficiaries	Large employers Asylum seekers, special categories Evidence of legal employment	Discretion in favour of employers  Rule-bound implementation

The administrative setting of the task is therefore relevant for the expansive or restrictive implementation of the rules. In settings where national preference implies that the interests of unemployed locals should be the primary consideration (i.e., in social insurance administrations as in Germany), this will tend towards restrictive interpretations. Conversely, where local or national employers' interests are strongly represented (as in Greece and the UK), national preference can be interpreted as demanding greater access for immigrant workers.

Individual staff are able to justify the exercise of discretion in favour of applicants either in terms of their neediness -- as in Germany (exceptionally) and Italy -- or in terms of how much the local or national economy needs them -- as in Greece or the UK. But this discretion is formalised through general norms, shared by agency staff in the UK and Germany, whereas in Greece and Italy it was informal and responsive either to the representatives of local networks (Greece) or to a negotiation of the relationship between administrator and applicant (Italy).

These structural differences nuance the ideal-type distinctions with which we started our investigations, but they do not wholly invalidate them. All administrations claimed to give a good service to their clients, reflecting a European aspiration to interpret public administration as service to the public and to emulate the standards of the private sector (Crouch *et al.* 2001). However, the cultural resources on which staff drew for their versions of 'good service', and their interpretations of to whom they owed this service,

and on whose behalf, were varied. The Foreigners Office of the Italian police did not expect itself to provide the kind of swift, electronic response that Work Permits (UK) gave to large national companies seeking to recruit overseas workers. The local office of the Manpower Institute in Greece was not impartial in its dealings with immigrant applicants in the same way that the Work Permit Office in a German city was. While certain administrative settings favoured the access of immigrants to the labour market, the qualitative experience of the implementation of these rules was strongly influenced by the cultural traditions both of national immigration control and of the particular agencies entrusted with these tasks.

### 1.2.2 Immigrant Adaptation and Survival Strategies

The second phase of the IAPASIS project concentrated on the study of immigrant adaptation and survival strategies in relation to the policy measures and implementation practices in each country. All four teams studied Polish immigrants as a target population which would facilitate comparison. In addition, each team selected a nationally significant immigrant population to study. Thus, the Italian and Greek teams also analysed the case of Albanian workers, the UK that of Indian immigrants and the German team considered Poles as both their comparative and nationally important immigrant group.

#### *Germany*

*External control and police enforcement* are not referred to very often in the accounts of illegal Polish immigrants. The combination of a visa-free entrance with loose enforcement practices at the border, usually involving no entry stamps for Polish citizens, has had an immense impact on their lives in Berlin. This practice usually allows them to pass themselves off as tourists. Internal police enforcement has not been a threat to their staying perspectives. They could, thus, move freely without fear of detection, except when working. In addition, this implementation practice encouraged a somewhat distorted understanding of migration rules: 'tourism' was believed to be 'allowed' throughout the year, provided that one left the country every three months. This led undocumented Polish workers to consider their stay in Germany as legal.

*Legalisation* is a second topic that Polish immigrants only mention or respond to when asked precise questions. The underlying assumption shared by all respondents that legalisation options are strictly limited and impossible to reach was confirmed by experience in some cases. Inquiries into work-related legalisation options had not lead to success. Only limited legal contract work initiated a first stay and was considered a temporary legalisation option. Even for a woman whose illegal status was tolerated, work permits were not accessible. As the letter of law is more open than its interpretation, we assume that implementation played a major role in creating the impression of a virtually closed legal labour market. This led to illegal employment relations even in cases where employers were prepared to hire the employee under regular conditions.

The fact that migrants did not have tax-paying jobs can be attributed to the influence of the *co-operation between enforcement agencies and data exchange agreements*. Regular job employers ask employees for a tax card, which is handed out by local registration centres to residents. Although tourists can register, they do not receive this card, as they are not eligible for work. Thus, all but one respondent had been in a situation in which the employer did not apply for a social security card on his /her behalf. As many social benefits in Germany derive from contribution-based social security schemes, these benefits are not accessible to those who do not have access to tax-paying jobs. Social assistance as the main benefit system outside of social security was only accessible to one woman with 'tolerated' status. As far as emergency services are concerned, they seem to be open to tourists as well as to undocumented immigrants without the danger of being reported. There were some incidences in which undocumented immigrants received emergency medical care, medical care in a homeless shelter, or care in a centre for abused women; however, generally, the interviewees had had no experience with state-organised benefit schemes. The dominant attitude was to solve minor problems in Germany with the help of networks or, in cases involving health-related problems, by paying a private doctor, and to rely on Polish services for more serious health or other problems. Several respondents had secured some kind of sickness insurance in Poland and one had even paid contributions into the Polish old age security scheme. One interviewee drove a seriously injured colleague to Poland rather than securing immediate care in Germany, which the injured party would have received.

At the same time, respondents are well aware that Germans and other immigrants, specifically, ethnic Germans, receive an amount of social assistance from the German state that is fairly generous in their eyes. When constructing their identities as self-reliant entrepreneurial workers, they see themselves in opposition to such persons. Far from complaining about their exclusion, they are proud not to rely on this kind of help. We hypothesise that exclusionary social policies tend to select those migrants who perceive themselves as entrepreneurial workers and confirm and stabilise these attitudes; while, for their part, entrepreneurial workers have a low propensity to turn to this kind of help.

As illegal employment is encouraged by the combination of loose entry with restrictive legalisation policies, work-site enforcement is a threat to migrants. Sector-specific enforcement practices lead to the sector-specific accounts of migrants. Whereas women -- typically working in private households -- did not experience controls, work-site enforcement emerged as a major topic in the interviews for men -- typically employed in construction and construction-related businesses -- even if they had not personally been caught. From their accounts, we can conclude that enforcement had some impact on their decisions. Apart from being more careful on construction sites, some made efforts to turn to less visible renovating and construction tasks in private households, while others eventually returned to their country of origin to avoid the dread of being caught. Thus, we can conclude that work-site enforcement has a deterrent effect on individual workers, even though a determined worker may always attempt to overcome control-related obstacles.

Nonetheless, this deterrence effect does not imply that there is an impact on the labour market in the sense of protecting the job opportunities of resident labour. This effect can only be expected if the discouraged workers are not replaced by new foreign moonlighters, either in the same company or in other companies that get more contracts due to the deployment of cheap irregular labour. Otherwise work-site enforcement only encourages labour turnover. If established, well-informed irregular workers retreat in favour of more docile, inexperienced newcomers, which may even have an opposite effect on the labour market.

There are some indications that controls may have an effect on regular employers indicated by a reluctance to employ cheap immigrant workers, the openness of some to enquire into the possibilities of legal employment, and dismissals after a control experience. What we do not know is whether these tendencies contributed to a redistribution of contracts from law-abiding regular employers to less trustworthy subcontractors in the construction sector into whose arms migrants are driven.

The mere possibility of controls in private households certainly did not have a deterrent effect, indicated by the estimation of all migrants that private households were a safe place to work. When, in the summer of 2001, there was a first raid into 200 private households in Frankfurt, this possibility became a reality, but it also led to a public outcry as public agents were seen as interfering in the private sphere spurring the demand for a 'Green card' for private care which was recently introduced.

To conclude, migrants' accounts well illustrate that migration policies as stated in the law do not alone, but, rather, in conjunction with implementation practices, influence migrants' opportunities and restrictions. The findings indicate that immigrants also actively react to the implementation of policies as they perceive them in order to widen their room for manoeuvre.

### *Greece*

Our study exposed two important issues that concern how important immigration controls are in people's lives, and how much these controls affect the social and personal identities of Albanian and Polish immigrants, and, in turn, their perceptions of the host country.

More specifically, we have analysed the processes and meanings attached to the understanding of immigrants' 'home-place'. For Albanians, the 'home-place' is something constructed out of political and community relations, many of them having migrated as a result of the dissolution of such a home-place. In contrast, for Polish immigrants, the 'home-place' is almost a synonym for a 'family-close relations place'. Leaving Poland is seen as an 'act to reintroduce oneself' back into Polish society. In the first group, the loss of community and political as well economic rights pushes people to search for alternative places. In the second group, the loss of economic citizenship (i.e., due to unemployment and the experience of social marginalisation) and the influence of consumerism, as well as

the value of travel in the new Polish society, induce people to leave. Such were the original goals of migration, but these understandings of the home -place also have a social significance in terms of how immigrants see themselves today within Greek society.

The best way to observe how immigration controls affect immigrants' life perspectives is to compare our inquiry into the background of the migration experience with the actual lives of immigrants. Through their experience in Greece, most of the initial goals have not only not been realized, but conditions have had a profound effect upon the ways immigrants construct their self-images and their future plans.

Living in fear, impersonality and caught in a stigmatisation process, immigrants from Poland and Albania construct spaces of isolation and individuality. Hiding from authorities and living in the shadows produces a labour force that lives in and experiences the margins of Greek society. In terms of the identity of immigrants, such conditions tend to separate people from their own history, isolate them from support groups, and limit their capacity for personal growth. Through its section on work, this inquiry has shown how the racialisation of the labour market produces the devaluation of immigrant potential. In addition, this section has shown how work causes immigrants and their self-images to drift further away from personal aims and hopes and also how work further prevents immigrants from building social and political relationships because of segregation. Most importantly, work seems to further narrow personal aspirations and to confuse the understanding of who an immigrant worker is and where he belongs.

### *Italy*

The present study emphasises the need to recognise the social, economic and political causes for migration. Many migrant workers leave their home countries because the conditions for their daily subsistence are not fulfilled. The Italian labour market offers employment in unskilled or low-skilled work with very limited opportunities for any type of career development or promotion. But, according to the immigrants we have interviewed, such limited perspectives are still better than remaining unemployed in Poland or Albania. Working in the underground economy, immigrants are more exposed to exploitation and further trapped in an undocumented status. It is particularly difficult to combat employment in breach of the labour law, especially among those working in house care services, and, in Italy, employer sanctions are not consistently applied as an (efficient) instrument to limit illegal work. Paradoxically, employers risk less by hiring and, of course, not registering immigrants who do not hold a permit than failing to register immigrants in possession of a permit. Moreover, work in the underground economy poses significant legal and economic risks to the individual immigrants involved, and obstructs socio-cultural and psychological integration.

This study raises important issues concerning the process of immigration policy implementation. It shows that immigrants are a dynamic element of host societies both because of their flexibility and adaptability to the living and working conditions offered to

them within the context of the host society's labour market, and also because they actively seek to improve their position and -- although there are differences here between the Polish and Albanian groups -- to integrate. We have found that policy implementation matters as immigrants organise their strategies with reference not only to the existing legal framework (i.e., the lack of visa requirements for Poles or the impossibility to enter Italy through legal means for Albanians) but also to knowledge (acquired personally or through friends and relatives) of implementation practices concerning border control and labour regulation.

We also found that the social and institutional environment of a receiving country, Italy in particular, are closely intertwined not only because stay and work status condition the social integration or exclusion of the immigrant, but also because administration employees and police agents switch from their professional role to their personal identity and views with surprising easiness. Such personalised patterns of behaviour seem to bear heavily on the actual outcomes of implementation (i.e., the efficiency of random checks in public places) and on the immigrants' perception of risk and related design of 'strategies' to avoid risk. Thus, personal positive or negative views concerning immigration in general or a specific immigrant group in particular -- such as stereotypes of the 'needy immigrant' and feelings of compassion towards them -- may influence the daily practices of administration. At the same time, Italian administration and police employees are not necessarily consistent in their personal and professional behaviour. Thus, while strictly enforcing immigration law during their working hours, they may be employing an undocumented housekeeper in their home. Similarly, they may not hesitate to 'refer' a friend to colleagues in order to speed up the processing of his/her permit while otherwise interpret the immigration law in a restrictive sense. These findings open thus a number of issues concerning how to ensure a set of just, efficient and democratically accountable practices of implementation.

Concerning immigrant identities and how these are affected and indeed re-negotiated during the migration experience, our findings corroborate earlier research concerning the strategies of 'survival' adopted by immigrants -- such as achieving a positive self concept through favourable comparisons with the native and the host groups or interpreting the migration experience in positive ways despite harsh living and working conditions in order to preserve self-esteem and 'cope' with the difficulties -- while also raising new issues regarding the personal, professional and ethnic-national components of immigrant identities. The interviewees presented themselves not only as 'victims' but also as individuals who have responsibilities and who can draw upon rich cultural and personal experiences in defining themselves. However, issues of prejudice and inequality are not absent in their stories. The participants argued that the existence of discrimination depends on the socio-cultural variables (mass-media representations of immigrants, social contacts between immigrants and host-nationals, cultural knowledge, etc.) and on the contextual framework (they feel more discriminated against and aware of their label as a 'foreigner' when they have to deal with public offices). In their response to work and the institutional environment they feel unsafe, uncertain about their *actual* as well as *possible selves*. Illegal immigrants reject any personal responsibility for their status and attribute

responsibility to the political system and complex bureaucratic procedures. This is a social - psychological survival strategy that helps them make sense of their world.

### *United Kingdom*

The 'inter-linked economy' increasingly provides for a 'borderless world' facilitating unimpeded travel and economic activities; it is the global elites and the most mobile who increasingly enjoy such tendencies. However, there is a legally constructed difference, because the demand for the elites is politically acknowledged, whereas that for low-paid, low-skilled labour is not so easily justified to the electorate. Consequently, the elites find an efficient system of work permit regulations in the UK that leaves open little space for complaint. But the undocumented worker too could not complain too much about the immigration enforcement regime because it has neither been particularly efficient nor has it particularly targeted undocumented work. Immigration enforcement policy gives priority to clandestine and illegal entry and failed asylum seekers rather than the economically active or their employers. Undocumented workers have more to fear from competing compatriots than immigration raids. However, for both possibilities they developed a set of strategies to avoid detection. The confidence of undocumented immigrant workers as found in our study indeed has been based upon the awareness that they are wanted, even waited for, during harvest and peak tourism times.

Elites and undocumented workers alike represent an increasingly globally mobile workforce. Not only because those in search of work may well be the majority of the world's migrants, both groups certainly represent truly neo-liberal requirements of being flexible and mobile, acting upon economic incentives, striving to improve their human capital, and reaching out for available opportunities. Where the IT-expert enjoying his work permit and the dishwasher without any immigration status differ in rank is in the context of social stratification; however, it is remarkable that none of them turned to any kind of class-ideology to explain their situation, except, for example, working Turkish and Kurdish asylum seekers. Perhaps that is because there is another figure below them on the social scale: the refugee. Refugees are treated entirely differently within public systems and represent the opposite end of a 'migration scale of popularity'. They are perceived as 'placing demands upon' public funds instead of 'contributing' to the economy. Contradictorily, they are either defamed as 'scroungers' when they apply for public funds or as 'economic migrants' when they want to work. In fact, many of them are not very different from work permit holders or undocumented immigrant workers. Their educational background is usually high, though they may not have the skills the labour market is looking for, and they too respond to the temptations of the shadow economy. In the end, it is very difficult if not impossible to find convincing demarcation lines between the apparently different categories and to justify unequal treatment for what appears a complex but coherent process of global mobility.

Comparing accounts of work permit holders with those of undocumented workers not only allowed administrative practices to be re-evaluated, it also offered a whole new range

of insights into migration patterns and challenges to existing analytical frameworks. Most strikingly, the overwhelming majority of our interviewees who have been chosen to participate in the labour market presented themselves as rational market actors; indeed, they argued as if they had read rational choice theory before making their comments. The interviews also allow immigration policy implementation to be seen in a new light. They expose shortcomings, help to understand the strategic game between immigrants and immigration authorities, and point to inconsistencies and inadequacies between immigration policies and immigration reality.

Interviews with Polish migrants, most of them irregulars and business visa applicants, suggested that strategies have only changed in some ways in the three years since our previous research. Obtaining invitations from friends, arriving on the bus as a tourist, living in multi-occupation Polish houses, working in textile factories, construction, or as cleaners, and the exploitation by Poles of fellow Poles, all feature in these accounts. However, it seems as if the business visa, then a rather new feature, has been gaining relevance as a migration and stay strategy, whilst work permits are new features for Poles, which is indeed interpreted within the context of avoiding an illegal status. Two more aspects suggest a development of the systems by which those who have been in the UK for longer periods come to occupy new niches within immigration chains, either as brokers for new arrivals ('buying and selling' jobs), or bridges with the first generation Polish communities (such as caring for the elderly), which indicates a 'deepening' of the infrastructure of Polish social relations in London. However, these still exist within a culture of exploitation, resentment and unrestrained competition.

Undocumented Polish workers are not in every aspect different from their work permit holding counterparts from India or Poland. In fact, the undocumented migrants were educated to much the same standard as those recruited through work permits and other legal recruitment schemes, and some of the work permit holders from Poland had even previously been undocumented workers, for example in Germany, to fund their studies. Consequently, it makes sense that both show the same behaviour in responding to clear labour market demands for the manpower and skills they offer. In their narratives the Polish undocumented immigrants in particular show even more 'entrepreneurial' attitudes than the Indians, they talk far more about the opportunities in the UK than their lack of opportunities back in Poland. In terms of the push-and-pull model, the pull factor seems to be stronger. Consequently, both groups deploy a clear workers' account, they come to the UK because of labour market opportunities and for financial gain. In both categories one finds individuals who aim to invest in themselves through improving their language skills or by working abroad. They reflect a strong preference for a temporary stay and the strategy of returning repeatedly could be found with both groups. Indian work permit holders act upon distinct migration channels providing access to employment. Polish undocumented migrants also did often know in advance where they would look for work and what conditions they would find, as they also have developed channels into London's shadow economy. Hence migration narratives, strategies and aspirations reflect some similarities. The main differences, though, concern the distance of the journey, culture and

language, skill-levels (though there are examples of well-educated workers among Poles), social capital (lower with Indian interviewees) and political responsiveness.

A comparison rather points to the question why such individuals as yet are treated so differently. In theory, that is because one category is acknowledged as shortage-skills workers under the work permit provisions, whilst the other group is not acknowledged under any such provisions, though obviously the labour market demand is there too. The White Paper 'Secure Borders, Safe Havens' which thinks aloud about immigration provisions for the low-skilled is a first step towards acknowledging this anomaly.

### 1.3 Policy Implications

#### 1.3.1 Context, Rights and Rules

Our study demonstrates the importance of organisational culture and professional identity in the implementation of immigration control. Broad policy goals are interpreted within national traditions, public-service cultures and the functions of particular agencies. In the Southern European countries, for example, foreigners are mainly perceived as either threats to public order or objects of pity unless they can provide evidence of their connections with prestigious citizens or their value to the economy. Such cultures require a strong input of training and the reorientation of official practices towards the recognition of the rights of foreigners to fair and impartial treatment under rules that are transparent and according to standards that are published and to which officials can be held accountable. This implies:

- 1) Complaints procedures and appeals processes that are accessible
- 2) Notices, brochures and electronic texts (websites) giving details of rights, rules and standards
- 3) Ombudsman or other systems to settle disputes and grievances over implementation, as well as over substantial issues and claims
- 4) Measurements of efficiency that include waiting times, delays, recalls, etc., rather than simply numbers of cases processed
- 5) Legislation and policy with clear goals and simple outcomes consistent with the resources and training of staff. This should include equal opportunity legislation and standards for minority ethnic groups and immigrants

In the Northern European countries, most of these features are already present in principle, but substantial discretion for immigration and other officials still influences outcomes and migrants' experiences. Here training should focus on the nature, uses and misuses of discretion, with special reference to racial and other forms of stereotyping and discrimination.

In the UK, two other features of the systems and agencies demand urgent attention.

- 1) In the Work Permits system, the lack of proper enforcement on employers of the rules governing work permits, in relation to the pay, conditions, equality of opportunity, accommodation standards, etc., for foreign recruits
- 2) In the other (Foreign Office and Home Office) schemes for work permissions and visas, the failure to set and implement adequate standards of efficiency, punctuality, courtesy, consistency or respect for rights. In these respects, many of the same issues apply as in the Southern European states, but with the added criticism that the disparity between standards for visa and work permission holders and for citizens is more glaring

### **1.3.2 Amnesty, Regularisation and Recruitment**

Here again there are two different traditions. In the Southern European countries, amnesties provide the main channel for transition from illegal entry or unauthorised (informal) work to legal residence and employment. Such approaches necessarily involve a stigmatised status (immigration offender) for the applicant. They thus facilitate discriminatory and patronising forms of implementation. In the medium term, it is therefore desirable that these countries move towards schemes for recruiting skilled and less skilled workers for specific roles under mandated schemes. This implies:

- 1) Training of staff for labour-market management and recruitment tasks
- 2) Systematic liaison with employers through formal meetings rather than patronage and clientelism
- 3) Detailed attention to the skills profiles of migrant workers and potential recruits
- 4) Schemes for legal entry under specific categories, including job seekers, rather than generalised regulation

In the Northern European countries, labour-market recruitment especially under short-term schemes has a long tradition whereas amnesties are rare. There is a good case to be made for selective amnesties to be introduced, especially for citizens of more distant countries, who are otherwise trapped in the informal economy and open to exploitation and criminalisation.

In Germany and the UK, despite enormous differences in organisation, function and culture, the systems share a sharp distinction between schemes for recruitment and for the control of unauthorised residence and work. There is a good case for introducing new categories of legal entrants which close the gap between these two by allowing entry for job search (under close regulation) and which hence allow more flexibility in the (highly regulated) German labour market and more regulation in the (market -oriented) British.

- 1) Both business visa and work visa schemes (somewhat tentatively introduced in the UK), could be more strongly advertised and recognised in both the UK and Germany
- 2) Entry and work permission without access to benefits could be allowed, initially on a quota basis, to those able to produce evidence of cash resources and access to accommodation
- 3) Internal control, through immigration services, benefits, fraud controls, and social insurance checks, could include the regulation of these schemes

## 2. BACKGROUND AND OBJECTIVES OF THE PROJECT

The increase of immigration flows towards EU countries during the past decade and the related social, economic and political issues have attracted the interest of scholars from various disciplines. Economists have promptly investigated the economic aspects of the phenomenon, the 'push' and 'pull' factors influencing transnational migration and, in particular, its impact on the labour market and welfare system of the host society (Borjas, 1994; Djajic, 1987; Ethier, 1986; Friedberg and Hunt, 1995; Venturini, 1993). Political and social theorists have discussed the challenge that migration poses to the socio-political order of the nation-state and the functioning of democracy within it (Bauboeck, 1994; Brubaker, 1989; Cesarani and Fulbrook, 1996; Dahrendorf, 1994; Hammar, 1990; Soysal, 1994). New conceptual tools, i.e. 'denizenship' (Hammar, 1989; 1990), have been created in the effort to make sense of the new situation. Sociologists have studied the development of xenophobic and racist attitudes as a reaction to the increasing influx of immigrants in many EU countries (Balbo and Manconi, 1990; 1992; Baumgartl and Favell, 1995). Last but not least, the measures taken by individual states to deal with the problem have been analysed critically (Cornelius *et al.*, 1994; Gould and Findley, 1994; Wrench and Solomos, 1993) and attention has been drawn to the European dimension of the problem (Collinson, 1993; Philip, 1994).

In spite of this growing academic concern and the (presumed) political will of national governments to deal with the issue, illegal immigrants keep defying control measures and border patrols while the integration of legal and/or 'regularised' immigrants seems hard to achieve. The inefficiency of immigration policy in many European countries is, to a certain extent, attributed to the international nature of the phenomenon and the complex and multi-faceted 'push' and 'pull' factors involved in it. Poverty, unemployment and political instability are some of the 'push' factors identified. However, 'pull' factors are also important. In particular, attention is paid to the role of the informal labour market (Loayza, 1994) in providing work opportunities for illegal immigrant workers, especially in southern European countries (Lianos *et al.*, 1996).

Nonetheless, it is worth noting that immigration policy performance varies widely across states. As Freeman (1994) argues, 'this variety alerts us to steer clear of facile claims that the democracies cannot cope with migration pressures and invites a serious attempt to identify factors that account for greater or lesser capacities of individual states'. Serious attempts to fill this research gap have as yet not been made, specifically on the European level. Yet, there is no doubt that implementation is among the most important factors. As a matter of fact, the UN review of instruments for fighting undocumented immigration is mostly concerned with the implementation level (United Nations, 1998: 213-29). Furthermore, a recent comparative study of migration control in Germany and the United States (Hailbronner *et al.*, 1997: 203-24) has identified a number of aspects including the general laws and attitudes towards immigration and integration; the degree of reliance on internal versus external controls (border control, work and residence monitoring); and the

assignment of responsibilities to different authorities and the co-operation practices between authorities (federal versus state, mono- versus multipurpose agencies, information practices).

Only in very recent years have researchers begun to investigate the relationship between the administrative practices of immigration control agencies and the strategies adopted by immigrants. Pioneering ethnographic studies of Polish immigrants to Germany (Cyrus, 1997; 1998) and of the strategic thinking and cultural practices of Brazilians in London and Berlin (Jordan and Vogel, 1997) are now being developed into analyses of the interactions between these and their counterparts in the national enforcement agencies (Jordan and Düvell 1997, 1998, 2002). At the same time, comparative studies of immigration policy are recognising a trade-off between the several objectives of immigration control, and how varying practices reflect this (Vogel, 1998; 2000; 2001). This project carries forward the work begun in Britain, Germany and Poland, with several of these pioneering researchers as partners, and combines it with a development of the studies of policy responses in Southern Europe carried out by one of the partners (Triandafyllidou, 1998). In particular, it contributes to the policy debate by elucidating the role of differing informal administrative practices in immigration control and enforcement.

Hitherto the main aim of research in Europe has been to study the most important factors influencing migration flows, and, hence, determining the broad success or failure of government policies for control. But the actual outcomes of control and enforcement measures are sometimes almost as much influenced by interactions within the immigration services, or between them and other agencies, both statutory and non-governmental. For example, in the UK the number of asylum seekers present in the mid-1990s was more a result of the failure to process appeals against refusal of refugee status than of each year's new applications.

The IAPASIS research project has investigated the impact that the organisational structure and culture of institutions in charge of implementing migration policy and the identity processes related to immigration have on the actual implementation of specific policies and on the relationships between agencies. As a matter of fact, legal policy provisions are mediated by less formal, administrative routines structuring a bureaucratic organisation and guiding public officials in the accomplishment of their tasks. The particular nature of such practices influences the implementation of a policy measure and determines, at least to a certain extent, its outcomes. It has been hypothesised that such practices are to a large extent conditioned by the organisational culture prevailing within an institution. It was also expected that identity processes involved in the interaction between public officials and immigrants may influence these informal practices. More specifically, it was hypothesised that the national self-understanding of public officials will determine the ways in which they perceive immigrants and their attitudes and behaviour towards them.

Research conducted within this project aimed at fulfilling five main objectives:

- 1) To assess the impact of the organisational culture of public services on the implementation of policy measures
- 2) To investigate the role played by identity processes in the interaction between public officials and immigrants
- 3) To assess the similarities and differences among the four member -states under examination with regard to the above two elements
- 4) To study the ways in which immigrants make sense of the institutional environment of the host country and how they adapt their plans and survival strategies to it
- 5) To suggest how the findings of the research may be taken into account in policy design and implementation

In the following sections of this report, we shall illustrate how we have pursued and achieved these objectives, we shall highlight our findings concerning the daily routines of implementation in the countries studied, the similarities and differences between them, the main 'strategies' used by immigrants to survive in the host country and deal with its institutional and social environment, the common patterns among these strategies and, last but not least, we shall briefly outline the policy implications of our findings and related recommendations for improving policy design and implementation practices.

### **3. SCIENTIFIC DESCRIPTION OF THE PROJECT RESULTS AND METHODOLOGY**

#### **3.1 Migration Policies and Flows: The Background of the Study**

In this section we briefly describe recent migration flows and the main policy developments over the past two decades in the countries studied.

##### *Germany*

- *The Framework of Migration Policy and Control*

A brief review of the history German immigration reveals that there has always been a high level of immigration to Germany since World War II, which has consistently been perceived as too high in public discourse. German immigration policy can be characterised by the goals of opening the gates of entry for temporary purposes and preventing, or at least restricting, the permanent settlement of foreign immigrants. Settlement is not the consequence of a conscious immigration policy, but, rather, the side effect of other policies, especially the post-war compensation of refugees of German ancestry, the protection of asylum seekers, the protection of the family (through family reunification policies), European integration, and the recruitment of foreign workers.

As a result of this political arrangement, the largest proportion of post-war immigrants to Germany were German, or of German origin, a population inflow never framed in terms of 'immigration'. Due to social and political obligations Germany had to accept the immigration of family members of those who had already emigrated to Germany and asylum seekers. Large inflows of foreign nationals have always been framed as a reaction to exceptional labour market or political needs and policies have always been directed at maintaining the temporary nature of labour and refugee flows.

Although Germany is indeed characterized by substantive inflows *and* outflows, these policies have not been successful in preventing the long-term residency of populations of non-German origin. The immigration of Polish and Bosnian nationals, the reference groups of the German IAPASIS project, are good examples of this.

Polish nationals are of notable importance in all mentioned categories (Cyrus and Vogel, 2000 and 2002a). Until 1991, ethnic Germans from Poland composed the largest share of immigrating ethnic Germans. Until 1989, Polish citizens were the largest group of asylum seekers. During the 1990s, the Polish immigrant population in Germany increased slightly while other nationalities stagnated or even declined. And in the new category of temporarily employed foreign workers, Poles were the most important group among 280

000 seasonal workers (90 %) and the nearly 50 000 contract workers (50 %). As a result of the civil war, the numbers of refugees from Bosnia -Herzegovina receiving temporary protection increased during the 1990s to reach 350 000 persons. In order to prevent permanent settlement, Bosnian refugees only received a 'tolerated status', which entitled them to social benefits but not to a work permit. After the end of the civil war, the German authorities tried to repatriate Bosnian refugees. Up to the summer of 1999 approximately 280 000 Bosnian refugees had returned to Bosnia. However, after some years of stay in Germany, approximately 70 000 refugees refused to return to their devastated home country (Bundesausländerbeauftragte, 2000: 99).

The perception of immigration as an outgrowth of other policies is mirrored by a specific institutional structure that is reinforced by features of German federalism: decentralized, fragmented, cooperative and enforcement-minded. This is also true for the migration control regime.

With regard to external controls, there is a simultaneous development towards strengthening external border controls and improving legal possibilities through a visa-free entrance for some Eastern-European nationalities, namely Poles (Cyrus and Vogel, 2002a and 2003).

In spite of some exceptions, immigrants have very limited possibilities to access a work permit, and implementation in the labour office contributes to a narrow interpretation of exceptions, at least in our case study in Berlin. Interior controls in the labour market were characterised as an important feature of the German control regime (Bundesregierung, 2000). Personnel for work-site controls have been multiplied throughout the 1990s with a major concentration on construction sites. Police authorisation to conduct passport inspections without cause for suspicion has also been widened.

Furthermore, the German migration control regime is fragmented between different federal levels and between state and semi-state social security institutions. The fragmentation is counterbalanced by extensive registration duties, data exchange and co-operation requirements (Vogel, 2000 and 2001). As employers, as well as social support and benefit services, are included in this regime, irregular immigrants should not be able to get regular jobs or acquire benefits. There are no regularisation programmes and only limited possibilities of authorisation for humanitarian reasons, namely for refugees. As the family is protected, marriage may lead to regularisation under the condition that the foreign spouse has a regular status at the time of marriage and as long as some other additional conditions such as sufficient housing and income are met.

Because the political priorities are on encouraging return and enforcement, integration efforts start late in the history of many migrants who had not been accepted for permanent residence from the beginning. At that time, individual immigrants and their children born in Germany have already had experiences that reinforce feelings of not belonging, and have met with deterrence and exclusion for many years. On the other hand, expectations concerning the degree of assimilation to a German standard are high. It is nonetheless

political consensus that successful integration policies for long-term residents depend on enforcement efforts against unintended prolongations of stay and illegal residence.

The high importance placed on some form of German identity does not mean that this is a clear concept. For people living in the German Federal Republic, the debate over guilt for atrocities committed during the Nazi-regime served as a constituent of their German-ness as has their identification with the so-called economic miracle -- both experiences which people in the German Democratic Republic GDR did not share in the same way, being as they were officially encouraged to identify with resistance against national socialism and experiencing only moderate post-war growth in comparison to their Western neighbour. Issues of German identity are more heavily influenced by German unification than by immigration from abroad.

This legacy of the past will influence the way in which German authorities cope with future challenges in the field of migration common to all European states, and, particularly, how it will implement common European standards in immigration policies which are already underway, as guidelines and proposals for directives in the field of immigration policy have already been issued by the European Commission. What are these challenges?

- Certainly one challenge lies in the *integration of ethnic minorities*. The fight against racial or ethnically inspired discrimination has no legal basis and no civic tradition in Germany, while the U.K., with its colonial past, has long taken a stance on this issue and Southern European countries have significant populations that have experienced discrimination themselves while working abroad.
- Secondly, *European integration and enlargement* is a challenge. On the one hand, German governments actively promote the integration of their Eastern European neighbours. On the other hand, the fear of millions of Poles flooding the German labour market influences public discourse and political discussion. Polish people make up a significant proportion of the illegal labour force and, thus, are the ideal target for increasing enforcement; however, they will also soon be part of the common European market.
- Thirdly, *labour market needs in a globalizing economy and in an ageing society* are entering the political agenda more and more frequently. Although all political parties stress the need to enhance the capacities of local resources, especially through educational means, new selective recruitment policies will most probably evolve on a European level over the next decade.
- Finally, the *fight against undesired entrants and workers* is a common goal of all EU countries, whether such entrants are seeking protection or simply work. Often this goal is framed as a supplementary goal or a necessary evil. Success on this front is said to enhance progress with more liberal aims in the field of immigration policy. German authorities devote quite substantial resources to this task. It is a common fear that

looser standards of control in Southern Europe may endanger German efforts in the age of open borders within the EU.

In 2002, the government introduced a new Immigration Act, framing immigration issues explicitly and in a more comprehensive way and opening routes for future immigrant recruitment while being restrictive in the immediate future. Bound to come into force in January 2003, the law has been stopped by the Constitutional Court for formal procedural reasons so that the framework described in our report will continue to be dominant in the near future.

All EU countries will bring the legacy of their migration history and institutional structure into an increasingly harmonised European migration policy. But even when Brussels issues legally binding directives defining common objectives and standards of immigration policy, the implementation rests with national authorities which are bound by their institutional frameworks and are influenced by national identities which only slowly evolve into European identities.

## *Greece*

- *Introduction*

At every level, immigration is a highly politicised and contested theoretical issue, which has a reflexive value for both the incoming and the native population. Immigration is mostly seen by political experts and laypersons to be an issue of governance and the control of welfare resources and labour.

Since the early 1990s, the issue of immigration has been a topical issue, concerning Greek society's role in modernisation, economic planning and the future role of administrative apparatuses. A number of different groups saw immigrants and their presence as a major cultural *threat* to Greece's *homogenised* ethnic state principles. Immigrants have been presented as *polluters* and *intruders* of the supposedly *pure* and relatively homogenous Greek social identity. On the other hand, the Greek state perceived immigration both as a *political challenge* and as a *problem*.

Immigration was seen as a political challenge because it represented a stark opportunity to test the strengths and weaknesses of the main tenets of European policy and of the global market within the country. At the same time, immigration presented an *opportunity* to introduce policies of flexibilisation, internal control and new ideas of governance at the grass-root levels of the community. However, fitting immigrants into the framework of flexibility and new market-driven governance may also be a problem of implementation and of re-framing part or all of public administrative duties and philosophies.

The analysis that follows concentrates on the most important aspects of the Greek research team's findings, trying to provide a clearer answer to some of the above

questions. The first section concentrates on the historical demographic and policy context of immigration today in Greece, establishing the view that the analytical tools to understand immigration today differ from those used in the post-war period. The development of new labour market niches, an expansion of the tertiary sector of the economy as well as an increase of global-cultural ideas, necessitate a fresh approach to the issue of immigration. The following section concentrates on the issue of implementation and basically how and why officials (i.e., responsible for handling immigration policies) perceive immigrants as they do. The issue of organizational culture crops up as the main theme in this section and whether or not, in a flexible environment, work and cultural rearrangements distort policies on immigrants, as unintended consequences of modernisation. The third section exclusively concentrates on the strategies, opportunities and problems immigrants face in Greece. The emphasis is on the paths and *plans* immigrants adopt to leave home, to enter the country, find employment, and socially integrate into Greek society. This section compares both men and women and the life paths of both Polish and Albanian workers in Greece.

The last section treats the policy recommendations and dissemination actions the research team considers to be the general outcome of the IAPASIS project in Greece. It discusses its usefulness for policy experts and which immediate objectives present or future governments could incorporate into the general framework of their immigration policy plans.

- *Identifying the Problem Areas for the Social Analysis of Immigration into Greece: the Historic, Demographic and Legal Context*

An important task of any research into the subject of immigration is its contextualisation within the historic period, political environment and social relations that prevail at the time of the study.

The first Greek report of the IAPASIS project grounds immigration in three basic levels of analysis. The first level looks at how people in the Balkans move across different geographical and ethnic territories as part of the economic and social organization of the village/household system of work and trade. Greece, together with almost all the surrounding Mediterranean countries, has developed systems of cultural and trade exchanges between different ethnic and labour communities. People travelled to distant places as part of transhumance, nomadism, and as part of their particular trade. Household economy and the trade and cultural links with the labour market of the village produced a way of living that depended on the ability of people to travel freely. The whole philosophy of mobility started to change in Greece with the development of a legal framework concerning the internal security of the Greek state and the development of a national economic policy. During the historical period prior to and after WWII (1920 -1960s), Greece considered immigration to be an aspect of national development, which, at the beginning, was mostly organized around the restriction of refugees and ethnic minorities to agricultural activities and non-state employment. Around 1970-1974, the Greek state

developed its first *guest worker* policies in order to establish a competitive industrial sector. Workers, especially from the Maghreb region and the Middle -East, were allowed to work on a short-term contractual basis in the manufacturing and heavy industries of Greece, as part of a mutual economic agreement signed with the countries of origin.

Since the early 1990s, Greece has been one of the main receiving countries for economic and political refugees, especially from the neighbouring countries of ex -socialist Europe. Part of this flow into Greece has taken place due to the political and economic transformation in the former USSR and the Balkans. An increase in unemployment, poverty, and inter-ethnic violence has led thousands of people to cross the Greek borders legally or illegally. Moreover, Greece's internal economic and political organization has undergone great changes. Since the 1990s, the Greek state attempted to introduce a number of policies that liberalise nationalized sections of the economy, introduce flexible time and work conditions into public and traditional economic activities, and change the internal security philosophy. From seeking to mobilize resources for combating welfare problems on a unilateral basis, the welfare state is reorganised according to market principles. Social security is mostly seen as an aspect of governmentability in order to make the economy more flexible and to deregulate the labour market according to private and global business initiatives. One aspect of this economic drive has been the Greek economic state's attempt to separate public administration from traditionally oriented and collectivist oriented groups (i.e., the Church, trade -unions, professional lobbies or associations) and to replace the politics of *welfare citizenship* with the politics of *welfare autonomy and individual responsibility*. Individuals and their households are seen as members of a free and autonomous community of citizens who are best able to accommodate the new economic principles of organization and to make the best out of global capitalism if the state increases its policy interventions in order to grant more individual autonomy to them. Towards this end, a number of policy measures and philosophies have been introduced with the welfare of citizens, the work of immigrants, and the organization of welfare offices in mind.

Following from the above, unlike past experiences, both immigrants and the Greek population are being confronted with questions that seek to understand the effects of flexible employment on personal and social identities, how to compete over limited welfare resources, and how to construct a sense of continuity and social security. In line with these questions, the Greek government sees immigration as a part of the problem of internal security, and also as a reason to implement flexibility in the labour market. The question is how far immigrant workers will fit into a flexible regime of welfare and employment so as to benefit social and economic objectives. In contrast, from a sociological standpoint, the question, from the very beginning of immigration into Greece, has been how old and new manifestations of work and culture affect immigrants' social relations, identities and life chances. In addition, how have the combination of old and new administrative welfare practices affected immigrant clients? What kind of internal social control has replaced, or is about to replace, national and ethnic oriented policies and state unilateral approaches, and how do controllers of resources respond to the new organizational culture?

The demographic level of analysis reflects the social consequences of globalisation in the way immigrants are categorized by Greek authorities. A number of existing typologies used in the past, which clustered immigrants according to ethnicity and citizenship, are now under constant review. The fluidity of ex-socialist European state territories as well as the rise of inter or intra-ethnic conflict have produced a unique opportunity for new community affiliations and new vistas of social identity. This research, having examined some of the main tenets of the above issues and of the social characteristics of immigrants in Greece, argues for the application of a social clustering that takes into consideration the new demographic characteristics of immigrants.

The third level of analysis is concerned with a historic review of the legal framework of immigration since the late 1920s. Immigration policy has changed over the years, accommodating what legal experts identify as an adaptation to international trade. From a relatively nationally oriented framework of labour and welfare laws on ethnic-minority communities and immigrants, which guarded borders and regulated employment, immigration policies have shifted towards the security of welfare resources and the private market flexibility system. The emphasis has changed towards the private market and concerns about how to secure a continuous flow of workers under the newly introduced systems of employment. The new legal framework has tried to guarantee (apart from the provision of a legal status to long-term immigrants) a link between immigrant labour and an internal social security system, which changes according to labour demands and according to Greek society's response to international trade and finance.

### *Italy*

- *The New Immigration into Italy*

Since the beginning of the 1980s, Italy has discovered itself to be a country of immigration even though it had not yet developed comprehensive migratory policies, at least until recently. The country started to experience pressure, as the rest of its Southern Europe neighbours, from asylum seekers and undocumented migrants escaping extreme poverty, famine, or ethnic strife and political oppression in their countries of origin. In fact, new migration flows started from an increasing number of Third World countries in Africa, Asia and Eastern Europe. The migration balance became positive for the first time in 1973 (Veugelers, 1994). Additionally, the 1981 census indicated for the first time a new feature of immigration to Italy: the number of people present in the country exceeded the number of residents, suggesting an influx of undocumented immigrants. This was a new phenomenon for modern Italian society.

In the Italian political debate on immigration (as in media, and even, at times, scholarly debates) then as now the issue was characterised as a 'social emergency'. A number of matters arose in relation to immigrants including their social and cultural integration, informal labour, and political asylum. Research on these topics has been hampered by the difficulty of obtaining data, since a large proportion of immigrants were undocumented.

Nonetheless, attention was paid to problems such as the poor delivery of social services, housing problems, the management of the labour market and, more specifically, the expansion of the informal economy, indeed a structural feature of Italian society. It soon became clear that a new administrative and cultural framework, especially in urban areas, was necessary to address the foreign presence.

- *The Development of Italian Immigration Policy*

In conformity with Italy's participation in the Schengen Treaty and the European Immigration and Asylum Policy Framework, Italian immigration policy has aimed, at least in theory, at restricting migratory flows and developing social policies that would support the integration of immigrants into the host society. Indeed, Italy was an early starter among southern European countries as regards immigration provisions. The first comprehensive immigration law was introduced in Italian legislation in 1986.<sup>2</sup> More specifically, the first program of regularisation of illegal immigrants was enacted in 1986 (law n. 943/1986) and regulated the conditions for the admission and residence of foreigners as well as guaranteed them equal rights with Italian citizens. It defined, moreover, the conditions for the regularisation of clandestine immigrant labourers. This law was flawed in two fundamental ways: (a) it ignored refugees and, (b) the conditions required for illegal immigrants to be eligible for regularisation were too difficult to be met. Thus, the turnout of the program was relatively low, only 105 312 immigrants managed to meet the criteria (Sopemi, 1991: 22), in comparison to the number of illegal immigrants estimated to be present on Italian soil at the time (Triandafyllidou, 2000).

A new law was prepared in 1989 (law n. 39/1990, known as the *Martelli Law*), which confirmed the equality of rights between foreigners and Italians, tightened the conditions for entry into the country, but, most importantly, enlarged the margins for the regularisation of those already present on the national territory. According to Sopemi (1991: 22), 216 037 immigrants were legalised under this law. Furthermore, special provisions regarding immigration were issued regularly in recent years, including: the annual planning of migratory flows, provisions regarding the seasonal employment of immigrant workers, emergency measures concerning the influx of Albanian immigrants, and general provisions. A new immigration law, moreover, which came to complement and update existing provisions, was voted in March 1998 (law n. 40 of March 6, 1998). Eventually, in August 1998 the Parliament issued the '*Testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero*' (Single Text of Legal Dispositions Concerning Immigration and Norms Regarding the Condition of Foreigners) which brought together laws n. 773/1931, n. 943/1986 and n. 335/1995 (*Guida al Diritto*, 12.09.1998: p.III) creating, as stated in the title, a unitary corpus of norms regulating the rights and obligations of foreigners in Italy, their stay and

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<sup>2</sup> Up to 1986, legislation covered only the stay of the foreign citizens in the country and the expulsion and prohibition of entry at the border. The response to the gaps in legislation consisted of ministerial circulars on specific aspects that dealt only with the most serious problems of foreign immigration (Reyneri, 1999; Bonifazi, 1998).

work conditions and other matters regarding family reunion, social integration and cultural life in the host country (Triandafyllidou, 1999 ).<sup>3</sup>

The 1998 immigration law was put into effect in October 1999, and, combined with a supposedly final regularisation initiative, it was expected to bring a definitive solution to the ‘emergency’ of immigration by incorporating immigration control and integration policies into a stable policy framework. Although this law provides for the recognition and rehabilitation of immigrants by addressing the issues of entry, residence and work, the trends in the development and implementation of its regulations are guided by ideas of ‘imminent threat’, in agreement with similar views in other EU countries. In particular, the main concern is to curb undocumented immigration through the strict control and regulation of the entry of foreigners. It sets quotas for new immigration and defines the criteria for naturalisation.

In brief, there are three main new objectives of this law:

- 1) A more efficient regularisation process and organisation of the influx of foreigners seeking employment
- 2) The effective prevention of undocumented immigration
- 3) The integration of immigrants already residing legally in the country

Below the main novelties with respect to these three objectives introduced by Law no.40, 1998 are summarized:

- In order to control clandestine entries, the law foresees the possibility of detaining illegal immigrants in special ‘centres of residence and assistance’ (art.12) run by voluntary associations and patrolled by the police. Expulsion is decided by a judge for security reasons (art.13, 14).
- The introduction of severe measures towards undocumented immigrants is due to the belief that undocumented stay and criminal behaviour go hand in hand (Blangiardo, 1998: 48). It is striking that undocumented status is referred to as ‘illegality’ in official/legal documents.
- With respect to regulation, a three-year plan of immigration flows has been decided. The annual quotas are to be determined each time by the President of the Council of Ministers and the Parliament according to the needs of the labour market (art.3).
- Another important innovation concerns the ‘sponsorship’ provision concerning the right of Italian resident citizens to guarantee and support immigrants looking for a job (art.21). The law also makes conditions clearer as to what is

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<sup>3</sup> In summer 2002, after the empirical work presented here was completed, a new immigration bill (the Bossi-Fini bill) – that amended law 40/1998 – and a new regularisation of undocumented workers programme were approved by the Italian Parliament (laws 189/30.7.02 and 222/9.10.02). A total of 700,000 immigrants submitted applications to regularise their stay and work status under this programme whose application phase was completed in November 2002 ( *Corriere della Sera* , 14.11.2002, p.12). In this report, our analysis necessarily concentrates on the workings of law 40/1998.

required of an immigrant in order to reside in Italy legally. Workers can enter and stay in Italy through the following procedures: national seasonal quotas, work contracts with an Italian employer, and availing of the 'sponsorship' of an Italian resident. To those immigrants a temporary permit can be issued within a planned quota.

- The stay permit may be issued for an indefinite period of time after five years of legal stay in the country (art.7). Such measures show the government's will to promote immigrants' integration. In deed, a number of provisions of the law, such as those facilitating family reunification (art.27) adopt the same logic.

Even though it is difficult to evaluate the effects of the 40/1998 law, because soon after its enactment (at the end of 1999) a new government took power (May 2001) and began working on its revision (the Bossi-Fini bill was thus prepared to amend law 40/1998), we shall attempt a tentative evaluation. Its positive features include:

- the will of Italian authorities to deal with immigration as a long-term phenomenon providing for ordinary, rather than extraordinary or temporary, measures and provisions on the matter
- the reinforcement of the equality of treatment and rights between Italians and immigrants
- the long-term planning of migratory flows with the co-operation of the governments of immigrants' countries of origin, acknowledging there is room in the Italian labour market for foreign workers provided flows and stays are regulated (*Guida al Diritto, Inserto speciale*, 12.09.1998).

On the other hand, a number of problematic aspects were identified:

- the policing of the phenomenon (the police was made responsible for handling the formalities of immigration)
- the economic problems persisted (with the last regularisation, immigrants were drawn out of the labour market because employers would take on illegals rather than regularised immigrants demanding official pay and conditions)
- it failed to prevent violence and xenophobia against foreigners. Indeed the Italian public, reported to have shown an attitude of 'social tolerance' towards immigrants in the past (Ferrarroti, 1984), gradually became explicitly hostile and xenophobic. Racist incidents were registered already in 1990 -91 (Bonifazi, 1992; Woods, 1992: 189).

Nevertheless, public education, social services and legal or informal employment have facilitated the integration of foreigners in Italian society. The integration process was fostered by new legislation that was comparatively liberal not only for documented but also undocumented immigrants. Despite the overall efforts to extinguish unauthorised immigration and occasional repressive measures, the phenomenon has not been significantly reduced. Its persistence is linked to the structural features of the Italian economy and society including, for instance, the fact that legislation permits immigration

flows in accordance with the demands of the domestic labour market in order to re-establish market equilibrium (Ambrosini, 1999; 2001; Reyneri, 1998). The periodical enactment of regularisation programmes (four in fourteen years: 1986, 1990, 1996 and 1998 plus a new one in 2002) seems to partly encourage further irregular migration while legal migration channels remain modest (63 000 openings, for instance, in 2001) and the administrative procedure particularly complicated.

The 1998 immigration law did not significantly alter the conditions for immigrant participation in the underground labour market in Italy. Many immigrants were regularised through the legalisation acts and obtained resident permits listed as unemployed while continuing to work in the informal sector. Many others remained in the country after the expiration of the quotas handed out every year. Few immigrants are actually expelled from the country.

These events support the opinion that the issue of undocumented worker immigration, because of its contribution to production and regional income and despite the potential social tensions associated with the immigrant presence, is considered more of a political than economic or even social problem for Italy (Mingione and Quassoli, 2000: 29 -32). It may thus be argued that, in the case of Italy, and Southern Europe in general, ostensibly unwanted undocumented worker immigration represents more of a payoff than a threat to economic stability at present.

The picture that emerges from statistics, various estimates, and even from the streets is that immigrants actually choose Italy because it is a country in which it is relatively easy to enter and stay, even without a permit; inspections are few and immigrants are rarely deported. This, combined with a general laxity and/or, at times, instances of excessive severity – a typical pattern for the Italian public administration -- leaves immigrants room for manoeuvre.

- *Demographic and Employment Features of the Immigrant Population*

Compared with northern European countries, immigration to Italy is relatively small in size. In spite of the very visible presence of immigrants, boosted by media attention, there seems to be a great disparity between the social alarm concerning an alleged ‘invasion’ of the country by immigrants and the extent of the phenomenon, which, even based on the most exaggerated statistics, represents about 3% of the population. However, the immigration population is increasing and its demographic effect has begun to be taken into account by scholars and, gradually, by policy makers as well, who increasingly include it in official statistics and estimates of demographic growth.

The large majority of immigrants who come to live and work in Italy are motivated by economic (poverty, unemployment, overpopulation, in some cases outright famine) as well as political (ethnic strife, persecution from authoritarian regimes) reasons. Most of them came to Italy from African, South American, Asian and Eastern European countries.

Three main socio-economic groups are distinguished by scholars: (a) maids from Cape Verde, Ethiopia, El Salvador and the Philippines, (b) immigrants from 'bordering countries', i.e., Tunisians, Moroccans and Central-Eastern Europeans, and (c) political refugees from Latin America, Ethiopia, and Vietnam (Campani, 1993: 512-6; Reyneri, 1998: 10-15). The largest of these groups are from Morocco, Albania, the former Yugoslavia, the Philippines, Tunisia and Senegal, with important flows also coming from Egypt, Brazil, India, Sri Lanka, Poland, Romania, Peru, China, Somalia, Ghana, and Nigeria. Based on preliminary data of the last year, the largest groups of undocumented foreigners are Moroccans (17.7%) followed by Albanians (15.8%), Romanians, Poles and Brazilians [Eastern Europe, excluding Albania, (21%) and South America (8.2%)].

Quite significantly, data for 1998 show that the figures for undocumented immigration were deeply affected by the outcome of the regularisation process of that year. The amnesty provided an indication of the number of clandestine immigrants who had been in Italy for a brief period, or, at least those who eventually filled the eligibility requirements and were included within the maximum quotas fixed for every nationality (i.e., the estimate for Albanians reached the figure of 3 000 for 1998 and 1999). Most immigrants from developing countries currently in Italy received their papers through amnesties and not through the normal immigration procedures (Sopemi, 2000). The tendency to fix low quotas while enacting periodic regularisation programmes has had the effect that immigrants continue to opt for illegal entry and stay, seemingly with the hope that they will later be regularised.

A peculiar feature of Italian immigration is the large number of countries of origin, many of which are very distant and have never had special economic or cultural relationships with Italy. The immigrant population in Italy comes from all continents and there is even greater diversity: for instance, many of the Moroccans in Italy are not Arabs but Berbers and the Poles are divided between the urban political refugees from the pre-1989 period and the rural labourers who came afterwards.

Some migrants in Italy fit the stereotype of old patterns of immigration to Europe, which considered migrants to be poor peasants and unemployed farm labourers, uneducated, and coming from rural societies. However, according to surveys (see Reyneri, 1997 for a review), many had been living in urban areas before emigrating. Furthermore, besides the usual temporary and targeted migration by seasonal or commuter migrants; that is, people looking for occasional jobs to compensate for the off-season in their countries of origin where they periodically return, many migrants aim at gaining higher economic and social status and/or search for more open lifestyles. Other migrants, influenced by the representation of Italian society given on Italian television, adopt a consumerist approach towards migration.

Immigrants' geographical distribution and their housing conditions reflect their low social status as well as the jobs they occupy. Although they develop their own residential strategies and may gradually create territories with an ethnic character, they are not segregated into specific quarters or ghettos.

The heterogeneity among immigrants, mentioned above, is also reproduced in the ways in which migrants are inserted into the local underground economy in Italy. Some analysts assert that ethnic specialisation in the labour market is particularly strong (Campani, 1993: 515). Looking at immigrant employment, the nature of jobs could be broadly identified with certain immigrant groups. For instance, the building industry frequently employs migrants, mainly irregulars, predominantly from the Maghreb and Eastern Europe. Seasonal jobs in agriculture rely heavily on irregular male workers from Latin America, India and Sri Lanka. Trading is largely characterised by self-employment in informal activities; street vending would be the most typical and it involves immigrants from Morocco, Senegal and China. Domestic services employ women from Eritrea, the Philippines, Albania and Poland. Chinese communities are principally engaged in handicraft activities. This occupational distribution is accompanied by the regional distribution of migration chains, that is, the concentration of certain nationalities in specific regions within the country: Moroccans in the industrial north, Chinese in the area around Florence and Prato, Senegalese in the small cities of the North East (Zincone, 2000a; 2000b).

Research shows a large proportion of irregular employment, even among those who could obtain a regular labour contract since they hold a stay permit for work purposes (not all the irregular migrant wage earners are necessarily without documents). According to the Ministry of Labour Inspections Division, they are divided into two groups: those who hold stay permits for work purposes and those who do not. The distinction between regular and irregular immigrant labour offer does not lead to levels of discrimination in practice on the basis of preference for one or the other group; on the contrary, both groups are employed but in different labour sectors (regular and irregular).

Together with their precarious professional insertion, immigrants in Italy are scattered and divided into too many national groups to be able to organise politically and to provide for the cultural and economic resources necessary to build communities that will take care of their own interests. In Italy this role is played by traditional lower strata pressure groups (voluntary associations, unions, civil servants), who provide assistance for the economic and social incorporation of foreigners and a policy network alternative to the dominant political debate and national legislation on immigration.

### *United Kingdom*

#### *From Emigration to a Multi-Ethnic Society*

- *Immigration Policy and Politics*

'Britain has traditionally favoured the free movement of capital and labour within the Empire' (Layton-Henry, 1989: 61) and encouraging emigration was part of its colonial strategy. Post-war immigration to Britain, the settlement of its immigrants and the

development of its ethnic minority population was equally determined by the heritage of its colonial and imperial past (ibid.). The 1948 Nationality Act expressed a policy of preserving the links of Commonwealth citizens to the motherland. National identity, carefully distinguishing between England as the cultural core, the United Kingdom as its white European body, the Old Commonwealth (Canada, Australia, New Zealand) as its natural allies and the New Commonwealth (including India, Bangladesh, Hongkong, Nigeria, Jamaica, Cyprus and Pakistan) as its extremities, never intended to become the same and neither inviting nor encouraging settlement-orientated immigration (Joppke, 1999). However, Commonwealth citizens did not face any immigration restrictions and controls until 1962 when the first restrictions were introduced by the Commonwealth Immigrants Act to limit rising numbers of overseas immigrants. Successive nationality and immigration acts, increasingly distinguishing between British citizens and commonwealth citizens, by and large ended primary immigration and imposed rigid restrictions on secondary immigration.

Immigration and Nationality Acts were supplemented by the 1985 Immigration Rules, by General Instructions to immigration officers containing guidance on the interpretation of the law and the rules (Immigration Service, undated: chapter 35), and a Suspect Index System (SIS) introduced to help staff coping with their requirements (IND, 1997: 12). All are under constant review.

Traditionally, 'the focus of United Kingdom immigration control has been, and remains, very clearly on frontiers controls, the United Kingdom intends to retain checks at its borders with other member states' of the EU (National Audit Office (NAO), 1995: 14). Britain has never joined the Schengen agreement and insists on border controls with other EEC member states. The only exception is the Common Travel Area with Ireland. The hurdles to enter the country result in increasing visa application refusals (110 000 in 2000) or removals on the border (38 000 in 2000) (Home Office 2001). However, the overall picture is one of positive net international migration throughout the 1990s (ibid.).

From the mid-1980s a system of internal controls takes shape. Successively, public services of all kinds add some kind of immigration or residence status checks to their assessment procedures (Gordon, 1985 ; NAO, 1995). However, a range of services such as health care, primary education, legal aid, community care, and neighbourhood provisions are still not subject to immigration controls.

Any migrant subject to immigration controls is also subject to working restrictions though the overall picture is fragmented, there are permit free categories, permissions to work, concessions to work, and work permits all dealt with by different authorities and under different criteria such as quotas, shortage occupations, intra-company transferrals, recruitment schemes, or country-specific provisions.

In some recent moves, the employment of illegal immigrant workers has been made an offence (Asylum and Immigration Act 1996, section 8), identity cards for asylum seekers will be introduced, in-country immigration staff have been assigned new powers to search

and arrest, and the staff level has been increased to target irregular immigrants (Home Office, 2002). In consequence, the figure of deportations and removals is rapidly increasing, and has doubled from 1999 to 2000 to a high of 50 600 (Home Office, 2001): 43 000 of those refused were asylum seekers, which reflects the government's priority on this group. The UK is aiming to catch up with the more rigid European standards, and aims to overcome an alleged 'soft target' or 'laissez faire' image (Home Office, 2002).

- *Irregular immigration*

The overall number of people who arrived at British ports in 2000 was 89 million and has nearly doubled within a decade reflecting a tendency to increasing global mobility. In 1994, for example, only 60 000–70 000 passengers, or 0.1 per cent, were subject to further enquiries (NAO, 1995). Any illegal immigration has to be evaluated against these figures; it is safe to say that illegal immigrants make up a very small proportion of the whole travel, mobility and migration process (Jordan and Düvell, 2002). The methods of entering illegally can be divided into five main categories: deceiving the immigration officer, document abuse/false identity; clandestinely/without leave of an immigration officer; absconder from temporary admission; others (NAO, 1995: 19). Officially, it was acknowledged that 'any estimate of the full extent of illegal immigration... including people working in breach of their immigration conditions... can be no more than speculative' (Home Office, 1995: paragraph 3) a view recently supported by a House of Lords report (House of Lords, 2002).

Only two amnesties were granted during the period from April 1974 to December 1978 regularising fewer than 5 000 individuals (CRE, 1979: 7). There are also provisions for case-by-case regularizations laid down in the immigration rules. After 10 to 14 years of a mix of legal and irregular stay, long-term undocumented immigrants can apply for leave to remain under the 14-years-concession (Immigration Service (undated), chapter 35). Between 1 400 and 3 300 individuals each year have qualified for this.

- *Nationality Policy and Ethnic Minorities*

Since the 1981 Nationality Act nationality is, on the one hand, defined in relation to immigration, and based on *jus soli*, hence, available to immigrants by settlement. On the other hand, it is also based on *jus sanguinis* granting settlement to those with (grand-) parental links to the UK (Dummett and Andrew, 1990). Dual citizenship is not a barrier to naturalisation, indeed many New Commonwealth immigrants of British nationality also held, for example, Indian, Nigerian or Jamaican passports.

By long political tradition, the UK has also been a liberal individualist polity, with more affinity with the United States than with Western Europe (Dyson, 1980; Jordan, 1985, 1996). Citizenship is conceived of as a set of rights and competences that allow individuals to compete in an orderly way in an economic market and a political democracy. Hence

nineteenth-century liberal notions of free trade and the open society (Popper, 1950) feed readily into global economic trends.

In post-war Britain, businesses as well as overseas subjects migrated to Britain (Hall, 1988). By the end of the 20th century, the ethnic minority population has grown to some 3 million members, about 5 per cent of the population. Nearly half were born in the UK, and half of them are under 25 years of age. There are 54 ethnic or national groups larger than 10 000 individuals, whose members were born abroad, and 19 have more than 50 000 members. The largest groups beyond the Irish are of Indian, Pakistani, Caribbean, Bengali, East and West African origin. In all, some 200 languages are spoken. Regarding major world faiths other than Christianity about 1.5 million are Muslims, 400 000 Hindus, 400 000 Sikhs, 300 000 Jews and 120 000 Buddhists. Most notably it is estimated that some three-quarters of them are British citizens (CRE, 1995) hence enjoy democratic rights, civil liberty and equal social rights. Nevertheless, ethnic minorities have suffered from disadvantages, discrimination or racial harassment (see CRE annual reports) .

During the 1990s a new national identity began taking shape as Britain emerged as a multi-cultural, multi-ethnic and multi-religious society (Commission on the Future of a Multi-Ethnic Britain, 2001).

- *Antiracist Legislation, Political Culture and Civil Liberties*

The years from 1950 to 1980 were characterised by a host society struggling with its role as an immigrant country, which often demarcated its national identity through crude racism, segregation policies, right wing extremist organisations and racist violence, keeping its new residents on the margins of society (see, for instance, Brown, 1984). It took an era of painful conflicts and black rebellions for British society to realise that its immigration story is irreversible (Düvell, 1998a). The 1970s and 1980s saw attempts to legislate for equal opportunities and against overt discrimination in the public sphere (jobs and services), as new institutions were established, reflecting the political significance of the ethnic minority vote, especially in large industrial cities. Particular emphasis needs to be placed on the Race Relations Act of 1976, enforced by the Commission for Racial Equality (CRE) set up by Parliament with some statutory power. Its duties are to work towards the elimination of racial discrimination, to promote equal opportunities and good race relations, and to monitor the way the Act is implemented. The Act covers discrimination on grounds of a person's colour, race, nationality, citizenship, and ethnic or national origin. In the interest of race relations and public order any enforcement action needs to be seen in the light of its potential risk in terms of communities' alienation or even public unrest, a consideration particularly relevant for the police and immigration enforcement agencies. In-country immigration checks are widely seen as discriminating against Britain's usually perfectly legal ethnic minorities who would tend to be targeted (see, for instance, Institute of Race Relations, 1985).

Any discussion, policy or politics, any organisational culture or educational curriculum whatsoever is inspired by and reflects Britain's strong tradition of democracy, civil liberties, individual rights and, more recently, its anti-racist legislation. Consequently, any regulation, restriction, control or implementation matter is itself regulated and equilibrated by these principles. There is no requirement to keep identity documents or to register one's residential address with any central or police authority, except the election register. Most public services place a strong emphasis on clients' needs and clients' safety; data protection is rigorously observed and data exchange between different statutory agencies is limited. Public service social workers are rather advocates who put clients' rights above enforcement measures. Public services tend to have an autonomous and self-reliant self-image sticking to their statutory responsibilities. Entrepreneurial freedom, increased under the past conservative government limits interferences with private businesses, while, at the same time, contributing to the extension of Britain's shadow economy.

- *Immigration Research*

Publications on immigration, settlement and discrimination cover most relevant topics except two. Research on undocumented immigrants is surrounded by a strong taboo (Düvell, 1998b). It is grounded in the proposition that such findings should not be allowed to enter the public sphere because they are open to misuse by racists and bigots, and, hence, are potentially damaging to the interests of immigrants of all kinds in addition to settled minority ethnic populations. However, aside from a few past publications (for example, Ardill, 1987) our research has been of a pioneering nature, contributing to a better-informed and more rational debate of the problem. Equally, there has been virtually no academic research on immigration authorities or immigration enforcement/implementation matters. The reason is that a high level of secrecy surrounds immigration authorities and their rules, both remain classified and not yet fully accessible to outsiders, including academic researchers. This has changed only recently; our previous study conducted in 1998-99 has been the first to be allowed access to the immigration service and has, therefore, been a pioneering work. Meanwhile, the Home Office is opening up and seeks frequent cooperation with the research community. However, it prefers to fund and control such research; the quest for evidence-led policy sometimes takes the form of gathering policy-led evidence.

### **3.2 Immigration Policy Implementation and Identity Processes**

In the following sections, we shall present our work as well as the main findings concerning the micro-level of the immigration policy implementation process highlighting how organisational cultures and identity processes impinge upon it. A comparative analysis of the country specific results is undertaken in section 3.2.1

## *Germany*

### *Implementing Restrictive Migration Policies*

The first sections offer information on the methodological approach and the structural framework of the authority under study, the Federal Labour Office. The next section is devoted to an analysis of the implementation practices of eligibility checks and is followed by a section on enforcement agencies. The information on the general framework stems from a review of relevant scientific literature and the examination of statistical information, administrative documents and the legal framework. The fieldwork took place in labour offices in Berlin and includes, among others, problem centered interviews with 11 administrative officers and a one week participant observation. The concluding analysis of identity processes in eligibility checks and enforcement makes use of the interviews with employees in eligibility and enforcement .

- *Structural Framework*

Access to labour markets in Germany is restricted for non EU -nationals. If ‘extracommunitarian’ labour migrants want to work in Germany without being eligible for it, they have two choices: they may try to gain access to legal work under false pretences, or they may work illegally. Accordingly, migration control measures in labour markets can be divided into two categories: eligibility checks and illegality prevention (see Vogel, 2000: 396). In both cases, *labour administration* is a key actor for implementing immigration restrictions in the German labour market, as it deals with work permits and is responsible for enforcement against illegal employment.

Building on empirical administrative research, we use Lipsky (1980) as a frame of reference. Lipsky has developed a theory of work in public institutions with client -contact-street level bureaucracies. According to Lipsky, the identification of aims and routines of street level bureaucrats provides a key to the analysis of their work. Typically, working conditions involve the treatment of cases in a situation of limited resources. To cope with and to make sense of this working environment, street level bureaucrats develop a distinct ‘cultural software’, i.e., concepts and ideas that guide their practice and relieve the inherent tension of their work.

The activities of the Federal Labour Office -- a tripartite organisation under the authority of the Ministry of Work and Social Affairs -- cover a wide range of tasks. The scope is the labour market: all tasks aim at improving the efficiency of the labour market, with a specific focus on reducing unemployment and caring for the unemployed. The Federal Labour Office consists of the head office (Hauptstelle) located in Nuremberg, 10 Lande s Labour Offices and 181 Local Labour Offices with about 660 agencies (Geschäftsstellen). Furthermore, 15 particular agencies (besondere Dienststellen) like the Higher Education Institution for Labour Administration (Fachhochschule für Arbeitsverwaltung), the Academy for Advanced Education (Führungsakademie), professional training colleges for

administration (Verwaltungsschulen), or the Central Agency for Placement (Zentralstelle für Arbeitsvermittlung - ZAV) are in charge of central and general tasks. Altogether approximately 80 000 persons are employed with the Federal Labour office. In 2000 the budget was about five hundred millions Euro (one thousand million DM). It is within this context that work permits are administrated and illegal employment combatt ed.

As a rule, work permit decisions and the combating of illegal employment of foreign nationals is allocated within the local labour administration. This mirrors a dominant concept guiding the regulation of labour immigration: it should be restricted or allowed according to the needs of and the situation in the local and regional labour markets. Therefore, the choice of the case study location influences the way laws are implemented. In choosing Berlin, we selected a place with potentially high conflict as the city is characterised by substantially above average unemployment.

Similar to other European countries, the situation during the research period was marked by administrative reform efforts. Under the label 'Labour Office 2000' (Arbeitsamt 2000), the reform aimed at changing basic administrative structures. Departmental organisation is broken up in order to achieve more client -orientation. During field research, interviewees referred to the aims of this reform, mainly client orientation, service efficiency and 'lean bureaucracy' while the mere fact of changing administrative structures was not challenged. Some features can be highlighted:

- 1) The uniformity of implementation, or, in other words, the standardisation of administrative conduct is a fundamental goal and value for the institution as such. Considerable efforts such as technical surveillance and organisational education is invested to realise this goal.
- 2) The existence of a sophisticated intra -organisational education system transmitting and exercising a particular world -view indicates the development and cultivation of a distinct organisational culture.
- 3) A strict hierarchical regime with a top -down approach that, for instance, has the capacity to decree fundamental changes as in the 'Labour Office 2000' reform.
- 4) The highly politicised position of the administration with a participation of conflicting interest groups and the entanglement of politics (Ministry for Labour and Social Order).
- 5) The sheer number of employees, the heterogeneous character of tasks including benefit administration, and the functional division of units may lead us to expect some kind of heterogeneity of organisational culture. Labour authority in Germany follows the aim to support and help the unemployed on the one hand and to implement bureaucratic tasks and exert control over the clientele group on the other. It is an authority in which control tasks are dominated by help -oriented

tasks. This creates a typical dilemma between helping and coercive tasks for the employees of a service.

Looking at the micro-level gives a more concrete and diverse image, but does not contradict these features.

- *Eligibility Checks*

Third country nationals must have a work permit to enter the German labour market, and work permits are only granted under exceptional circumstances -- this is the official line since the ban put on recruitment in 1973 (BMI, 2000). Nonetheless, definitions of exceptionality change and leave room for administrative discretion at different levels (Cyrus and Vogel, 2002c). The Federal Labour Office is the gatekeeper to the legal labour market. Gatekeeping is only relevant for third country nationals without established rights in the labour market. This group can be divided roughly into two categories:

- 1) Those who have already established preliminary residence rights but have no privileged labour market access. These are mainly *humanitarian immigrants* (i.e., family, asylum) applying from the interior. Usually, they must surpass a labour certification after a waiting period. In some cases of exceptional hardship or to permit the prolongation of work with the same employer, work permits can be granted without priority check.
- 2) Those who would like to establish a residence right on the basis of employment. Most of these *labour immigrants* have to apply from the exterior (§ 284 SGB III). In a nutshell, these labour immigrants must belong to a specified group and surpass a labour certification.

A key element of labour certification is a labour market test according to a *priority rule* (i.e., the question whether a German or privileged foreign worker can be found for the job) and a check on predominant working conditions and wages (§ 285 SGB III).

Dealing with applications from the exterior is highly centralised for the quantitatively most important categories: in the case of contract workers, a particular Landes Labour Office and a particular Local Labour Office are assigned responsibility for a particular nationality. The reason for centralisation is that a purely local policy would not work with these categories because quotas apply and/or there is co-operation with the labour administration of other states. We did not investigate this field of centralised work permit decisions.

Local labour offices are confronted with a particular workload. Mostly, they have to decide on resident immigrants without established labour market rights who wish to get a first job or prolong their work permit. As far as applications from abroad are concerned, they may serve categories of workers without priority checks (i.e., top managers, *au*

*pairs*) and a limited range of other categories with priority checks (namely speciality cooks).

Altogether, work permit numbers can be characterised as a small but substantial portion of German labour market movements. Local differences are considerable, indicating room for discretion. In 1998 the federal average rejection rate was about 16%. Berlin, a city with a high unemployment rate, rejects applications for first employment in 37% of all cases, while the rejection rate in the economically stronger city of Munich is at 11%.

In our case study, we try to locate where and how discretion is exercised. Our field research took place within one Local Labour Office in Berlin. The agency under study has the reputation of being friendly, co-operative and client-oriented and covers a district with a low share of foreign nationals.

This is reflected in the administrative structure: there is only one front office with three employees in charge of the treatment of all work permit affairs. This office is a sub-unit of an 'Office for Combined affairs' (Z-office), also including wage subsidies and employer subsidies. The Local Labour Office is headed by a director, so that the direct hierarchy ranges from director, head of department, to the head of the Z-office. Organisational structures are different in other Local Labour Offices, primarily because of a different volume of foreign nationals.

Depending on whether a priority check is necessary or not, the granting of work permits is a two or three step procedure: for applicants not subject to a priority check the front desk employees have to check that the applicant meets all the conditions and possesses all proof necessary for certification. Front desk employees prepare the decision that is taken by their superior. If a case requires a priority check, front desk employees have to report the job to the employment agent who has to conduct a labour market test. The employment agents treat the work permit application as a job vacancy and try to place the registered unemployed person.

This short account shows that employees from two distinct departments of the Local Labour Office are involved in work permit processing: the work permit office (front office and decider) and the employment agency. From the interviews it appeared that rule-bound categorisation is the main task of the front office and deciders. Even in hardship cases which are by definition not completely categorised in advance, deciders have a strong orientation towards regulative categories. Thus, formal discretion is very limited. At the same time, acknowledging the relatively hard line of Berlin, the deciders concede that there is discretion at the rule-interpreting state (*Land*) level.

We now turn to cases that involve a priority check, mainly concerning refugees who apply from within the country, but also a limited number of exceptional cases of labour immigrants. These eligibility checks are performed by employment agents. Their major task consists in matching job offers and unemployed persons. For them, work permit applications create additional job offers that they may be able to fill with unemployed

persons, as employers have to advertise a job widely before they are allowed to employ a non-privileged foreign national.

This account gives a vivid image of the difficulties involved in securing a work permit for specific employment, making it nearly impossible to obtain a work permit for a manual job. It rather seems surprising that there are still so many work permits after an eligibility check. It reflects the restrictive attitude of the Berlin authorities, which is shared by many, but, not all, federal states and local authorities. Procedures may vary to some degree in reaction to the labour market situation.

Under these circumstances, how do street level employees perceive their work? How do they reconcile administratively ordered aims of work with personally perceived aims? As there is some room for discretion, even though employees do not have to be completely aware of making choices, their aims and orientation towards work influences the exercise of discretion. Asking employees to talk about the success of their work was our way of asking them to reflect on their perceptions.

The orientation of employment agents is clearly towards their main task: matching unemployed persons and job offers. One employment agent describes 'spontaneous' placement initiated by his specific ideas and proposals as a success. Employment agents clearly define unemployed persons in 'their' data sets as their clients. The clients may be of German or non-German origin and nationality. To respond to the needs of employers was mentioned as one aspect of their work, but in a marked difference with private employment agencies, serving employers was not emphasised as a primary aim. Having a clear and positively valued aim, employment agents generally identify with their task. Doing priority checks in the course of work permit application procedures is not seen as their 'real' work. Federal procedural regulations allow them to integrate the work permit procedure into their usual placement procedures.

In contrast to the employment agents who define success spontaneously and identify registered unemployed persons as their clients, employees of the front-office see foreign nationals as their clients. Due to strict regulations and superiors who follow a harder line, they can rarely help their clients even if they want to: the division of labour shifts control tasks to employment agents and supervisors. Taking into account that client-orientation has been one central demand of administrative reform efforts (Labour Office, 2000), the work in the Z-Office is caught obviously in a structural dilemma. On the one hand, there is the politically stressed expectation that they have to restrict, or at least control, access to the German labour market, a task they are expected to carry out thoroughly. On the other hand, they are in daily contact with foreign nationals. These foreign nationals are their involuntary clients and, so, taking the client perspective would be easier with a more generous line in work permit granting. To cope with this particular dilemma of gatekeeping functions enforcement agents rely on a strategy that is, according to Lipsky (1980), typical for street level bureaucrats: clients are classified into deserving and undeserving categories. People are expected to obey the law and other regulations and condemning behaviours that breach the former or the latter becomes the moral foundation

of their own bureaucratic activities. Generally, a lack of discretion and the shifting of responsibilities serve to relieve the employees from a stressful situation in which their client-orientation is pitted against their control tasks.

Even though discretion was strictly limited at the level of street-level bureaucrats, their accounts provide insight into the levels at which discretion is exercised. The norm-setting and norm-interpreting force of federal administrative regulations surely has the strongest influence, but the state (*Land*) level also has considerable influence, as state regulations interpret federal decrees and provide operating instructions for implementation. Therefore, they are an essential basis for Berlin's 'hard line' in work permit issues. The use of language mirrors this attitude. Employees tend to express their positions in legal technical language, although making an effort to make themselves understandable to the outsider (interviewer). They tend to present decisions in a neutral way, using passive voice and a general pronoun (the German word 'man'). With this legalistic attitude, informal discretion is of minor importance.

Generally, the division of labour between the Z-office and the employment agency leads to stricter enforcement. Employment agents with their orientation towards registered unemployed persons tend to scrutinise employment offers thoroughly. Z-office employees are relieved from responsibility for rejections since they can shift responsibility to an external examination process that led to negative decisions for an applicant.

- *Enforcement*

The unit chosen for the enforcement case study is the AD Bau. The control unit 'AD-Bau' (*Prüfgruppe Außendienst Bau*; i.e., Work Site Inspection Group Construction) existed in Berlin from August 1, 1995 until September 30, 2000 as one of several administrative units in charge of labour market controls. The historical circumstances related to the introduction of the AD Bau as well as the composition of the personnel are particular. Initially, the inspection group was founded with the particular task of controlling foreign contract workers. It is important to keep in mind that the AD Bau was a mere detecting and fact finding unit with a large share of employees joining the Office only as a second or third profession. Field research was performed shortly before the AD Bau was integrated into another enforcement unit, losing its exceptional character.

One can say that the AD Bau was a unit with an egalitarian character within a strictly hierarchical organisation. Within the unit the researcher faced a mood of co-operation and a de facto horizontal hierarchy despite the fact that the AD Bau has some official internal differentiation with regard to remuneration, qualification and hierarchy. While impersonal authority dominated relations with superiors at the state Labour Office, personal authority dominated within the unit. Authority stemmed from the recognition of the knowledge and experience of superiors and co-workers. The head of the AD Bau and the heads of subgroups had a non-directive style. Duties overlapped--while it was expected that all

workers co-operate and assist one another -- depending on skills (especially language, document checks) and the time needed for inspection.

The particular office culture was strengthened by a work pattern that is largely independent of other authorities with two exceptions: broader co-operation had to be organised monthly for the control of huge construction sites and the AD-Bau employees had regular contacts with the police who take over cases of unidentified foreign nationals. Controls and their bureaucratic aftermath were the daily routine. All activities of the AD Bau are framed by laws and, even more, by federal implementation regulations issued by the head of the Federal Labour Office. A separate file ‘*Durchführungsbestimmungen Aussenprüfung*’ offered a system of detailed regulations.<sup>4</sup> In addition, there are operating regulations that decide specific questions, i.e., the ban on handcuffing. Apart from these specific orders, officers had to observe the general legal framework valid for all public employees in Germany, i.e., on the principle of proportionality. These rules come into force when formal discretion has to be exercised. It is noteworthy here that the work permit office did not refer to it because they do not exercise much discretion.

In spite of their size, regulations left considerable scope for discretion, specifically in the choice of work sites and the intensity of work. Practice codes were developed within the officially allowed scope of discretion, not outside it. But AD Bau employees clearly had the idea that their expertise and effort made a difference in the outcomes of controls.

The work ethic of AD Bau employees is characterised by two major values: obedience to the law and a high motivation to be successful within the limits of the law.

While legal norms do not say anything about the choice of work sites, foreign looking or sounding workers, specifically in connection with visible signs of disorder at a construction site, are the main criterion for choosing work-sites. We concluded from our analysis that the emphasis on foreign appearance is linked to institutional structures and a successful orientation of the officers rather than to negative national stereotyping (Cyrus and Vogel, 2002b).

On the other hand, officers in charge as well as superiors maintain the ideology of impartiality, pointing to the ritual of controls in which all workers, foreign as well as German, have to submit to controls. All employees underlined that the real goal is to establish an employer’s guilt. However, considering the whole control regime including its employee-oriented structure, this employer orientation could be considered a myth. Employees embrace this myth by identifying employers as the real culprits.

In their work, they have to balance their motivation to produce results (which are perceived to be best achieved by using foreign stereotypes as a basis for suspicion) and their motivation to prove employer offences. From their point of view, targeting employers that breach labour law is a valid goal that they pursue during their work.

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<sup>4</sup> We did not have access to this file.

- *Identity Processes*

Identity is a multi-faceted concept. The individual is unique, but combines a number of general characteristics he/she shares with many other people; such as, for example, sex, age, colour of skin, place of birth and others. Identity processes involve putting a name to (*Benennung*) one's belonging to a certain group – whether this naming is done by the individual or by others. Individuals in modern societies participate in a number of social circles belonging to different sub-systems and have to integrate conflicting demands into their concept of self (Simmel, 1992). For the purpose of this analysis, we assume that in a research context three layers of identity may emerge as important during interviews:

*Professional identity* – Identifications either with a broad concept like 'belonging to the public service' or a professional occupation with a specific training can be expected because we interviewed people at their workplace about their work.

*National identity* issues were expected to turn up since we were analysing public functions in immigration control. Immigration control is often justified in terms of national interest and the categorisation of desirable and undesirable immigrants is defined along humanitarian lines and economic need, but also in terms of ethnicity.

Under *personal identity* we include concepts of identity relating to the private sphere. For some, the nuclear, or broader, family is the main focus of identification, while others may see themselves principally as sports-people or music-lovers. We assume that the layer of personal identity is more or less salient in every life situation. If it is strong, work is merely seen as a job that provides income.

According to the findings of our case studies, the professional identity of street-level bureaucrats in the German labour authorities can be characterised by two features: first, the self-perception as a member of a public service organisation is a crucial element that influences the implementation of migration control in labour markets; second, a legalistic attitude is the material core of professional conduct.

All respondents emphasised their professionalism. Their most important point of reference was a group of people working very often and face-to-face with one another within one office. The preferred level for dealing with and solving problems was within this social circle. Before approaching distant supervisors, colleagues of the same rank or the immediate supervisor were asked for their input in order to solve intricate cases. During field research we observed that enforcement agents as well as labour certification staff frequently contacted their immediate colleagues or supervisor to address questions and to discuss problems. The culture of informal consultations supported the establishment of autonomy from superiors, enabled effective processing of cases, contributed to the positive office culture and strengthened a sense of belonging to the public service. Such feelings of belonging to the public service demand a particular attitude.

Some statements indicated that officers clearly see themselves as representatives of the state. According to the self-description of labour administration staff, the public service works well if it strictly adheres to laws and regulations. Belonging to the public service means, in the first place, to act lawfully and to promote the respect of law and order. This orientation, linked to the concept of legality, was already stressed by Weber as a key element of rational bureaucracy. Our research confirmed that the ideology of legalism has significant influence on the way officers define themselves and perform their work. Officers express this verbally by insisting that they stick to the letter of the law and by cherishing clear regulations. Respondents underlined that they follow a strictly professional orientation while leaving aside personal preferences.

Employees identified with the overarching institutional mission of labour authorities to protect the labour market and to help reduce unemployment. Public service ideals and institutional aims were deliberately transported into intra-institutional training schemes and further enforced through the division of labour and a system of graded supervision.

However, recent administrative reforms partly challenge the traditional legalistic attitude. By promoting the ideals of efficiency, flexibility and client-orientation, private sector aims are introduced into public service. All respondents were, to a different extent, affected by the claims of the administrative reform 'Labour Office 2000'. Some aspects of these campaigns to promote changes of attitude may be easily adopted across all kinds of public service functions: ensuring quick service and high quality products are easily compatible with public service ideals.

However, the goal of client-orientation, in particular, was received with reservations. The *Z-office staff*, offering a service that lies in between a controlling and a helping mission, found themselves in a dilemma: the implementation of the restrictive regulations inevitably led to the frustration of non-privileged clients. Thus, professional effectivity and a client-orientated approach partly became contradictory goals in the context of work permit applications.

*Employment agents* had no problems with adopting the goal of client-orientation since they regarded their work as a service to the mass of unemployed persons. However, the framework of the reform was perceived to be inadequate. Employment agents sharply criticised the fact that the reform should be implemented without considering the scarce resources available.

Flexibility and client-orientation are more suitable goals for departments that perform tasks similar to private sector tasks. In the case of enforcement, the clients are involuntary. Thus, more than their colleagues from the employment agency and the work permit office, *enforcement agents* often referred to the general public they serve. For example, the head of the control unit declared that he has some difficulty to meet with the persons he has to deal with because he has to check and eventually sanction them.

The professional implementation of public service, to summarise, includes a dilemma between organisational and client centred goals. For the staff of the labour administration, professional identity is mostly built on an adherence to regulations. These interviews are characterized by an absence of the use of 'we', that would refer to closer groups of references (such as, family for instance) or to other social groups (e.g. sports, music, political party, religious affiliation). The dominance of professional identity processes in this work-related field is confirmed by this absence.

The dominance of professional identity also provides an explanation as to why private and national identity issues were hardly visible in our interviews. Labour authority employees consciously constructed and distinguished between identities in the occupational and the private sphere.

In spite of the ideological relevance of national categories in public discourse in Germany, most respondents avoided referring to nationality in its essentialist meaning. Only in a few cases did employees state that they act on behalf of German workers.

Referring to nationality is framed in terms of professional demands and categories and, as it turned out, is a descriptive designation related to professional demands. Referring to nationality is used as a descriptive instrument to improve service and to be more effective. The use of categories of nationality is not, at least in the context of this work, related to pejorative opinions towards members of a national group. Instead of essentialist ethnic or national categories, the staff referred to nationality as a juridical category used to construct boundaries of belonging. The juridical clustering of German and other privileged workers was the key concept directing the work of the labour administration (Bade and Bommers, 2000).

The finding that national categories are used predominantly as a descriptive device does not exclude that individual Labour Authority employees adhere to an essentialist perception of nationality. It only indicates that ethnic stereotyping is not part of the office culture. On the other hand, the description of enforcement practices shows that outward appearance and language are used to get an idea of the legal status of a person.

## *Greece*

### *Implementation Processes and Organizational Cultures*

This report on the issue of implementation mainly examines which officers responsible for immigrants' welfare actually think about the immigrants, which structures and cultural

perspectives officers hold, and how (i.e., in terms of mechanisms) they organize their practices.

Officials, as both actors and 'members' of control institutions, practice the regulation of immigrants in the Athenian labour market through a number of processes and social mechanisms. These, as Weber would argue, have a meaning for both officials and institutions, that is, are seen as both sensible and legitimate in the eyes of officials, and even more so in the eyes of the public who uses their services. In this sense, the Greek administrator not only has to practice control, but also to derive meaning from it, after which they can explain their role inside the organisation. However, unlike, considering the practice of immigration control as something that derives from a straight line of causation between organisations and the authority of officials, this study starts from a different understanding. The organisational culture of immigration control is viewed here as something not given, but, rather under construction. The building up of control practices is not something that exists prior to formal or informal activities and relations, but is, rather, a culture in the making. This is to emphasise the importance of building consent, which then leads to reinforce the authority and legitimation of control practices. This building of consent is very important for administrators and their control practices because it provides them with a cultural instrument of stability and self-preservation that empowers them and gives them a claim to exercise real power. By referring, therefore, to legitimation and the meanings officials attach to control, one cannot fail to discuss issues of personal profile, hiring, and selection processes prior to the actual practice of control within the immigrant population. Bringing officials and institutions of control closer, however, does not allow one to assume that the two have the same interests or that ordinary civil servants one day turned into controllers by integrating the values and goals of the organisations they now work for. Consenting to the new values of control is a process not free from conflicting strategies between officials, institutions and the government, and from contradictory practices that problematise the implementation of official-formal policy measures.

In the Greek context of administration, issues of conflict and contradiction are usually handled through informal practices of employment where institutions 'search' for the 'right' employees through a pool of reserve workers that seem to 'match' the informal criteria. These criteria have to do both with the policies of the government and also the internal stability of the organisations. The Greek government is interested in appointing high-ranking officials to sensitive positions for the control and implementation of government policies. Managerial and party-political criteria are often used, having very little to do with the direct control of the immigrant population, but more with the control of public officials. In the second case, stability within public-state organisations in particular is ensured through the selection and hiring of officials who are directly responsible for the control of immigrants, and are also under the responsibility of middle-level administrators. Contrary to the official line for the hiring of public employees from the pool of graduates of the School of Public Administration, low-ranking officials are usually hired from within the civil-service or from a pool of college/university graduates, or young unemployed high-school trainees. Middle-level administrative officers, as was

revealed through the research, select and hire their subordinates based on whether or not a particular official is seen to endanger the social status and hierarchies of the existing members of the organisation. This is usually achieved through an internal market of labour that promotes the interests (i.e. political and financial) of a given department.

The 'story' of the labour control of migrants, as the Greek case reveals, goes through those offices and state or voluntary organisations responsible for the allocation of immigrants in the Greek labour market. To unveil this story of immigration control, which is under construction, the analysis here will concentrate upon those formal and informal practices administrators follow in order to control the labour presence of immigrants in the Greek labour market. At the outset, these formal and informal practices often appear as two separate and clearly demarcated issues that few interviewees would even admit exist in the same office under the auspices of the same organisation. The Greek model of welfare administration and, in particular, those offices responsible for implementing labour control policies (i.e., work/residence permits) show that there is an intermixing of formal written and informal codes of practice, often resulting in what is described below as a 'flexible system of bureaucracy'. In the case of immigration control, the composition of organisational structures and administrative cultures dealing with migrants are negotiated through a complex network of authoritarian, often racist, quasi-personalized and highly politicised work environments. Traditional values are often mixed with neo-liberal welfare values, constructing a process through which migrants are categorized and allocated to different segments of the labour market.

This above mentioned complex network of administrative practices is revealed through two issues: the structure and the culture of immigration control. Both are linked together through the designated objectives set by the organisation and the shared social or rather political operationalisation of these objectives by officials.

The set up of organisational structure and culture in relation to the labour control of migrants is based upon small state or voluntary departments with no more than four or five officials. The majority of these officials in the study were hired on a two-year or eleven-month contract, and, as it was analysed in the previous section, these officials have little or no training in how to 'handle' welfare cases, and especially migrants' labour applications.

These small departments process between twenty-five to seventy applications for work/residence permits or applications that may lead to the so-called temporary visa or Green Cards on a daily basis.

In relation to the organizational culture that permeates officers' everyday practices, it is important to note that organizations and individual officers are both involved in a strategy which, on the one hand, promotes entrepreneurial management, and, on the other, *shields* them against the risks of the market economy. Through the manufacturing of ideas and responses towards immigrants, officials present us with their reality, which is capable both of organising a sense of purpose and pride and also the specific role officers play in the

process of implementation. It is also to remind the government and Greek society as a whole that the implementation of immigration policies in a flexible economy depends on the part played by individual actors. This is the second issue, and, in most interviews the actors involved have reminded us, in their own ways, that the flexibilisation of the market economy constitutes both a challenge and a chance to become active players. They act as controllers of the new order and as government -entrepreneurs of the labour market.

The initial sections of the analysis above have concentrated on what has here been referred to as organisational culture. The making of an organisational culture is presented as a complex network of processes involving structural and cultural negotiations between officers and institutions. Internal labour -markets, the division of labour, the external -local environment, are all major contributors towards the building of an organisational culture. They seem to be responsive towards a market philosophy of welfare services, and, in particular, immigration labour control, and also seem to be dependent upon a personalised understanding of bureaucratic rules and the 'need' to implement immigration control policies. In order to do their 'job', to regulate the flow of immigrants into Greece and to allocate resources and 'foreign' labourers into the Greek economy, officers depend heavily on their social and economic interaction with the organisation they belong to and the local markets. Different kinds of personal, party and financial incentives seem to motivate officials' behaviour to implement discriminatory and racist policies, which, in their opinion, safeguard Greek society against an incoming foreign 'threat'. This is the moment in the analysis when the issue of consent becomes central. For Greek administrative officers the issue is not whether or not they work efficiently, or whether they follow the letter of the law, but, rather, why they take part in immigration control at all. An answer to this will eventually provide an answer to the question of whether or not and why implementation policies matter.

The analysis of organisational culture and, in particular, the role played by consent, has lead directly to the second issue that is being discussed here: that of identity processes. In the sections that examined national, professional and personal images of the self and others, one recognizes the importance that such processes play in the interaction between officers and immigrant -clients.

According to the government, this welfare management aims at increasing Greece's integration with global and European financial and political alliances, and doing everything possible through restructuring and deregulation so as to achieve the first aim. Thus, according to the views of the government, welfare management constitutes a kind of internal control mechanism based upon a new set of values, activities and technical systems. These are, in a sense, designed to bring together traditional and new practices and to allow individual administrators to maximize their potential and to act according to mutual (i.e., individual-market) interests.

Administrative officers, according to the views of the government, are not only 'called' by global market changes to safeguard citizens' interests, but also to steer their own market energies so as to adapt personal work to productivity demands and to a system of flexible

market changes. For the government, immigrant labour presents a major chance for welfare organisations and for employees. This chance is to integrate 'foreign' labour into the system of the flexible economy. At the same time, an administrative management that is open to labour market changes and shifting values concerning the use of immigrant labour is thought to be central to Greece's transformation. If the above represents the government's intentions, it follows that welfare officers' work occupies a central role in Greece's economic and political transition. Immigration control constitutes the development of a 'mode of thinking' in progress, and, for its establishment, it has to rely heavily on the professional, personal and class-ethnic alliances officers hold with their organisations and with their 'clients'.

The notion of the welfare control of immigrants, as it has been shown earlier, is based upon a new corpus of administrative regulation that brings together traditional (i.e., party clientelism) and market practices and bureaucratic and personal interests. This notion of control rests on the employee's understanding and ideological agreement that socio-economic progress depends on the personal initiatives officers take for the implementation of market objectives. In addition, officers together with the executive administrators of their welfare organisations have the 'duty' to create a new 'yardstick' according to which they could 'measure' the 'extent and results of their work'.

According to the 'manifesto' of the government, the adaptation of Greece to global capitalist regulation could only be achieved if employees and public organisations (i.e., such as IKA or OAED) adopt a new set of work criteria. These criteria include: the individual's participation and personal involvement in the remodernisation of the country, the development of an appraisal system of individual competitiveness, and the development of systems that safeguard the interests of local and global labour markets through adaptation.

Greece's transition has unleashed new paths of regulation and together new dilemmas for welfare officers concerning the 'how, why and what' of controlling welfare services. In particular, managing the immigrant labour force is seen as a 'test' to prove how far organisations and staff members adapt to national and global economic challenges – as these are understood by both officers and the government. Through the implementation of immigration control, both the government and organisations (i.e., both public and of a welfare orientation) actually observe not only how far immigrants are regulated, but also how far employees respond to new market demands. Both the issue of immigration and of the implementation of immigration policies seem to be tied together by a system of administrative regulation that stresses the importance of personal administrative involvement in the implementation of policies. However, as it will be soon discovered through an analysis of the interviews, officer's implementation practices and the Greek government's policies are not linked in a linear fashion. The two seem to respond to wider cultural and economic initiatives taken at a global and local level, and, in the case of officials' immigration control practices, seems to reflect a response on their part concerning how they perceive the transformation. Their perceptions certainly guide implementation practices, but not as the government would have wished them to.

For the above reasons, this section will concentrate on the identity processes of welfare officers mainly from social security and manpower organisations. The analysis will focus on national, professional and personal identities; that is, the life-narratives of officers concerning how they construct their 'community' and membership in relation to immigrant labourers and immigration in general in Greece. Furthermore, the analysis will concentrate on how welfare officers from the two above organisations view their work and how they 'discover' themselves in relation to immigrants. Personal identity is examined in combination with professional identity; an important task because this research has shown that both contribute to an officers' understanding of his everyday work. It should be noted, however, that the analytical emphasis is on the process of identity-formation and therefore the national, professional and personal identities of welfare officers are observed as they are being constructed, dissolved and reconstructed, according to human relationships and social activity. Parts of these relationships and social activities have been analysed in the previous sections, which demonstrated an understanding of the ways organisational culture among officers, different organisations and departments is produced.

In the section that follows, aspects of identity are analysed separately for practical reasons and in no way represent three distinguished aspects of identity. In fact, one's sense of identity in real life resembles more a series of 'episodes' and reflections of circumstances and events and any ordering of these is important for the 'viewer' rather than the 'protagonist'. All three aspects of identity are usually combined, but they are distinguished here in order to highlight the different understandings officers have of themselves and others.

These three aspects of identity are examined in order to see how far and in what ways the implementation of control policies on immigrants is influenced by the perceptions welfare officers have of this group of people. In particular, the hypothesis according to the IAPASIS project is that these perceptions are partly influenced by the socio-economic status of immigrants in Greece, the way(s) officers perceive of Greece as a country of immigration, and the access of immigrants to civil and economic rights.

In the case of Greece, both are thought to be influenced by certain factors such as: ethnic-national identity, work/professional issues, issues of personal development and the self-image of officers. The latter, personal identity, is seen here as a relational aspect of officers' understandings of their role in Greek society, which is a by-product of national and professional identity. The main goal of this section is to analyse identity processes among officers that lead to the classification of immigrants and their allocation in Greek society and the local labour markets. Both are thought to determine the implementation of immigration policies, the relationships between officers and immigrants, and the relationship between different agencies of immigration control. However, all three aspects of identity, as it will be shown, provide a cultural perspective on how officers come to define immigrants in Greece in a particular way, and how they relate themselves to the implementation of immigration control policies. The last part of this section's analysis

concentrates on the micro-practices of officers' control of immigrants and how they discriminate against certain categories of immigrant labourers.

Throughout the analysis on national identity processes, one is reminded of the importance of the hierarchy values present in a society undergoing rapid modernisation and exposed to global-local economic changes. Change, mobility and adaptability together with the role of local communities are almost 'part and parcel' of the flexibilisation of the Greek economy. More than anything, officials categorise and allocate resources and immigrant labourers within the Greek economy according to their understanding of how they see themselves and their in-group affiliations. This becomes even clearer in the sections concerned with the analysis of the 'professional' and personal identities of officers. In the new economy, officials strive to create a body of knowledge and a degree of autonomy that will allow them to take active part in and will legitimise their role in the country's market economy. The definitions of the immigrant-client is, for officers, something more than a rational definition. It is a means to establish their role and to impose their ideas on reality concerning how the new economy should be organised. This is the central tenet of the last part of the analysis -- the personal identity process. At the head of the IKA and OAED desks, the officer implements his/her social policies on immigrants, sometimes in line with the rules of the organisation, most of the time independently or even antithetical to those rules. Whatever the case, the official, through his/her interpretation of policies and ideas of social classification, is a reminder of not what is legal, but rather what the customary framework for the preset implementation of immigration control policies is. In addition, he/she is a reminder of why this customary framework must be followed and what the new role of welfare administrators in the new economy should be.

### *Italy*

This section summarises our findings on discretionary practices concerning the issue and renewal of stay permits for work purposes (*permessi di soggiorno per motivi di lavoro*) in Italy. Discretionary practices are considered an integral part of all public policy implementation processes, since policy objectives can never be carried out 'according to the book'. Therefore, the focus of this analysis will be on what type of discretion is exercised in the implementation of immigration policy and for what purposes.

We shall distinguish here between formal and informal discretion. Formal discretionary practices are foreseen, or, at least allowed, by the law, administrative provisions or internal service rules because of the incompleteness and flexible nature of policy design. These may include prioritisation of tasks, request for further resources, or allowed exemptions. Informal discretionary practices are developed through daily routines and may run against the formal legal provisions. They may take the form of improvisation, innovation or even favouritism.

The case study undertaken will highlight the links between, on the one hand, the specific practices of discretion and, on the other hand, the organisational culture of the agencies

studied or the identity processes activated by public employees during their daily work. Over recent decades, organisational culture has acquired an increasingly prominent role in the study of corporate organisations. Researchers in business administration and industrial sociology have paid attention to the role played by culture as a sense-making mechanism, as a set of symbols, myths and rituals, or have studied organisations as cultures in themselves (Cini, 2000; Wright, 1994). Concerning public administration, the study of organisational culture is, however, less well established. The importance of shared norms, values or assumptions in understanding how public services function has been underestimated. This research tries to fill this gap.

For reasons of limited space, we shall not review here the background to immigration policy implementation in Italy, nor shall we present in detail the policy provisions discussed. An extensive discussion of these issues and of the main organisational culture features of the Florence Foreigners Office (FO) can be found in Triandafyllidou and Veikou (2001). Our main concern here is to highlight the ways in which specific elements of the FO organisational culture and the personal, professional and national identities of its employees influence the micro-level of immigration policy implementation.

In Italy, work permits do not exist separately from stay permits. Foreigners (non-EU nationals) are allowed entry to the country for specific reasons, one of which is employment. One of the main objectives of Italian immigration policy is thus to regulate foreign labour. This is achieved by applying annual quotas that are set at the national level and further specified regionally in collaboration with regional authorities. Within these quotas, a number of permits are set aside for nationals from specific countries (i.e., Morocco, Albania) with which Italy has signed bilateral agreements. Although the need for foreign workers in some sectors (i.e., seasonal agricultural labour in Southern Italy, industrial low-skilled jobs in the North-East or private care providers and housekeepers throughout the country) is recognised by both Italian authorities and researchers, annual caps do not include sector-specific quotas.

The extent to which the current immigration policy has been successful in regulating migration and more particularly immigrant participation in the labour market is debatable. Earlier studies (notably Reyneri 1998) have shown that work in the informal economy is widely engaged in by immigrants and this prevents them from maintaining a regular status. However, the blame for this situation lies with the overall economic structure of Italy and its large underground economy. The focus of this study is not on accounting for the successes or failures of Italian policy regulating immigrant labour, but rather on achieving a better understanding of the institutional and cultural mechanisms that lie behind it.

Labour market control is of great importance in immigration policy in Italy and generally in Europe. Work opportunities form the main 'push' and 'pull' factors for population movements towards European Union countries. Although vociferously accused by the media and politicians for many of the evils of Italian society (Censis, 2002; Ter Wal, 1996, 2000, 2002; Triandafyllidou, 2001), immigrants have been shown to make an important contribution to the national economy, albeit mainly in the informal sector (Reyneri, 1998;

Reyneri *et al.*, 1999). The interests and power dynamics involved in the employment of immigrants -- including small and medium businesses' need for immigrant labour, the interest of households for cheap childcare and assistance for the elderly, the demand for informal labour by artisan workshops, and the power of migration networks -- all form a tangled web of economic and social relations. Disentangling this web goes beyond the scope of this study. However, the power relations between immigrants, employers and institutional agencies will be taken into account in the analysis of the organisational culture and identity processes that influence the daily routines of Italian 'street -level bureaucrats' (Lipsky, 1980).

The issue and renewal of stay permits for work purposes provides fruitful ground for research because, although regulated by a core set of legal and administrative directives, these bureaucratic processes offer room for loopholes where legal provisions are subject to interpretation and decisions based on realistic compromise or favouritism. Because the study covers the years 1999-2001, a period of significant administrative change in Italy, it allows us to examine how the new standards of efficient and fair administration are developed and negotiated in the daily practices of institutions and individual employees against the background of the pre-existing organisational culture.

- *The Case Study*

The case study undertaken in the context of the IAPASIS project concentrates on the Foreigners' Office (FO) of the Florence Police Headquarters. Florence was selected as a suitable case because it is among Italy's ten largest cities (the Florence metropolitan area has around 600,000 inhabitants), it is a regional capital (of Tuscany) and it has a strong economy based on tourism, garment and leather factories, trade, services and agriculture. Tuscany and Florence have attracted a large number of immigrants during the past decade. In 1999, Tuscany accounted for nearly 90,000 stay permits, of which over 50,000 were issued in Florence. In the same year, there were 1.2 million legal immigrants present in Italy, to which should be added an estimated 200,000 undocumented immigrants. Leaving aside undocumented migration, Tuscany accounted for 8 per cent of the country's total legal immigrant population while roughly one out of 10 inhabitants in Florence was an immigrant. In brief, Florence presents a suitable case study in that it is a large urban centre, capital of a region, with a sizeable immigrant population, without however representing an exceptional case as Rome and Milan do.

- *Research Design*

This study adopts an ethnographic approach combining methods and data from a variety of sources. Data have been collected through participant observation and qualitative interviews, from statistics, policy documents available in print and on the Internet, grey literature (internal reports of agencies) and the daily press. These different types of data were integrated into a qualitative research design with a triple goal: first, to provide for a

'thick' description of the organisational culture of the Florence FO; second, to analyse how the specific features of this organisational culture are reproduced at the micro -level of implementation, namely the processing of applications for issue or renewal of stay permits for work purposes; and, third, to investigate the identity processes involved in this micro - implementation context.

- *The Fieldwork*

The work was organised into five phases: mapping the research field, conducting interviews and participant observation; collecting additional material, transcribing interviews and typing participant observation notes; and indexing and analysing the transcripts and other data.

Contacts were taken with the *Questura* and the Foreigners' Office in particular, the Prefecture, the Provincial Labour Office and its various branches (labour policy, labour inspection and local employment offices). In total, six interviews and three days of participant observation were conducted with Labour Office employees in various branches, one interview was conducted with a Prefecture employee and six interviews with FO agents. Participant observation in the FO took place in the summer and fall of 2000 in periods of two or three days each time. A total of 12 further interviews were conducted with NGO and trade union representatives, and a discussion with a group of immigrants in a municipal hostel operated by an NGO in the periphery of Florence was taped. Additionally, three lawyers encountered during participant observation in the FO (they were there representing their immigrant clients) were interviewed.

Interviews were qualitative in nature, loosely structured around a set of themes (see Table 1) discussed with each informant. The wording of the questions and their sequence followed the flow of the interview itself and not a pre-defined order. During the fieldwork, a number of policy documents -- copies of laws or administrative circulars -- and information material issued by statutory agencies and NGOs was collected.

**Table 1.** *Themes for Structuring the Interviews*

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- Task of the organisation with regard to immigration
  - Individual tasks of the interviewee: which part of the above tasks do you implement?
  - A typical example of their work
  - Co-operation with other agents (both form and content of co -operation)
  - With which immigrants they mostly deal with
  - Legal documents, which sort of other guidance for the job
  - Where is discretion
  - How is it exercised
  - Effect for policy outcomes
  - Why immigrants come to Italy (in their opinion)
  - Describe the procedure followed in a typical case
-

- 
- Which cases are the most difficult/easy ones
  - Organisation: hierarchy
  - Resources: staff, workload, number of cases
  - Work pressure: long hours, shifts, stress; how do they cope with large workload and stress
  - How they feel in cases of sending clients away without having served them due to lack of resources or not meeting criteria for service/permission
- 

- *Assessing the Impact of Organisational Culture on Policy Implementation*

The analysis of daily practices in the processing of stay/work permit applications has to take into account certain intertwined features of administrative action in Italy. Among these, it is worth noting the distinction between national, regional and local level in the implementation of immigration laws, and the lack of continuity in immigration policy -- legal provisions are periodically attuned to changes in policy and society, but this is done in a piecemeal fashion. The discrepancies and often contradictions between laws, decrees or circulars contrast with the need to deal with immigration in a cohesive long-term perspective. Further difficulties are due to the importance of local, often *contra legem*, practices motivated by political party interests, economic interests or personal deviant conduct that is tolerated in the public service.

In the analysis of discretionary practices and unintended outcomes in the FO, I shall consider these systemic, institutional features of Italian public administration and immigration policy and also the specific features of the organisational culture discussed in the previous section. The analysis is based not only on the information collected at the FO about its activities but also on data (interviews, participant observation, documents, newspaper articles) collected from additional sources (other statutory agencies, NGOs, immigrant associations, newspaper databases). I shall speak of 'unintended' rather than 'distorted' outcomes of the policy. The notion of 'distortion' implies that there is a standard against which 'distortion' can be measured. However, the assumption of such a standard of pure, formal implementation of a policy measure, precisely as it is laid out in the law or in an administrative circular, is a fiction. It would thus risk disorienting and hence 'distorting' (sic) the analysis rather than contribute to its clarity.

Even the concept of unintended outcomes needs some clarification. Establishing what constitutes an unintended outcome in the practice of the Foreigners' Office is subject to peculiar difficulties of appraisal. Where the aims of the law call for an easily identified, readily measured assessment of goals in practice, the actual office activity signals a set of slightly divergent goals. The official objectives of processing permit applications quickly and efficiently, ensuring equality of treatment to the clients and with a spirit of public service, were complemented by a number of secondary goals developed in organisational practice. These included 'sending people away' so that the work appears to be processed quickly while in reality little may actually be accomplished, or a compassionate attitude and humane treatment of the clients, which may go beyond the FO agents' formal duty. I

will treat these secondary, informal goals as discretionary practices and will check their links with specific features of the organisational culture of the FO and/or identity issues.

The organisational culture of the Florence FO combined elements of rigidity and traditional hierarchical administrative organisation with new features of flexibility and user-friendly orientation. Although tasks and relations in the office were organised according to a formal hierarchical system and to a large extent followed ritualised patterns, flexible reorganisation of the daily workloads and a certain degree of individual autonomy were also part of the FO's culture. Behaviour towards clients, although formally conforming to the official goals of objective and expeditious application of the law, was also guided by shared representations of the immigrants as a 'weak' and 'needy' client constituency. The efficiency requirement was often re-interpreted as 'organised philanthropy' and equal treatment of clients was replaced by a 'humane' understanding and prioritisation of individual cases.

Overall, the organisation culture of the FO was characterised by two main features. The first is a concern with efficiency. The second is a high awareness of the power relations between FO agents (lower or middle rank), who were in 'their' country and were empowered by the law to offer a public service, and immigrant clients, who were foreigners in a country 'not their own' and in need of the service provided by the FO. This uneven power relationship and the goal of efficiency were further modified by the high-ranking officers who, on the one hand, required the quick processing of applications, but on the other hand, allowed for a rather high degree of autonomy in the low-ranking agents' routine work. The FO environment adhered to a powerful mix of norms privileging the quick flexible application of the law (high output), allowing favouritism, encouraging face-saving tactics, and ultimately neglecting whether daily implementation practices eventually achieved the official aims of the policy.

- *Issues of Transparency and Accountability*

Both low- and high-rank FO agents paid lip service to the importance of being open to the public, treating all clients equally and efficiently. Neither was in reality concerned with transparency or accountability, however, unless they worried that their inefficiency or secrecy might attract negative media attention.

- *Interpreting the Law*

The practices adopted by the FO agents during the permit determination process -- i.e., checking the legal basis for a specific type of permit, the fulfilment of the requirements as proven by relevant documents and the procedural norms followed during this process -- involved both formal and informal discretion. There was reliance upon the internal office hierarchy to define 'how things work' and employees applied decisions made by their superiors.

There were certain acts commonly accepted and applied throughout the office, which were not fully in conformity with the law. Even though the FO agents working at the counters generally affirmed that in handling a case they were determined to apply the law as exactly as possible, they also stated that part of their job was to appreciate the difficult circumstances of the applicants and avoid unnecessary hardship.

A certain degree of discretion and personal judgement is inherent in the work of street-level bureaucrats like the police agents employed at the Florence FO. Immigration policy directives in Italy, just like any other public policy in any country, could not provide for the complex individual cases that FO agents and Employment Office employees had to resolve. Thus, a certain level of formal discretion was applied in the effort to facilitate the implementation of the law and process the permits expeditiously. This type of discretion was usually exercised to satisfy the clients' requests within a situation of constrained FO resources and uncertainty over policy directives. On one occasion, feedback from the micro-level of implementation led to the amendment of the formal framework, allowing for immigrants that were legally present in Italy to apply for stay permits. A relative freedom in interpreting the law may be related to the local or provincial autonomy of the FOs and the various branches of Provincial Employment Offices across Italy.

- *Daily Work Routines: Informal Discretion and Favouritism*

Discretionary practices can more readily be located in the daily work routine of the FO. First and foremost, despite the 'public mission' talk of the interviewees, the FO had 'gatekeepers'. There were three levels of control before accessing the counters. First, security guards at the entrance of the *Questura* headquarters required identification documents. Second, there was a reception desk where one had to state the particular office one wanted to visit. And third, the FO agent who operated the reception desk within the FO premises, in the waiting room, 'screened' clients further. Thus, there were multiple controls of the comings and goings of immigrants or other clients. The reception desk in particular had several functions. It managed the flow of applicants to the counters by filtering the applicants and asking them to return on another day if they did not have, at first glance, the necessary documents. It also checked the type of stay permit they sought and provided them with the relevant forms and instructions.

To fully understand workplace behaviour we need to take into consideration the practical autonomy that low-rank agents have in conducting their everyday tasks. Individual agents, despite hierarchy and division of tasks, sustained their autonomous effort with the goal to 'accomplish tasks'. Many respondents in one way or another mentioned: 'Take initiative and see that everything gets done'. Task accomplishment served as a guideline for work behaviour.

Flexibility in the organisation of tasks which, according to our FO informants, aimed at efficiency, was experienced and interpreted in different terms by the users. As the lawyers

we interviewed reported, everything depended on 'who [which agent] is there in that moment'. Personal contacts in this context were of the utmost importance.

Since some of the employees perceived their duties to include providing a social service for the whole community, they showed an attitude of 'organised philanthropy' towards the immigrants. Informal discretion was observed here too. The following account is typical of this type of behaviour:

From my own experience of eight years in the FO, I have always tried, obviously within the terms provided for by the law, I have tried to help the person because if a foreigner arrives who, for instance, has an emergency that is documented, it is normal, well, an effort is made to meet her/his needs.

The 'organised philanthropy' attitude had important implications for routine daily practice. According to the law, the stay permit for work purposes must be issued within 30 days from when the application is filed. In practice this rule was not respected in the Florence FO because of excessive workloads, according to our interviewees. However, priority was often given to urgent cases. This practice was reported and widely accepted as 'good' and 'reasonable' by trade union representatives, who also explained that they occasionally interfered to achieve such preferential treatment for some applicants. The judgement of the emergency was negotiated between the trade union or lawyer of the immigrant and the FO agent, and eventually was left to the individual agent to decide.

This practice leaves ample room for preferential treatment. We observed many 'priority' cases, either out of the 'humanitarian' concern of the police agent or because the applicant or somebody accompanying him/her was personally acquainted with one or more of the FO agents. This practice is also likely to obstruct co-ordination with the other agencies involved in the issuing or renewal of work permits, as was seen in the accounts provided by the Employment Office employees.

Discretionary practices also took the form of extensive routinisation, most likely to occur when the work was particularly stressful because of a large number of applicants waiting their turn and lack of personnel on the particular day. Routine practices for dealing with such stressful situations while maintaining apparent efficiency ('sending people away') included ignoring problems, or putting problems 'under consideration' or on hold; invoking slow procedures to stifle possible conflict, or looking for satisfactory solutions; appealing to formal office rules as a source of conflict resolution; or accommodating a request as an on the spot problem-solving strategy. Such routine practices led to relative carelessness, uneven application of the law and, thus, unintended outcomes. Nonetheless, unintended outcomes were rationalised as unavoidable, inherent in the law itself and as an opportunity to learn from one's mistakes.

In conclusion, the main feature of the daily routine practices in the FO was the large discrepancy between what was said and what was done. The discourse of the FO agents differed from their actions in many observable ways. What was reported to be an equal, standardised, lawful and understanding interaction with the clients with the aim of processing their requests fairly but also efficiently so as to avoid them unnecessary

hardship, was in reality a highly personalised, unequal, at times random and partly unlawful application of the law where consideration of the applicants' requests and hardship varied significantly, depending mostly on the personal informal relationship between FO agent and client than on any standard procedures and rules. The provisions of the law guided the issuing of the permits; however, their application was at best selective, at worst discriminatory. To put it bluntly, the main routine that characterised implementation at this level was personal and informal contacts between service-providers and users. It is worth noting that both formal and informal discretion practices were sometimes adopted to help immigrants obtain their papers.

Our findings suggest that the combination of a hierarchical and rigid organisation of the service with informal relations and flexible collaboration between agents of similar rank leaves significant room for practical autonomy in the accomplishment of daily tasks. Furthermore, while efficiency was defined as the FO's first and foremost goal, its meaning remained ambivalent. The contrasted tendencies arising from, on the one hand, a traditional bureaucratic culture of public security, red tape and mistrust towards (immigrant) clients and, on the other hand, a newly introduced culture of management, flexibility and accountability led to a fake efficiency: many clients were simply 'sent away' without having had their requests answered while some received a favourable treatment through informal channels.

Lipsky (1980) argues that routinisation in the work of street-level bureaucrats ration services and thus serves the interest of the agencies in reducing the size of their clientele. Routinisation was also seen to provide a legitimate excuse for not dealing flexibly with the client's situation, or considering its human dimension. Partly in contrast to Lipsky's arguments, the FO routine practices ranged from a situation of absolute bureaucratic unresponsiveness to full human flexibility. Excessive routinisation in one instance was replaced by a full appreciation of the individual case of another client and an incentive to apply agency to resolve the problem. In my view, this situation is typical of the internal conflict of the Italian administration: the newly introduced value of efficiency has emphasised the agency's objective that clients be processed expeditiously. FO agents, however, partly continue to follow the 'old' practices of interpersonal relations and clientelism. These practices provide for more autonomy and offer higher rewards (emotive, monetary and also in terms of power). The practices observed reflected this underlying conflict between different values and goals inherent in the FO's fragmented organisational culture. They ultimately undermined both efficiency and responsiveness to clients because they introduced a system of inequality and unpredictability in the public administration.

- *Defining the Immigrant as 'Client'*

Among the most common remarks of the FO agents was that since their work schedule was tight and intense, in practice it was difficult for them to recognise and understand the diversity and range of experiences that immigrants brought with them, including different

social and cultural norms. Moreover, the operational organisation of the work did not allow for special provisions to facilitate interaction with immigrants.

Daily work was partly guided by taken-for-granted assumptions that FO agents brought with them or developed during their interactions with colleagues and clients. Our interviewees stereotypically referred to the myth of the 'needy immigrant' and would expect that immigrants would be angry with them because of long waiting hours. They emphasised that in their job they must understand the clients' needs and find ways to satisfy these, within the framework of the law naturally. A discrepancy appeared however between the agents' definition of specific situations and the reality of confronting individual immigrants with different characteristics and responses.

FO agents presumed that their immigrant clients were angry. Their presumed anger was deemed to be part of a vicious circle in implementation where limited resources led to poor-quality services and long waiting hours. Clients thus got angry with FO agents who were however unable to break this vicious circle because of a lack of resources. FO agents neglected to consider the practical details of the setting in which the clients waited and the way they were treated at the counter. The setting of the FO office required that immigrants whose turn was approaching waited standing to avoid missing the agent calling their number. Furthermore, they were occasionally asked to sit down if they waited standing near the counters and to be quiet if they talked loudly. The tone of the FO agents in making these observations indicated clearly that they held the power to define appropriate behaviour and require compliance. These practices made part of what Lipsky (1980: 59) identifies as the process of transforming unique individuals into clients, assigned to categories for treatment by bureaucrats.

Our FO interviewees stated that it was their duty to explain 'the law of this country' to foreigners. At the same time, it was assumed that when immigrants argued that they did not understand this was generally out of bad faith because 'they did not *want* to understand' a negative reply. According to our observation, this was often not the case. When applicants insisted and got angry with the FO agent, the latter more often than not then adopted polite, albeit to tally unhelpful, behaviour. They kept repeating their last sentence, the one that was not understood by the immigrant (or that, always according to the immigrant, did not reply to his/her query), excusing themselves and eventually asking the applicant to step aside so that the next person in the queue could be served.

- *Identity Processes*

The analysis of identity processes involved in the daily practices of the FO agents has been organised at three levels: national, professional and personal identity. Professional identity was obviously the most relevant identity dimension, since the study concentrates on the agents' work routines. National identity was also expected to be salient since social and political membership in a national community are issues intrinsic to immigration policy. The personal identity dimension was included to highlight the more personalised accounts

of feelings and views provided by the interviewees that did not directly relate to their national or professional identity.

- *National Identity and Definitions of the 'Foreigner'*

The FO agents interviewed touched upon national identity issues in relation to three main themes: first, their definition of Italy as a 'new immigration country'; second, their definition and perception of 'foreigners' or 'immigrants'; and third, concerning the relationship between immigrants and Italian society.

The main national dimension organising the discourse and behaviour of the FO agents towards immigrants was the very fact that they were foreigners. Although cultural diversity was said to be accepted and awareness of differences between cultures or peoples was said to be high, it was sustained that foreigners had to abide by the laws and customs of Italy. Italian culture had priority over foreign mores. Little attention was paid to national identity as such or to the country's character as a new host country for immigration or even as a national state. This finding does not help assess whether Italian national identity is too secure to be discussed or too weak to matter (Diamante, 1999). National 'purity' did not appear to be an issue for the informants to the extent that it was made clear that immigrants had to integrate into the dominant cultural framework. These findings are in line with the structural position of immigrants in Italy as subjects that are protected by the law but are not part of the in-group. Even though their rights are legally defined and to a certain extent also respected in practice, they remain powerless.

- *Personal Qualities*

The interviewees, both within and outside the FO, often discussed the personality features required to do the job. Some FO agents constructed their own, particular personal-professional identity which involved a number of personal qualities such as 'patience', 'willingness to help and to accommodate people's needs', 'to love one's job' and 'sensitiveness towards other people.' FO agents were thus represented as humane and compassionate people who might have their weaknesses or their 'bad moments' but who loved their work. Their behaviour during the daily routine, their occasional 'explosions' towards clients or, in contrast, their patience, were seen as features of 'all of us, as human beings'. They were not perceived as characteristics to be acquired through job training and/or pre-requisites for the specific job. Special emphasis was put on the fact that '[one] has to like the job, because otherwise one cannot do it.'

- *Professional Identity*

The professional identity of the FO agents was also emphasised through their distancing of themselves from their colleagues at the Prefecture. The Prefecture, like the *Questura*, is

part of the Ministry of the Interior, yet its role is different and the respective employees perceive themselves as following two separate professions and career paths. The 'police identity' of the FO agents was perceived more strongly by their colleague at the Prefecture than by the agents themselves. Naturally every social identity is constituted in interaction and thus both the self-identification with a group and the external categorisation by others of a person as a member of that group are equally important aspects of identity formation.

The FO agents distinguished themselves sharply from lawyers. The latter were deemed to exploit the immigrants while the FO agents were represented as providing a service to immigrants. Interaction between FO agents and lawyers involved two competing identity patterns. The lawyers often tried to build a fellow feeling of 'we, Italians' as opposed to 'them, immigrants'. They expressed their solidarity with and understanding towards the FO agents and their difficult job. But FO agents reacted with expressions such as 'I understand the necessity of each person', 'we understand', 'we try to resolve ... to accommodate but it is not possible', emphasising thus their professional identity as well as their work ethics.

A specific mode of ethics that referred to the 'way things are done' in the FO emerged from the interviews: it included a hard-working attitude, humane treatment of clients, non-discrimination, commitment to one's job and flexibility.

Participant observation and the testimonies of trade union and NGO representatives who work with the FO showed that these professional and work ethics were only partly put into action in daily implementation routines. According to researchers' observations and to the testimonies of trade unions, NGOs and lawyers, flexibility and humane treatment were largely dependent on the individual agent's mood and/or their personal relations with the specific client. The volume of the work was indeed quite high and, as our FO informants stated, the diversity of cases and the constant flow of clients to the counters put significant pressure on them. Emotional reactions to clients when agents felt they 'could not take it any more', although perceived as contrary to their professional ethics as police agents, were acceptable as part of their specific work ethics.

In reality, the work ethics of the FO agents involved an implicit albeit strong component of national identity. More often than not the clients were identified as 'foreigners' and the discourse was structured in terms of 'us/FO agents' and 'them/foreigners'. This, in our view, emphasised the weak position of the immigrant client as a non-member of this national community and, at the same time, strengthened the community-building among FO colleagues.

In conclusion, the professional identity of the FO agents was constructed both through identification with the ingroup (the FO team) and through differentiation from 'Others'. The internal community-building discourse, which included straightforward statements about collegial solidarity and the development of a collegial feeling in the office, was confirmed by our participant observation. Relations between colleagues involved a high degree of intimacy and complicity, especially when 'Others', like immigrant clients (or

researchers), were present. But also when we observed the interaction between FO agents from a distance, sitting together with clients in the waiting area, their behaviour expressed an informal collegial spirit.

- *The Role of Identity Processes in Daily Implementation Routines*

Our study of the identity processes framing interaction between FO agents and immigrants and thus influencing the micro-processes of policy implementation has revealed interesting patterns. Although national identity as such was not brought up as a dimension framing and structuring the relationship between street-level bureaucrats and clients, it remained salient in various implicit ways. In conformity with the immigrants' structural position in Italian society as holders of limited rights and non-members of the political community, the FO agents emphasised the 'foreignness' of their clientele. Regional or local identities were not referred to either in the discourse or in the behaviour of the FO agents, despite Italians' tendency to identify with their region or locality of residence. In fact, regional or local identity is not salient in an international context where clients come from different countries and even continents.

Professional identity, as hypothesised, was important for our informants and played a significant part in their interaction with immigrants. It was built in different ways and by reference to various outgroups. The FO's distinctiveness was emphasised through contrast with other public security forces, police offices and lawyers. It was intertwined with a specific work ethic of hard work, humanity and public service which, however, proved to be more a question of paying lip-service to these norms rather than actually putting them into practice. The work ethics of the FO were based on humanity, but in a different way than that advocated in the interviews: FO agents perceived themselves and immigrants as human beings engaging in an individual interaction. Although they were aware of their institutional role, this appeared to be of secondary importance in determining their behaviour at work as well as their appreciation of clients' requests or needs. They regarded it as normal that both themselves and immigrants might be upset and behave in improper ways as a result of pressure put upon them by their respective roles and situations: the former because of their high workloads and the latter because of the hardship they had endured.

Similarly, their decisions were partly guided by their individual, humane judgement of their clients' situation and claims. Putting procedural rules aside, they justified their decisions to give priority to some cases over others or to help solve specific clients' problems in terms of 'human need', 'compassion' and 'understanding' -- of which they were the individual and absolute judges. Our other sources of data have shown that prioritisation and improvisation in the daily work routines was also, and perhaps primarily, related to personal acquaintance with clients or outright favouritism. Discretion was thus exercised informally, even where it was not required, because of the vagueness or deficiencies of the policy provisions. This discretion appeared to serve the personal needs and interests of the FO agents. It increased their autonomy in their daily routines, offered them satisfaction

when they felt they made a difference to their (selected) clients' lives, and reflected personal sympathies or antipathies, in open contrast to the norms of impersonal, modern bureaucracies. Although some of these features of street-level bureaucracy behaviour have been identified by Lipsky (1980), such a personalised and unaccountable pattern of implementers' behaviour may, in my view, be explained only in relation to the clientelistic culture that has for so long pervaded Italian administration and the perception of clients as partly illegitimate because they are foreigners.

The FO agents' understanding of their clients' reactions was also based on the clients' 'human nature' and their emotions. Hence, the immigrants' difficulty in understanding what they were told was interpreted as an unwillingness to understand or a refusal to accept something that was unfavourable to them. Their reactions, both positive and negative, were interpreted as a question of temperament. This temperament, as a psychological predisposition, was not directly related to the immigrants' nationality. Nonetheless, clients and their patterns of behaviour were categorised in relation to their countries of origin. In synthesis, this categorisation was subsumed under the two more salient categories that structured interaction in the FO office: 'we are all human beings', and 'they are foreigners'.

These two contrasted identity levels organising the informal codes of practice in the FO had a negative impact on its efficiency and on the quality of service received by the immigrant clients. Their categorisation as 'foreigners' implicitly delegitimised their position because as non-citizens they were seen to be in an unfavourable position. FO agents perceived this 'weakness' to be 'natural' and 'intrinsic' to the status of an immigrant. This view provided for an implicit justification of the difficulties that immigrants faced in dealing with the FO or other public services. On the other hand, the common categorisation of both FO agents and clients as 'human beings' justified the lack of standardisation in the service provided, the 'mistakes' that occurred, and the misunderstandings. The fact that the FO agents held power over their fellow human beings, the immigrants, was thus overlooked and neutralised.

In conclusion, these findings show, first, that national identity is an important factor that influences the process of implementation of immigration policy provisions, albeit in ways that do not immediately reflect the specific features of the host nation's identity. The important element is that immigrants are not members of the national community. The precise content of the national culture and the ways in which immigrant cultures differ from it appear to be less salient. Second, professional identity and the normative dimensions attached to it play an important part in the implementation process and reflect particular national administrative traditions. Thus, the contradiction between the old administrative culture of red tape and inefficiency that has been well-documented in scholarly research on Italy, and the new culture of efficiency and flexibility introduced by recent governments, was apparent in the issue and renewal of stay permits for work purposes. The lip-service paid to efficiency, hard work and non-discrimination was matched with a set of informal, personalised patterns of behaviour. Efficiency was thus replaced by a fiction of efficient processing in which many clients come and go from the

FO offices without however having their requests properly sorted out (high output but low outcome). At the same time, those with the necessary social capital manage to obtain their service in a truly efficient manner.

- *Concluding Remarks*

The above analysis raises very important issues about the process of policy implementation with regard to the issuing of stay and work permits by the Foreigners' Office in Florence and possibly in FOs across Italy. We have argued that culture is relevant to the functioning of organisational processes as it validates norms and values and guides the definition and achievement of goals and outcomes. Although this case study refers to a single office in a specific Italian city, it makes several empirical and ultimately analytical contributions. It sheds light on the complexity of the organisational culture in the Florence FO and indicates some of the parameters for establishing the link between how the law is implemented and the ways in which organisational culture and identity processes shape this implementation at the micro-level.

Several instances of discretion were identified in the daily activities of the FO. Formal discretionary practices involved a flexible interpretation of the law which aimed to (a) find solutions and achieve certainty in daily routines, (b) process the work efficiently and facilitate co-ordination with other public agencies, and (c) avoid unnecessary hardship for the immigrant. Formal discretion did not involve an organised prioritisation of tasks within the specific office or a request for further resources. Rather, reorganisation of human resources and workloads took place *ad hoc* to keep the speed of client processing high. Formal discretionary practices responded to the flexibility and efficiency requirements placed on the FO.

Informal discretion, on the other hand, took the form of the prioritisation of cases, favouritism and discrimination. The scope of informal discretionary practices was more often than not to serve some clients better than others and hid an informal network of power relations between agents, immigrants and intermediaries (i.e., lawyers, immigrant association representatives, immigrants' friends or their employers). This behaviour reflected the more traditional current in the FO's organisational culture, which privileged a clientelistic pattern of relations between public servants and clients. However, informal discretionary practices were also adopted as coping strategies -- they helped the FO agents manage their daily workloads. Last but not least, informal discretion sometimes took the form of 'organised philanthropy': individual agents put special initiative and agency into their work to serve specific clients whom they perceived as being in special need.

Two analytical and normative questions are pertinent to the findings of this research. The first question concerns the type of discretion exercised at the micro-level of implementation. We established at the beginning of this study that discretion is inherent in implementation processes. Therefore, we have investigated the type of discretion exerted by the FO agents, its extent and purpose. John Burke (1990) proposes a typology for

classifying 'good' and 'bad' discretionary practices, which refers to the political standing and legitimacy of discretion exercises. According to the principles of responsibility and accountability that ought to govern liberal democratic regimes, only discretionary practices that respond to certain criteria are considered legitimate. Thus, discretion under conditions where a formal legal view of accountability is strongest is more likely to be 'good' because it is checked and confined within specific limits. This type of discretion is most likely to provide remedies for ineffective policies or defective policy design. In contrast, when a strong level of accountability is guided by professional norms, i.e., factors that are internal to the bureaucracy, discretion is likely to be illegitimate. The internal nature of accountability involves the risk that discretion serves the interests of the professional community rather than the wider community of users.

In conditions of weak accountability, where, however, external sources determine the responsibilities and accountability of street-level bureaucrats, discretion is likely to be positive if incremental and pragmatic in character, according to Burke. He argues (1990: 143) that in conditions of decentralisation and fragmentation of the policy environment, where external accountability exists but is weak, discretion may provide scope for initiative and improvement, contributing significantly to achieving policy goals. Burke here neglects to discuss cases in which the weak external control may lead to excessive autonomy and further disorient implementation away from the policy goals. Last but not least, it is under conditions of weak internal accountability that discretion is most likely to be 'bad' for the community of users. Under such conditions, the personal beliefs of the high or low-rank bureaucrats who are hardly accountable to anyone except their personal morality and/or sense of purpose guide the implementation process. In this case, discretion may involve a substantial redefinition of the ends and means of the policy in question, in line with the specific implementer's interests or predilections (Burke, 1990: 143).

Discretionary practices in the Florence FO were exercised under conditions of weak external and internal accountability. To a large extent, FO agents appeared to feel accountable to their own team, ethics dominated by the 'needy immigrant' myth and their personal-professional identity definitions. Their discretion was also exercised under conditions of weak external accountability to the extent that the FO management, under pressure from trade unions, NGOs and the media, required formal but not necessarily substantial efficiency. Thus, a process of excessive routinisation was adopted as a coping strategy. Social and political actors enforced some external accountability on the FO achieving an improvement in the processing of applications in the middle and later months of 2000 but their overall effect on the way applications were processed was very limited.

The second question that relates to our findings concerns the policy politics involved in implementation (Brodin, 1990). Both macro and micro-levels of policy implementation must be seen in the wider context of policy design, legislation, implementation and evaluation and within the wider socio-economic, political and cultural environment in which they take place. Vagueness or contradictions in the Italian immigration policy transfer the tensions and compromises of the legislative arena to 'street-level bureaucracies'. The hidden dilemmas of politics thus re-emerge and are solved at the

micro-level of implementation. This transfer, however, has important implications not only for the success of the specific policy measure as such, in this case the management of immigrant workers in the Italian labour market; it also has consequences for the functioning of a democratic polity: the extent to which it guarantees equal rights and equal access to services for all, the immigrants' position in the host society as holders of rights or disenfranchised policy 'objects' (rather than subjects), and the power relations between different groups both within the bureaucracy and in society as a whole. Discretionary practices in implementation that stem from the policy politics transfer tend to privilege certain groups over others and violate the rights of citizens and 'denizens' alike.

### *United Kingdom*

#### *Immigration Control and the Management of Economic Migration: Organisational Culture, Implementation, Enforcement and Identity Process in Public Services*

Our research project coincided with a remarkable shift in immigration policy and practice in the UK. In September 2000, the Immigration Minister Barbara Roche made a speech at a conference on 'UK Migration in the global economy' announcing this change, which had been foreshadowed in a speech in Paris in June in conjunction with the EU Interior Ministers' conference. These interventions introduced a policy transition from an almost exclusive focus on tough asylum measures in 1999 to an attempt to add to this a global recruitment strategy for specific labour shortages. In all of this, the topic of work permits and other recruitment schemes has suddenly become central to issues of policy and implementation.

The minister's speech reflected the dualism of UK immigration politics in its attempt to balance the requirement of an open economy so as to be competitive under global conditions and a society that embraces multiculturalism and racial equality but fears crowding and competition for collective goods. Migration was welcomed as a 'central feature' of a globalised environment, and one in which 'there are potentially huge economic benefits for Britain if it is able to adapt to this new environment. We are in competition for the brightest and best talents', but it is equally important to regulate entry 'in the interests of social stability and economic growth' (Roche, 2000: 1). While emphasising that 'Britain has always been a nation of immigrants' and the contribution of historical and post-war immigrant communities to economic success and cultural richness, she warned that 'asylum has now become a major channel for immigration', and reasserted the need for quicker identification of 'genuine refugees' and 'restoring order to the asylum system'. She emphasised particular efforts to combat illegal employment but, in a passage that made new links between hitherto separate policy domains, made reference to the connections between immigration and employment policy (ibid.: 3-4):

- The UK has an ageing population, and 'migration is one of a range of measures that could help ease the impact of such demographic change'.

- Policies for increased economic participation by all of working age, 'including those who face exclusion', for improved training and education should aim to ensure that 'those in all our communities, including those who have joined us from other countries, are able to contribute to their success'.

Finally, the Minister emphasised the importance of 'social stability', commenting that 'the integration of migrants into British life has been remarkably successful, particularly when compared with some of our European neighbours'. Hence combating discrimination and racism and stemming inflows of asylum-seekers are the two sides of the policy mix. Work permits were explicitly mentioned as a target for future reform. As part of the 'flexible and market-driven aspects of the current work-permit scheme, our approach would be to make the system even more market-based'.

- *Immigration Control and Enforcement -- Immigration Service Enforcement Directorate*

The Immigration Service Ports Directorate (ISPD) and the Immigration Service Enforcement Directorate (ISED) dealt with immigration enforcement at the time of our research (they have since merged). ISED was responsible for identifying, detecting, arresting and detaining immigration offenders of all kinds, including absconding, overstaying or working in breach of immigration restrictions; there was no separate section for undocumented immigrant workers or their employers. They are, in short, the policing agency for immigration matters. In 1996, they employed 564 staff in 10 local offices to cover the whole country and all its businesses, a small number in relation to its task, but about 1 000 new enforcement officers were recruited in 2001.

Until 2000, ISED did not have the power to search premises and to arrest and detain immigration offenders, they required police co-operation. But whilst ISED's main task was immigration enforcement, the police's responsibilities covered a far wider range of public order issues. Under community policing schemes they also need to pay tribute to local communities' concerns and culture (McLaughlin, 1991) and immigration operations are handled with extreme caution. Frequently immigration enforcement rated low on the priority scale, although varying from one police area to another, depending on the local setting, immigration enforcement operations by ISED were frequently postponed or cancelled due to lack of police co-operation (see Jordan and Düvell, 2002).

Undocumented work by regular or irregular immigrants did not rank high on ISED's priority list; instead 'the removal of failed asylum-seekers is our main concern' (ISED, interview 1b, 1998). The only permanent taskforce was 'Operation Gangmaster', targeting those subcontractors supplying workers to UK farmers who were suspected of hiring undocumented, mainly East European workers (Ministry of Agriculture, Fisheries and Food, 1998). Generally, 'illegal working is... subsumed within other categories of immigration offences. We would actually remove them because they have done an illegal entrance [or] as overstayers' (ISED, interview 1b, 1998). This reflects the UK

government's immediate concern to process asylum claims and appeals more quickly, and to remove those refused. Hence the deployment of the very small (but recently expanded) numbers of enforcement staff available for these tasks, rather than for undocumented work, even though policy speeches and documents still emphasise the need for effective implementation of all immigration controls.

Another background feature was one of organisational crisis in the Home Office Immigration and Nationality Directorate which determines the entire period from 1996 to 2002, related to failed computerisation, increasing backlogs in asylum and visa affairs, as well as some difficulties to adjust to the new policy and culture (Düvell and Jordan, 2003).

In practice, the ISED organisational structure was complex and appeared to us to be somewhat chaotic. Organisational culture included a range of assumptions, stereotypes and myths. Front-line staff and most managers alike used stereotyped views of particular nationals and communities; particular groups were associated with particular crimes and behaviour patterns. Additionally, a lot of jargon, acronyms and a tough laconic style were used. It seems that this service has not yet been influenced by racial equality thinking as much as most other services, nor has it been able to adopt the new professionalism, a factor unnecessarily contributing to the already controversial role and isolation of the agency. Implementation was also driven by (a) prioritisation, (b) favouritism, and (c) narrowly defined concepts of success. Prioritisation was determined by three patterns: orders from the ministers, a reactive approach to pressures, and scarce resources. From the standpoint of NGOs it was also influenced by racism. Favouritism was either motivated by simple, straightforward cases or by particularly sophisticated cases. On the other hand, officers disliked time-consuming cases. Success was simply defined as a successful enforcement action that respectively increased figures. In general, ISED activity was characterised by considerable discretion based on formal practice codes on the policy level and on the enforcement level. Operational practice was characterised by a lack of guidelines, there is 'very little written down about how we should do our job or what guidelines we work within and there are common-sense kinds of guideline' (interview 7, 1998). But even where the guidelines explain what not to do, informal practices have been developed to navigate around limiting regulations for the sake of success. Such work involves considerable discretion and the use of judgement by front-line staff (Baldwin, 1999; Lipsky, 1980) 'Street-level bureaucrats' develop codes of their own for interpreting rules and policies that are necessarily general. Obviously, officers needed to comply with the Police and Criminal Evidence Act 1984 (PACE), the Race Relations Act and other relevant legislation, but beyond that they made the best out of their resources to meet the main task: removals. On the other hand, elements of understanding and sympathy for immigrants or employers were found, as well as some disagreement with legal requirements that provided for discretion based on informal practice codes bringing experiences of psychological stress from these lifeworlds into the organisation. This in turn influenced discretionary implementation, officers might favour particular individuals, or they might be tempted to circumvent legal limits to get the suspect they target, as our observations revealed.

Regarding identity processes, ISED staff suffered from a recent computerisation of their tasks, which made many of these skills redundant, and reduced the scope for individual styles, practices and beliefs, hence, also power and discretion. On top of that, the insertion and management of the applications with IT software failed and staff faced a problem in conveying themselves as efficient and user-friendly, the basic requirements of professional competence in the present political climate. The main strategy to overcome this difficulty was to refer to confusions and unresolved tensions in national policy goals and priorities, or to problems in the implementation of laws and rules. Whereas such staff in other agencies often portrayed these as positive reasons for the exercise of professional judgement and discretion, ISED interviewees used them to explain the problems, described or observed, so that apparent professional 'incompetence' was actually the best that could be achieved under such circumstances and within available resources. They thus constructed a kind of 'beleaguered identity'.

In spite of these difficulties and as an enforcement agency which had been criticised in the past as heavy-handed, middle-ranking managers did emphasise that they need to be 'professional', 'a bit more user-friendly', 'low-key', 'very careful', as little intrusive as [possible] on the operational level (quotations from interviews conducted in 1998). Among front-line staff, a more confident assertion of professional identity and discretion was achieved and officers presented themselves as experienced, knowledgeable, and fair. Reflexive personal statements were common, seeking to show a capacity for evaluation and moral deliberation on their daily work. Practitioners often felt inadequate when confronted with the size of the problems, and hence were frustrated by 'obstacles' such as civil rights, appeal procedures and data protection rules. However, there was little evidence that this unease was picked up and used by their organisations to improve standards, or enable more sensitive and considerate methods. Without this harnessing of disquiet to raise practice standards, there is a risk that cynicism or callous indifference eventually sets in as the prevailing attitude of staff.

- *Labour Migration Management - Work Permits (UK)*

Work Permits (UK), formerly known as the Overseas Labour Service has been moved in 2002 from the Department for Education and Employment to the Home Office. It is a small, centralized agency and most of its 240 staff are employed at its main campus in Sheffield. WP (UK) acts in accordance with the Immigration Rules, chapter 5, paragraph 128 – 135. It is responsible for the free movement of labour under EC agreements, it administers the Work Permit Scheme for non-EU employees, and most recently became responsible for some visa issues for concerned immigrants and also for GATS affairs. WP (UK) also has its own European Policy unit. Most of its staff is divided into seven operational teams: Training and Work Experience (TWES), Sport and Entertainment, and five Business Teams sharing applications among them on an a-to-z basis. Its clients are UK based businesses and WP (UK) is obliged to ensure that business and commerce can operate fluently and smoothly. This is done by way of pro-active policies, identifying

future shortages and developments, and reactive practices, processing applications in the most efficient manner.

Between 1990 and 2000, the number of work permit holders doubled from 35 000 to 67 000 (plus 25 000 dependants). This is roughly divided into one-third long-term employees (more than 12 months), one-third short-term employees (less than 12 months), and one-third dependants (Home Office, 2001). Correspondingly, WP (UK) considerably increased its staff level to keep pace with this continuous increase, they also moved into new premises both reflecting a growing demand, and, hence, the relevance of the work permit scheme.

Its service has been successfully computerised, all information and application forms are available online, the average case work duration is four days, in fact 90 per cent are decided within one day of receipt, with a recognition rate of 90 to 95 per cent (Home Office, 2002, Salt and Clarke, 2001). Big firms that have repeatedly applied and obtained work permits for their immigrant staff are authorised to issue work permits themselves, which is a remarkable step as statutory rights have been given into private hands.

WP (UK) rarely attracts public attention, not to mention critique; indeed a customers survey has shown a general satisfaction with the service (Survey and Statistical Research Centre, 1999). However, because WP (UK) neither deals with the actual immigrant nor checks whether employers respect their contractual obligations towards the immigrant worker, our interviews revealed patterns of misuse of the scheme by some employers who, for example, did not pay the adequate wages, refused to provide training, or overcharged for accommodation. Similar cases already attracted media attention denounced as a 'modern form of slavery' and 'exploitation' (see 'Abused, threatened and trapped - Britain's foreign 'slave nurses', Observer, 27.5.2001). The immigrants' fate is by and large left to the employers. Although defining the employees' position within UK standards the scheme is, at the end of the day, purely employer-friendly, in that the scheme not only represents some Thatcherite values, but also New Labour's aim to create a business friendly environment in order to shake off its Old Labour image of being hostile to financial and commercial interests. As we could see, this finally makes room for some manifestations of injustice and exploitation. But one should not assume that this is intended, rather, it is a consequence of an employer-friendly philosophy that does not care equally for employees.

Beyond a traditional hierarchical structure WP (UK) shows a modern and dynamic outlook consisting of a new managerialism and a staff that takes the maximum responsibility for the efficient performance of their roles through good training and support, a team structure, and rather egalitarian networks providing for a caring and stimulating environment. Such a practice explicitly aims to deal with the culture of change, while 'resistance and opposition to change within WP (UK)' has been identified as a potential 'risk' for the 'Modernising WP (UK) Programme'. The answer is to 'involve members of WP (UK) at all levels wherever possible in planning, design and implementation' (WP (UK), 2000b: 10). The WP (UK)'s ideology, is based on distinct neo-liberal beliefs in a market driven world, ceaseless globalisation, and the need for a

very competitive globalised market in which nation-states compete against each other. The organisations' aims combined with the desire to act in an efficient, customer-friendly and non-bureaucratic manner are feasible in a rather flexible, discretionary process. WP (UK) is very open and approachable, policy-making and practice is embedded in ad-hoc or well-established mechanisms of negotiations: pro-active strategies are discussed and developed through round tables with all parties involved, such as customers, lawyers, trade unions, and other government departments, common queries are dealt with on the spot and topics can be discussed and bargained.

Regarding identity processes, front-line staff emphasised that they exercised professional judgement based on cumulative experience and were not simply there to implement routines conform to the identity of old-style bureaucrats with the long-term security of doing repetitive, mechanical tasks. The aim of fast-tracking applications and providing a user-friendly service to employers gave them discretion to overlook the requirements for overseas recruitment. In other words, the professionalism of WP (UK) staff lay in knowing when to waive the criteria. Professional identity lay in being 'good listeners' to their customers, and being 'employer led'.

- *Summary*

The program for 'Modernising Britain' and the shift towards a 'modern approach to immigration' found the IND and WP (UK) in different positions. By redefining 'economic migration' as a labour market issue, the WP (UK) found itself in a favourable position to enhance its prestige, and to make new links with other government departments, as well as with the business community. This allows the WP (UK) to legitimate some of its informal practices, and even insist that its ministers should realign their thinking with its culture and implementation codes, rather than accept their lead itself. It has also gained administrative powers over immigration issues. Through its very nature, ISED struggled with the new tradition of flexible, user-friendly interpretation of legislation. On the other hand, although their culture favoured 'hunting' activities, such as raids, new methods have been developed that are focused on intelligence gathering, encouraging offenders to ensnare themselves, and, for example, the less controversial policy of 'voluntary returns' instead of deportations.

- *Implementation*

In civil society lobby organisations, representatives of different interest groups (employees, communities, service users, service providers), are relevant actors in public policy and implementation. Agencies and individuals are encouraged and backed by law such as the Race Relations Act of 1976 or the NHS and Community Care Act of 1990; additionally, all public services have established complaint procedures and bodies dealing with complaints from individual customers and clients. Associations and single agencies have a say in policymaking and get involved in consultation processes with the

government when appropriate. At ground level, and when it comes to implementation, numerous local agencies are relevant actors; in particular, the topic of immigration is highly politicised with a wide range of representatives and active lobby agencies. As a result, implementation is strongly influenced by civil society agencies and media coverage; it depends on the balance of power within such processes. Public services in general pay cautious attention to public perception and media responses to their work. They generally wish to avoid criticisms while enforcement agencies actually try to build up media coverage to enhance their overall image of deterrence. However, as long as immigration policy is perceived to be racially guided and immigration enforcement perceived as racially motivated it will suffer from a lack of public support.

Immigration Enforcement actions in particular are widely rejected, work place raids or arrests can become very controversial, are perceived as putting public peace and racial relations at risk and alienating communities. In particular the legislation on illegal employment faced strong criticism -- ranging from employers, to immigrants' self-organisations and race relations watchdogs -- mainly based on the arguments that any such measures would (a) lead to acts of racial discrimination, reduce equality of opportunity, and damages race relations and (b) that businesses or any other agency or service would have to deal with immigration matters and would have to act on grounds they are not explicitly equipped for. In such an environment of a liberal -democratic society, in which statutory agencies have to pay tribute to all relevant actors, it is only too understandable that the concerned legislation cannot be implemented as intended and considerable concessions have to be made for the sake of the wider aim of social justice and community relations. Although the act has finally been put into force it has indeed never been fully enforced. Instead, there is a shift to new, less visible and controversial strategies of enforcement based on intelligence rather than on actually going out and raiding peoples' places.

In the UK, there is little tradition of solidarity between the various agencies of the state; adversarial relations are as common as cooperative ones. For example, only one service, the Department for Social Security, was willing to sign a 'Memorandum of Understanding' with IND over immigration control while most others argued that immigration control is neither part of their tasks nor their service culture. Even the two main agencies in the field of immigration, IND and WP (UK), have completely different and very much contrasting perspectives of the legislation, and revealed distinct, separate and contrasting cultures. Both value spheres (Weber) in tendency lead to a clash of cultures. For the Home Office 'the work permit system exists primarily to safeguard the interest of the UK workforce' (Home Office, interview 10, 2000 ), while for the WP (UK) manager his 'own personal perception is that the balance if any is certainly ensuring that big companies get the people that they want and that they get their work permits'. (WP (UK), interview 15, 2000). Two contrasting interpretations of the intention of legislation obviously explain two contrasting cultures in implementation: tough and rigid versus flexible and concessive.

By and large, the ISED did appear old-fashioned and engaged in traditional paperwork, rather inefficient, under-staffed, badly equipped to deal with all their tasks, and unprepared to adopt the recent policy changes. The politically defined priority on refused asylum seekers prevents the ISED from targeting other immigration offences on a large scale. Its inefficient response to calls for cooperation from other statutory agencies plus its difficulties to catch up with the new thinking in public services contributes to its already isolated position within public administration. But recently, attempts have been made to improve the overall situation. In contrast, WP (UK) appears to be the jewel in the crown, open, efficient, and linked to other government departments and civil society agencies. However, meanwhile, both have been put together under the umbrella of the Immigration and Nationality Department and some kind of a convergence may be forecast.

- *Identity processes*

Each agency developed its own performance-related identity focused on outcomes with little reflection on the relationship between these outcomes (i.e., removal of overstayers, processing work permit applications) and such fundamental issues as social justice or social inclusion. Despite the claim of 'joined-up' approaches, there was little evidence of a common public-service identity (even of the 'Beamten' type) or a coherent sense of what the rules they implemented were trying to achieve.

Both the Home Office IND managers and the Work Permit UK staff gave strongly international accounts of their work, with much emphasis on its European dimensions. In explaining their professional identity, they frequently referred to EU directives and legislation, and to co-operation with EU partners. This was used to demonstrate awareness of the wider context of their work, and to rebut any notion of narrow nationalism or blinkered vision in relation to the policies they were implementing. In this sense, they claimed a European rather than a British identity. While other studies found UK civil servants to be 'reluctant Europeans' (Gowland and Turner, 2000) WP (UK) in particular, and also some IND sections, already act on an international level and under EU requirements. Therefore it is no surprise they these agencies appear to embrace a European perspective that gives them status, compared with civil-service colleagues dealing in purely domestic issues, particularly where their identities are 'beleguered' by efficiency criteria.

Given that enforcement staff were working in a deregulated environment (the UK labour market), and were thin on the ground, they could link their sense of fair play to the idea that immigration offenders had a reasonable chance of evading detection and removal. In this sense, they could sustain an identity of freedom-friendly enforcers, who respected the individual rights of immigrants. In practice, however, implementation was often haphazard, arbitrary, or capricious, relying on denunciations or the failures of counsel and representation. Because of under-staffing and under-resourcing, practitioners often felt inadequate to the size of the problems, and hence were frustrated by 'obstacles' such as civil rights, appeal procedures and data protection rules.

On the other hand, all staff showed awareness of issues of equal opportunities, human rights and the structural situation of immigrants in UK society. They emphasised the importance of legislation to uphold the equal treatment of members of ethnic minorities, and included their own organisations as employers and their own professional identities in this. Thus they constructed British identity as one concerned with the inclusion of immigrants as full citizens with equal rights, but their own professionalism as concerned with difficult issues on the margins of such processes of inclusion or exclusion. Hence immigration control was presented in a context of negotiating the basis for a multi-ethnic national identity, involving difficult balances between priorities.

### *Comparing Cultures of Discretion*<sup>5</sup>

This phase of the IAPASIS project has had a double aim. In the national case studies, we have analysed the relevant agencies in each country, highlighting the country and agency particularities as well as their relevance in the European context. We have thus tried to do justice to the richness of the individual cases, studied in their context, in order to fully explore the organisational and identity mechanisms that influence implementation. In this section, we try to put the four country studies into a specific theoretical and historical framework that can yield analytical results that are relevant not only for the four countries in question but also in a wider European Union context.

The selection of the four country studies was based on three dimensions seen to organise the similarities and differences between them. Thus, in our introductory paper, we distinguished between ‘old’ (Germany and the UK) and ‘new’ (Greece and Italy) host countries, between rational, efficient (Germany, UK) and clientelistic, inefficient (Greece, Italy) administrative systems, and between ethnic (Germany and Greece) and civic (Italy and the UK) national identities and citizenship laws. It was our intention at the outset to test whether the division between the industrialised North (Germany, UK) and the less-favoured South (Greece, Italy) is still valid in terms of policy-making within the EU. We also wanted to understand the relevance of ethnic or civic understandings of the ‘nation’ for immigration policy implementation.

These fundamental aspects of the four countries were not, of course, openly displayed in the practices of staff concerned with immigration control. They were, rather, structural and cultural aspects of those administrative systems, part of the taken-for-granted infrastructures of the agencies within which staff practised, and often concealed by the complexities of organisational procedures and the issues presented by migrant applicants. In describing their daily work to research interviewers, practitioners in all four countries appealed to broadly similar versions of national preference and interest, as well as highlighted values of efficiency, flexibility and a market-led approach to immigration. They also claimed to be guided by notions of impartial public service, user-friendliness and

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<sup>5</sup> This section has been included also in the Executive Summary of this report because we consider that the comparative analysis of our findings was of paramount importance for the objectives of this project.

compassion towards human distress. However, as we shall show, the way these shared notions were interpreted in practice varied greatly according to the national context and organisational culture.

The increasing influence of market values and forces in European societies, underlined by the importance of the Single Market as the lever for European integration, along with strong globalisation processes in the fields of economy, society and culture appear as orientations and reference points in the accounts given by staff of immigration control agencies. The goals of efficiency and rapidity in processing a high volume of claims, all influence the organisation of their work. However, the wider context in which these tasks are performed also means that quite different methods are used to achieve these ends, relating to the culture of the administrative environment.

These differences can be analysed according to various dimensions. At the most general level, an economic analysis of the choices facing decision-makers in these organisations points to variations in how a common imperative -- i.e., to save the transaction costs associated with immigration control decisions -- might be achieved in each organisational culture. In a system that gets things done by processing complex material through standardised regulatory checklists, this consists in adopting office methods and support systems that motivate and sustain front-line staff to attain high standards and targets. In a system that operates through networks of personal contacts, oiling wheels, and cutting corners, it involves intensification of mutual interdependence and the exchange of favours. The former relies on incentives for greater productivity and the elimination of barriers and frictions, the latter on the accumulation of social capital and informal pathways.

However, of at least equal importance is the question of how access to the legal labour market of the country is guarded and managed, i.e. the kind of agency appointed to these tasks, how the regulation of foreigners' access is integrated with other aspects of labour-market regulation, and how the overall orientation of the agency is defined. For example, is the immigration-related task of issuing work permits part of a national or local system of managing employment issues, or is it dealt with by a separate organisation? And is the task of the broader administrative framework in which the agency is placed concerned with unemployment, public order or international labour flows? Our comparison suggests that the answers to these questions strongly influence the interpretations of both national preference and administrative efficiency in the implementation of immigration policy.

**Table I. Structural Differences in Immigration Control in Relation to the Labour Market: Four Countries Compared**

Country	Main organisations responsible	National or local office	Immigration-related task	Overall orientation of broader administrative framework
Germany	Federal Labour office	Local	Work-permit applications	Reducing unemployment
	Several local sub-departments	Local		Enforcing labour-market regulations
				Administering unemployment benefits
Greece	<b>Manpower Institute (OAED)</b> Social Insurance Institution (IKA)	Local	Work permits and legalisation of undocumented immigrants	Reducing unemployment Enabling labour supply Administering welfare benefits
Italy	Foreign Office of Police	Local	Stay permits for job applicants and other immigrants	Keeping public order
UK	Work Permits (UK)	National	Work permits	Managing international labour flows
	Home Office	National	Work permissions	Controlling immigration
	Benefits Agency	Local	National Insurance numbers	Administering benefits

Table I summarises the structural differences between the four countries concerning how the tasks of immigration control in relation to the labour market are organised. The structural differences in turn influence the agencies' perceptions of who their clients are and the nature of the service to be given. In all countries, the staff of these organisations are in some sense primarily accountable to their national governments for the performance of immigration control tasks; and only secondarily to immigrants for a fair determination of their claims. But in some cases (notably Greece and the UK), employers are the direct clients of the agencies, and therefore mediate between the national interests in migration control and the immigrants' interest in access. In such cases, national preference may be interpreted as requiring increased access and the use of discretion to widen immigration channels. Alternatively, where local unemployed workers are the direct clients of the agencies (as in Germany), their interests become the primary concern and may be seen as

requiring increased control and, hence, a rule-governed approach that minimises discretion in practice. This dimension is set out in Table II.

The administrative setting of the task is therefore relevant for the expansive or restrictive implementation of the rules. In settings where national preference implies that the interests of unemployed locals should be the primary consideration (i.e., in social insurance administrations, as in Germany), this will tend towards restrictive interpretations. Conversely, where local or national employers' interests are strongly represented (as in Greece and the UK), national preference can be interpreted as demanding greater access for immigrant workers.

**Table II. Managing Immigration, Clients and Work Permits: a Four -Country Comparison**

Country	Direct clients	WP preference	Consequences for implementation
Germany	Employment office: unemployed locals	Exceptional hardship only	Rule-bound implementation
	WP office: immigrants	Applicants with co-operative employers	Some informal discretion
Greece	OAED: Employers and local community	Job holders, those in local demand, family persons (except for Albanians or Romanians)	Use of informal networks to promote selected applicants
	IKA: Immigrants in need of health services	Immigrants showing 'responsible' 'proper' behaviour	Informal networks between IKA and OAED for the selection of 'appropriate' applicants
Italy	Immigrants	Selected individuals	Formal discretion to repair deficiencies in the policy provisions. Informal discretion based on personalised clientele relations or common-sense ideologies
UK	WP UK: national employers	Large employers	Discretion in favour of employers
	Home Office: immigrants	Asylum seekers, special categories	Rule-bound implementation

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BA: local beneficiaries	Evidence of legal employment
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Individual staff are able to justify the exercise of discretion in favour of applicants either in terms of their neediness -- as in Germany (exceptionally) and Italy -- or in terms of how much the local or national economy needs them -- as in Greece or the UK. But this discretion is formalised through general norms, shared by agency staff in the UK and Germany, whereas in Greece and Italy it was informal and responsive either to the representatives of local networks (Greece) or to a negotiation of the relationship between administrator and applicant (Italy).

These structural differences nuance the ideal-type distinctions with which we started our investigations, but they do not wholly invalidate them. All administrations claimed to give a good service to their clients, reflecting a European aspiration to interpret public administration as service to the public and to emulate the standards of the private sector (Crouch *et al.* 2001). However, the cultural resources on which staff drew for their versions of 'good service', and their interpretations of to whom they owed this service, and on whose behalf, were varied. The Foreigners Office of the Italian police did not expect itself to provide the kind of swift, electronic response that Work Permits (UK) gave to large national companies seeking to recruit overseas workers. The local office of the Manpower Institute in Greece was not impartial in its dealings with immigrant applicants in the same way that the Work Permit Office in a German city was. While certain administrative settings favoured the access of immigrants to the labour market, the qualitative experience of the implementation of these rules was strongly influenced by the cultural traditions both of national immigration control and of the particular agencies entrusted with these tasks.

### **3.3 Immigrant Strategies of Survival and Adaptation to the Host Country**

The second phase of the IAPASIS project concentrated on the study of immigrant adaptation and survival strategies in relation to the policy measures and implementation practices in each country. All four teams studied Polish immigrants as a target population which would facilitate comparison. In addition, each team selected a nationally significant immigrant population to study. Thus, the Italian and Greek teams also analysed the case of Albanian workers, the UK that of Indian immigrants and the German team considered Poles as both their comparative and nationally important immigrant group.

## *Germany*

In this section, we analyse how Polish citizens reason about their entrance into Germany and their relation to German society in general and German migration control institutions in particular. Through this, we aim to achieve an insight into the social workings of migration control and how it changes social reality (Griffiths, 1999). We begin with some information on the interview set. Integration into German society is then characterized using two ideal-type stages (initial and stabilisation phase). Finally, we relate interviewees' descriptions of their experiences with control policies.

- *Interview Set*

To get an idea of the interaction of migration processes and control practices, we use a set of 14 problem-centred interviews (Witzel, 1985) between 1 and 3 hours in length, in which 16 interviewees speak about their (mainly) illegal experiences in the German labour market. Cyrus, acting as researcher-interviewer, managed to find people who were able and willing to talk about some experiences with control authorities in the labour market, either in eligibility control (work permit offices) or in illegality control (workplace raids), as this was our main focus of analysis. While interviewees generally touched on motivations and strategies for entry and stay without having been asked specific questions, aspects of legalisation, contact with authorities, and issues of national identity often had to be specifically asked. Using this format, the interviewer was, in most cases, able to overcome initial reluctance and to generate rich accounts.

- *Migrants' Accounts of Motivations to Come/Arrive and to Stay (Temporarily)*

Most respondents arrived in a personal situation in which they had to look for a new orientation. Migration was considered to be one option for this new orientation after leaving school by three informants, after a divorce or separation for another four informants, because of unemployment for six of our interviewees, while for two interviewees migration took place after going broke or running into debt as a self-employed worker.

In their accounts of their motivations to live and work in Germany, two aspects are clear:

- 1) The earnings differential between the two countries
- 2) The cultural differences between Berlin and Poland

The *awareness of these differences* is strongly influenced by the close social connections between *Germany* and *Poland*. In Poland, nearly everyone knows people who work or have worked in Germany. Many have been in Germany for short visits before returning there to look for work and to potentially settle down for a longer stay. In all of these cases, in spite of significant differences in economic performance -- ranging from poverty

to relatively stable low-level situations -- the perceived differentials in income served as pull factors. Debts were a particular problem for middle-aged people and created a strong push factor.

We find the following patterns among our interviewees:

- The classical return-oriented *target earner*, investing in or supporting a family in the country of origin
- The *economic immigrant*, improving his or her living standard by moving into a richer country
- The *life-style migrant*, being attracted by the opportunities of the multicultural metropolis and the economic opportunity to participate in this cultural life.

- *Integration*

In spite of a great diversity in personal stories, we can derive two 'rules for irregulars' out of their accounts which follow a sequential pattern:

- In the *initial phase* the rule reads as follows: 'Find anyone who can help you find your first accommodation and job!'
- In the following *stabilisation phase* the rule goes: 'Emancipate yourself from first contacts and build up your own network of trustworthy people!'

Thus we confirm earlier findings by Jordan (Jordan u.a., 1997) concerning Brazilians in Berlin which claim that in order to stay legally people depend on their relations with other people. In this study, we found relations based on individual interest, but no anonymous market relations. The initial phase is characterised by a high degree of dependency and conflict with the initial contact, vulnerability, and low wages. The stabilisation phase is characterised by higher wages, more continuous work relations, established job search strategies and multiple relations with mutual dependency.

To find a place to rest and to hide is a basic need for illegal immigrants. Accommodation, as a rule, seems to be the bottleneck of illegal immigration in Berlin. Some years ago undocumented immigrants stated that it was easier to find jobs than a place to live. Other immigrants underline that since the situation has relaxed: today it is easier to find accommodation in Berlin than some years ago. However, such a statement can be attributed to the housing market or to the knowledge of the individual immigrant. Those with many social contacts have easier access to housing and jobs than those with fewer contacts. As a typical trajectory, the first accommodation is a provisional arrangement of short duration which is combined with a need to find further help.

In the *initial phase*, the described job arrangements are characterised by a deep dependency on *one* contact person. The respondents showed dissatisfaction with this constellation for two reasons: job agents and employers were aware of the dependent situation of their workers, and, thus, frequently betrayed their employees refusing to pay overtime work or refusing to pay the agreed amount. Whoever worked through a job agent was aware that he or she did not receive typical moonlighters' wages. Others

learned from people they met that their first job paid less than usual. This is even true in the case of legal employment by contract firms.

The main way to escape the situation of low wages, bad working conditions, stressful and insecure housing arrangements and vulnerability was to establish reliable, trustworthy contacts, both in private and in work relations. Interviewees actively pursued this path towards the *stabilisation phase*. Telling everyone that you are looking for a flat or a job (including the interviewer) seems to be the main means of expanding the network. Usually, migrants start with collecting addresses and phone numbers of Polish speaking people: earlier arrivals from the same place of origin, colleagues from prior visits, people they meet on private occasions or in places like discos or the church. They then phone these people and ask for advice or help. As this is common practice, established Polish immigrants are constantly in demand and restricted in their capacities. While many interviewees seem to have found some odd jobs and provisional accommodation via Polish speaking people, stabilising their irregular stay seems to involve the need to expand contacts beyond the Polish speaking community.

This is also true for a market-type strategy of finding new contacts. There are information boards in locations such as the Polish church, in Polish grocery shops, or in Polish snack bars and cafes where offerings for jobs or rooms are posted. Many respondents mentioned this opportunity, however, with some reservations.

To become integrated into wider non-ethnic networks, some basic language knowledge is necessary. Many respondents stressed the importance of language skills. Some learned German in cheap publicly subsidised night courses (*Volkshochschule*), with the help of books, or thanks to their integration in a multicultural subculture. In addition, some respondents stress that their relations with employers and customers are not of an exclusively commercial nature. This constellation adds to their view that the integration into a social network is a personal achievement.

While accommodation and jobs are the first and most important needs of immigrants and take up a large portion of the interviews, other needs may evolve later, especially during a longer stay. Public institutions -- kindergarten, schooling, doctor and hospital services, legal protection -- typically address many of these needs. Turning to one of these institutions may require one to reveal an irregular status. Again, relying on networks was a crucial strategy to cope with such problems.

Legal protection was a real problem for many of the respondents, especially with regard to work. There were numerous stories of betrayal in connection with wages. As work was illegal, migrants would typically not dare to take legal action. There are cases in which an immigrant organisation (*Polnischer Sozialrat*) has supported workers in their attempts to get their wages by threatening to take legal action or even taking legal action.

- *Identity Aspects*

There is one concept that shows up in all interviews and absolutely dominates other identity-relevant passages in most of them. We call it the '*entrepreneurial worker*' repertoire. Immigrants see themselves as persons:

- who are able to work hard and endure difficult working conditions,
- who are actively seeking opportunities,
- who are cherished because they provide work of high quality.

Contrasting themselves with other groups also evokes the 'entrepreneurial worker' image, namely, people on social assistance or unemployment benefits, both in Germany and in Poland. We argue that the '*entrepreneurial worker*' repertoire is the central identification concept for irregular immigrant workers from Poland in Germany (Cyrus, 2002). It turns up in connection with widely divergent lifestyles. It supports or is compatible with a range of other ways of individual self-understanding: the divorced parent, supporting his/her family; the musician, developing his musical capacities; the punk, despising useless consumption and training his body and person in Asian martial arts; the house-owner, determined to improve his 'estate' in Poland; the single, striving to earn money for fun.

As our research confirmed that new immigrants do need the help of other people to act as bridgeheads for managing in Germany and continuously used networks of people to find new work and accommodation, we were interested in how they reconcile this dependency with their view of themselves as self-reliant persons. Looking closely at their interpretations of their migration histories, we discovered why they did not perceive this as an inconsistency. Making contact with trustworthy employers and customers and, more importantly, maintaining stable relations, is important. Success in this regard depends on personal effort and the characteristics and abilities of the immigrant. Respondents stress their own trustworthiness, their strong work motivation and good job performance. They thus perceive of their networks as a personal achievement.

The individualised market-oriented self-concept of our Polish interviewees was reflected in other layers of identity too: these focused on self-development and/or improvements for their children or parents. Thus, it is not surprising that aspects of collective national identity are not given a high priority as topics of interest for these persons. On the whole, we found little ethnic stereotyping with respect to Germans and Poles in general, occasionally we observed the belittling of Poles who stay in Poland and East-Germans as persons lacking initiative and as welfare users.<sup>6</sup>

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<sup>6</sup> This may be influenced by the interview situation: The interviewer is a German with good command of the Polish language, related to a Polish-German support organisation. This may not encourage the use of ethnic stereotyping about one or other nationality, as a negative stereotype of Germans has the potential of offending him and a similar stereotype of Poles may be offending his friends. On the other hand, the under-communication of stereotypes is overall consistent with their self-representation and other expressed values and views.

- *Relation to Control Policies*

In this final section, we will broadly follow our description of control policies. We ask how policies influenced the lives of our respondents, drawing conclusions from what they said explicitly or what we conclude is implied in their accounts. Additionally, we ask how migrants' reactions influenced policy performance. Thus, we discuss the mutual relation between migrants' lives and migration control policies.

External control and police enforcement does not feature high in the accounts of illegal Polish immigrants. The combination of visa-free entrance with a loose enforcement practice at the border, usually involving no entry stamps for Polish citizens, had an immense impact on their lives in Berlin. This practice meant that they could usually pass themselves off as tourists. Internal police enforcement was no threat to their staying perspectives. Thus, they could move freely without fear of detection, except while working. In addition, this implementation practice encouraged a distorted understanding of migration rules. Some of our interviewees thought that 'tourism' was allowed in Germany all year round, provided one returned to her/his country every three months. They thus conceived of their situation in Germany as legal.

Regularisation is a second topic that Polish immigrants only mention or respond to when asked precise questions. The underlying assumption shared by all respondents that regularisation options are strictly limited and impossible to reach was confirmed by experience in some cases. Inquiries about work-related regularisation options did not lead to success. Only limited legal contract work initiated a first stay and was considered a temporary legalisation option. Even for a woman with a 'tolerated status', work permits were not accessible at first. As the letter of law is more open than its interpretation, we assume that implementation played a major role in creating the impression of a virtually closed legal labour market. This may lead to illegal employment relations even in cases where employers were prepared to pay for a regular job.

The fact that migrants did not have tax-paying jobs can be attributed to the influence of the co-operation of enforcement agencies and data exchange agreements. Employers for regular jobs would ask them for a tax card, which is handed out by local resident registration centres. Although tourists can register, they do not receive this card, as they are not eligible for work. Thus, all but one respondent did not benefit from a situation in which an employer applied for a social security card on their behalf. As many social benefits in Germany derive from contribution-based social security schemes, these benefits are not accessible for those without access to tax-paying jobs. Social assistance, as the main benefit system outside of social security, was only accessible to one woman with a 'tolerated' status. As far as emergency services are concerned, they seem to be available to tourists as well as to undocumented immigrants without danger of exposure. There were some incidences of aid provided by emergency medical care, medical care for the homeless, and in a centre for abused women, but generally irregular interviewees had no experience with state-organised benefit schemes. The dominant attitude was to solve minor problems with the help of networks or, in cases of health-related problems, by

paying a private doctor, and to rely on Polish services for more serious health problems. Several respondents had secured some sort of sickness insurance in Poland, and one even paid contributions into the Polish old age security scheme. One interviewee even drove a heavily injured colleague to Poland instead of securing immediate care in Germany, which he would have received.

At the same time, respondents are well aware that some Germans and other immigrants, specifically ethnic Germans, receive an amount of social assistance from the German state that is fairly generous in their eyes. When constructing their identities as self-reliant, entrepreneurial workers, they see themselves in opposition to such persons. Far from complaining about their exclusion, they are proud that they do not rely on that kind of help. We hypothesise that exclusionary social policies tend to select those migrants who perceive of themselves as entrepreneurial workers and confirm and stabilise these attitudes. On the other hand, entrepreneurial workers have a low propensity to turn to this kind of help.

As illegal employment is encouraged by a combination of loose entry with restrictive legalisation policies, work-site enforcement is a threat to migrants. *Sector-specific enforcement practices* lead to sector-specific accounts of migrants. Whereas women, typically working in private households, did not experience controls, work-site enforcement was a major topic for men, typically employed in construction and construction-related businesses, even if they had not been personally caught. From their accounts, we can conclude that enforcement had some impact on their decisions. Apart from being more careful on construction sites, some made efforts to turn to less visible renovating and construction tasks in private households, while others eventually returned to Poland to avoid the dread of being caught. Thus, we can conclude that work-site enforcement has a deterrence effect on individual workers, even though a determined worker may always overcome control-related obstacles.

Nonetheless, this deterrence effect does not imply that there is an impact on the labour market in the sense of protecting the labour market opportunities of resident labour. This effect can only be expected if the discouraged workers are not replaced by new foreign moonlighters, either in the same company or in other companies that get more contracts due to the deployment of cheap irregular labour. Otherwise work-site enforcement only encourages labour turnover. If established, well-informed irregular workers retreat in favour of more docile, inexperienced newcomers; this may even have an opposite effect on the labour market.

There are some indications that controls may have an effect on regular employers, indicated by a reluctance to employ cheap immigrant workers, the openness of some of them to enquire into the possibilities of legal employment, and dismissal after a control experience. What we do not know is whether these tendencies contributed to a redistribution of contracts from law-abiding regular employers to less trustworthy subcontractors in the construction sector into whose arms migrants are driven. The mere possibility of controls in private households certainly did not have a deterrent effect,

indicated by the estimation by all migrants that private households were a safe place to work.

To conclude, migrants' accounts well illustrate that migration policies as stated in the law do not alone influence their opportunities and restrictions, but also the way such policies are implemented. These findings indicate that immigrants also actively react to the implementation of policies in order to widen their room for manoeuvre.

### *Greece*

#### *Albanian and Polish Workers' Life Stories: Migration Paths, Tactics and Identities*

This report on the life-stories of Albanian and Polish workers concentrates on three separate sections. The first section centers on migrants' perceptions of home and of migration as a social and personal aspect of life.

In almost all interviews with Albanian workers the house is represented as the site of both safety and the ability to connect oneself to the local community. The house is presented almost symbolically as the site where one starts his/her journey to the external social environment. It is interesting to note that the house is presented as the mediator between individual or family aspirations and activities and collective or community traditions and projects. The house has an identity, as do the members who inhabit this house. Its identity is structured not by its design or decoration. Most houses, as they have been described by Albanian workers, seem to be small and quite poor in terms of comfort and space for the large families who occupy them. In contrast to this, they are described as sites for activities, festivities, and socializing. The house as a social site as portrayed in most interviews, is situated in a particular place, and the context of such a place seems to be mainly the agricultural-village community that lies between the 'boundaries' of a socialist state regime and the local-common people (i.e., people that one trusts, knows, and identifies with as sharing the same experiences).

In relation to the politics of the home-place, ownership, wealth, and the issue of employment become, according to interviews, issues of significant importance. Immigrants remember their home-place as a place of scarcity and a place of want and also as a place of safety in terms of satisfying basic needs. An Albanian worker described his home-place as a place of two different historic and political periods: the period of Hoxha and the period after Hoxha's socialist policies. The period of Hoxha is described as a period of relative security for the individual, especially in terms of employment and basic state welfare. The time after Hoxha's regime is described as that of insecurity in employment and a time when people tried to cover their basic needs, like food.

Another worker from Albania commented that during socialism, 'people were leaving their doors open' and that no one was afraid that people 'in the streets will do things to you like in Greece'. Under socialist rule, wages were low, and so were the expectations of

individuals concerning property ownership and leisure goods. The appropriation of consumer goods under socialism, according to Albanian immigrants, was almost an 'unimagined dream' and survival was almost completely framed within the limits of state rule and ownership and the rural community with all its traditions and cultural control of individual actions. State practices are anchored by interviewees in the institutions of civil bureaucracy and the all powerful political élites. According to the majority of Albanian workers, state bureaucracy on the one hand, constituted the notion of belonging to the community and to the society at large, which rested upon an idea of calculation, orderliness, and collectivity, while, on the other hand, the system was also based upon the idea of personal involvement in social affairs. Under such a system of state bureaucracy, individuals directly lived a life of 'sameness', where individual benefits, priorities, and well being were constantly mixed up with or lost in the value of the common good. For Albanians, state bureaucracy is remembered as an institution that guaranteed survival but also limited the personal drive for individual effort and work. This is mostly evident when Albanian workers describe their relation to their job in the home -country. Almost all who had had a job experience recalled the fact that wages were the same even if one was not working and there were jobs for everyone but the state would be responsible for the placement of individuals. On the other hand, the community, especially the village community, is remembered as an element of state socialism but also as a home -place that differed from the urban environment and state rule in Tirana. The rural/urban dialectic is mostly connected with two issues: the ability of people in the community to identify with their dwellings and a common history of shared projects and the ability of people to own their houses.

For Polish workers leaving home and migrating has almost two separate values. Leaving home was described in the interviews as a rather emotional and painful experience of separation from family and other relatives.

A Polish woman describes the issue of leaving home as a process of 'separation from all *your kin, friends*, and as something that is always difficult'. But on the other hand, as she explained in the interview, *leaving home* is difficult, but migration is a must for almost all school drop-outs, since it is very difficult under the new regime to find a job without a university degree. Migration is almost a necessity according to most Polish immigrants since there are few opportunities for young people in Poland. *Migration* is presented as a cultural part of life where one 'gets' the chance to see another country. Choosing Greece for most Polish workers had very little value in economic terms, in other words, there was very little information about the job market and the choices so far as jobs and wages in the host country are concerned. On the other hand, most Polish women argued that their choice of Greece had to do with whether or not a friend or relative was in the country, the weather, and, in particular, the possibility of having a night-life. Some said that Greece was known in Poland for its shopping and the possibility one has to spend all day looking at the different shops.

For Polish workers the path to Greece as a place of migration seems less complex. First of all, the majority 'chose' Greece mainly because it was known to them and also because

migration to Greece was organized in a collective manner. Almost all came to Greece through a travel-bureau that organized weekend trips to the country. Second, the majority had relatives or friends in the country and felt that to migrate was not a difficult option since if they 'chose' to return to Poland it would be easy. On the other hand, the option of staying with a friend or relative in Greece was an alternative since they could at least have a point of reference in difficult times and someone to guide them through their first steps in the country. Third, the majority, according to the interviews, saw migration as a not so difficult or negative thing. Instead, migration is presented as a response option in order to counter unemployment or labour market segmentations in Poland and also as an option for cosmopolitanism and the possibility to visit a historic place.

Albanian workers, on the contrary, seem to have a more complex understanding of leaving home and of migration to Greece. They construct migration around their understanding of place and the significance they attach to the migration experiences and thoughts of people in their communities. They chose Greece mainly because it was easier for them to cross its borders without visas or passports. They also felt that Greece is closer in terms of values to their own habits and experiences. Leaving -home was relatively encouraged by the local environment and by the common understanding of how one gains independence from family rule. On the other hand, the majority of respondents said that migrating to Greece was almost prohibited by family and, in particular, by parents. In a similar vein, with Polish workers, migration was seen as a counter-response to an economic and political system that, during the Hoxha's regime, was full of state control and, after Berisha, full of people ready to take advantage of you. One interviewee called these people 'pimps' and people who 'would do or say anything to steal and persecute you'.

However, one interesting aspect of the processes and meanings involved in the ideas of leaving-home and migration is the issue of gender and the different ways those two ideas are conceived by Polish and Albanian immigrants. For male workers, the process of leaving-home develops and is determined by financial issues mostly relating to unemployment and the desire for financial independence from family rule. According to the interviews, in the case of Albanian workers, leaving -home is encouraged by family and the community. On the other hand, migration seems to be less supported and somewhat discouraged by the inner -circles of the family. For Polish male workers, leaving -home and migration seem to be parts of the same process of discovering personal paths for family and business development.

In the case of female workers, the social pattern of relations and the ideas of leaving -home and migration seem to differ between the two countries of origin. Leaving -home for women of both countries was something related to major social changes in the life of the individual and it was mostly encouraged when marriage was involved. The processes involved in such a decision had mostly to do with institutional matters like marriage or higher education. What was interesting about this is that home even retrospectively is seen more as a place of security, a cocoon where parents are responsible for her well being despite her age. According to what an interviewee said 'in Albania, women leave home only to go to their husband's place, to the new house, which is usually a property (in

villages) of the father of the bride'. In connection with this, migration for women in Albania seems to be (i.e., from the interviews conducted) part of the process of marriage and the difficulties inherent in the community. Almost all women interviewed said they had left Albania in order to follow their husbands to Greece. At the same time, issues of unemployment as well as of political insecurity back in Albania also served as reasons for migrating. What migrant women chose to emphasize as the reason for migration is important since it can tell quite a lot about the social structures and values of a given time period and a particular social environment. Family issues range at the top of women's priorities in Albania and even the issue of unemployment or political insecurity is mostly linked to their husbands' perceptions of life in Albania.

The analysis of the interviews from both Polish and Albanian migrants has shown that detaching oneself from home is not necessarily one and the same with the concept of migration. Leaving home is part of a larger social network of relations with kin, peer-groups and part of community property accumulation. Immigrants attach particular meanings to their decision to leave home, which have to do with their understandings of the value of community, solidarity, and personal freedom. It is interesting to note that the two ethnic groups examined had related differently to the process of *leaving home*. In relation to the concept of migration, issues relating to employment prospects in the countries of origin, political, educational, as well as cultural issues, were prevalent among migrants. For Albanians, migration was more conceptualized in terms of exodus due to reasons of social and personal insecurity. On the other hand, Polish workers saw migration more as part of general values relating to lifestyles, consumer choices, and enhancing job-opportunities. In addition to the above, it should be mentioned here that there were differences in the understanding of migration between women and men, as well as between individuals from different social backgrounds.

More specifically, the first section has demonstrated the processes and meanings attached to the understanding of immigrants' home-place. For Albanians, the 'home-place' is something constructed out of political and community relations, many of them having migrated as a result of the dissolution of such a home-place. In contrast, for Polish immigrants, the home-place is almost a synonym for a 'family-close relations place'. Leaving Poland is seen as an 'act to reintroduce oneself' back into the Polish society. In the first group, the loss of community and political as well economic rights pushes people to search for alternative places. In the second group, the loss of economic citizenship (i.e., due to unemployment and the experience of social marginalisation) and the influence of consumerism, as well as the value of travel in the new Polish society, induce people to leave. Such were the original goals of migration, but these understandings of the home-place also have a social significance in terms of how immigrants see themselves today within Greek society.

The best way to observe how immigration controls affect immigrants' life perspectives is to comparing this first section with the section on 'Living as an Immigrant' (section six). Through their experience in Greece, most of the initial goals have not only not been

realized, but conditions have had a profound effect upon the ways immigrants construct their self-images and their future plans.

Living in fear, impersonality and caught within a stigmatisation process, immigrants from Poland and Albania construct spaces of isolation and individuality. This is the theme of section two, which shows that hiding from authorities and living in the shadows produces a labour force that lives in and experiences the margins of Greek society. In terms of the identity of immigrants, such conditions tend to separate people from their own history, isolate them from support groups, and limit their capacity for personal growth. Through its section on work, this inquiry has shown how the racialisation of the labour market produces the devaluation of immigrant potential. In addition, this section has shown how work causes immigrants and their self-images to drift further away from personal aims and hopes and also how work further prevents immigrants from building social and political relationships because of segregation. Most importantly, work seems to further narrow personal aspirations and to confuse the understanding of who an immigrant worker is and where he belongs.

### *Italy*

In this section, we shall concentrate on the analysis of immigrant 'survival' strategies -- of Albanian and Polish immigrants in particular -- concerning entry, stay, employment and socialisation in Italy. Our aim is twofold. First, this section complements our analysis of the daily routines of implementation in the Italian public administration in general, and in the Foreigners' Office of the Florence Police Headquarters (*Questura*) in particular. Second, it aims at analysing immigrants' projects, plans and tactics of adaptation and survival in the host country through the immigrants' own voice as registered in two sets of loosely structured life-story interviews.

Concerning the first aim, this section studies how policy design and implementation offer or indeed close windows of opportunity to immigrants. Taking into account the specific policy provisions regarding entry, stay and immigrant employment in Italy as well as the practices of implementation adopted by the public administration, we have analysed how immigrants prepare and execute their migration plans, how they find accommodation and employment once in Italy, and how they continuously adapt their plans to changes in job opportunities, their own wishes and needs, as well as more general changes in the conditions of entry and stay in the host country. We have tried, thus, to highlight the interactive nature of policy design and implementation. Immigration policy needs to take into account the dynamic character of its targets, namely the immigrants -- both regular and undocumented -- in order to achieve its objectives.

Concerning the second aim of this section, through the analysis of interview transcripts, we shall analyse how immigrants make sense of their migration experience, what their motivations are and how these change through the process of migration, how they redefine their personal, social, occupational or ethnic/national identity through the experience of

migration and how they position themselves in relation to the host society on the one hand, and the society of origin on the other.

Albanian and Polish migration flows to Italy started in the post -1989 period and were mainly motivated by economic reasons. In the process of economic and political transition that both countries experienced, living standards fell dramatically, unemployment rose and the opportunity to travel and even migration was offered to their populations. There are however important differences between the two groups. First and foremost, the evolution of the socio-economic and political situation in Poland and Albania in the 1990s have followed divergent paths. Poland has managed the transition successfully, restoring democratic rule and liberalising its economy, and is among the forerunners for entry into the European Union. Albania, in contrast, still experiences severe economic difficulties and periodically collapses into periods of social unrest and political anarchy. It is also currently the poorest country on the European continent and allegedly host of a number of organised crime bands that smuggle, among other things, drugs and human beings.

As regards their relationship to Italy, the countries also differ in many respects. Albania is geographically close to Italy, it has often been seen by Italians as a 'colony' (following its brief annexation to Italy under the Mussolini regime) and has more recently relied on Italian economic and humanitarian aid as well as economic investments. Poland and Italy, on the other hand, are not neighbours and, apart from the strength of the Catholic Church in both countries, the two had little historical or cultural relations. Nonetheless, given Poland's relatively advanced economic situation and accession status to the EU, Polish nationals do not need a tourist visa to visit Italy. In contrast, Albanian entries are strictly controlled by Italian police and Albanian migration is constantly perceived as an 'imminent invasion' of the Italian economy and society.

The patterns of entry of the two groups differ significantly. Poles take advantage of an existing policy provision (the lack of tourist visa requirements) and the deficient implementation of border control as regards passport stamping upon entry or exit at the Austrian and Italian borders. This channel of migration might have been obstructed or become much riskier if passports were stamped and hence border control officers checked periods of stay in Italy more consistently. Albanians, by contrast, violate existing policy legislation and bilateral co-operation agreements between Italy and Albania. Here the key factor -- apart from the immigrant's need and irrevocable decision to migrate at all costs -- is organised crime: the existence of human smugglers' networks that 'guarantee' the crossing of the Otranto straight. This channel of entry is highly likely to be insensitive to efforts for more efficient implementation of control policies. It would rather require a concerted effort to combat organised crime and promote Albania's socio-economic development and public order so as to reduce the causes of the flow.

Polish migration to Italy is a typical case of chain migration: most of our interviewees had their jobs arranged for them through relatives or friends before arrival and they are employed mainly in the housekeeping sector. Albanians work in low or semi-skilled jobs (construction, catering, other manual jobs, agriculture) and remained unemployed for

several months after their arrival. During the initial period, both groups found accommodation and work mainly through contacts with fellow nationals and/or through host country NGOs. However, these strategies have been indirectly supported by the implementation practices of the Italian police in border areas. Our Albanian interviewees in particular reported that it was easy to 'disappear' while granted temporary protection status or even after having received an expulsion order. Furthermore, police officers were reported to apply the law selectively, following their personal criteria and sensitivities. They sometimes released and even helped undocumented immigrants, presumably out of compassion for the latter's plight.

There are important similarities in either group's participation in the labour market although their employment-seeking strategies seem to differ. Both groups are exploited by their employers who are conscious of their more powerful position. The weak enforcement of labour law as regards private homes (a difficult target for labour inspections anyway) and small firms creates a vicious circle. While it opens the possibility to both regular and irregular immigrants for informal employment, at the same time it renders them powerless. Interestingly even when -- in the case of Albanians mainly and to a lesser extent among the Poles, as few of our interviewees from that community had a stay permit for work purposes -- the immigrant held a stay permit, he/she had difficulties finding a regular job. As a matter of fact, both groups agree that their opportunities to find a job outside the underground economy are scarce and that the employment sectors reserved to them are the least desirable and worse remunerated ones like catering services, construction and housekeeping. Both groups, however, emphasise the importance of networking in finding employment. This is particularly obvious among Polish immigrants who actively and constantly pursue improvement in their working conditions and whose migration patterns are particularly flexible. Albanians were active job seekers but apparently less versatile. They tended to cling to their jobs, especially if they had a regular contract. They were however also aware that acquaintances were important, even more than the actual permit.

This study shows that the large participation of immigrants in the informal economy depends only partly on their undocumented stay status. There is at the same time scarce availability of legal jobs that could act as a lever for their regularisation and/or maintenance of legal stay status. In addition, it emerges here that employers are often unwilling to allow immigrant workers to regularise their position because they perceive this as against their own interest. The fact is that the lack of labour inspections and/or other labour market control measures makes it a profitable and low risk business for employers to hire 'cheap' informal immigrant labour. It is worth noting however that informal working conditions prevail for Italians as well in sectors such as housekeeping, elderly care and to a certain extent tourism, catering services and agriculture. Thus, undocumented immigrant labour fits into a pre-existing labour market niche made possible and profitable by the overall structure of the Italian economy. This link between informal economy and immigrant labour that has been highlighted by Reyneri (1998) and others is fully confirmed by this study.

Concerning their contact with Italian authorities, our interviewees reported receiving controversial information regarding the procedure to follow to regularise their work and stay status and little explanations from the FO officers if their application was incomplete. Also the work schedule of the FO appeared to them quite arbitrary: often, when they called the FO on the date indicated on their application receipt to check if the permit was ready, the officer at the counter would say that the permit was not ready and they would be asked to come back the following week without further explanations. Generally, they reported a number of inconsistencies in the FO daily practices. Some immigrants confirmed the importance of acquaintances even when dealing with the authorities. Italian friends played an important role in mediating between the immigrant and the FO in some cases. However, our interviewees did not report any actual corruption cases.

These findings largely corroborate our conclusions concerning daily implementation practices at the Florence FO. Personal views of 'neediness', 'organised philanthropy' attitudes, ethnic prejudice, heavy workloads and the need to cope with them with apparent efficiency, and last but not least clientelistic networks and 'references' from natives are important factors that condition the daily implementation practices of the FO officers. It is nonetheless worth noting that no interviewee mentioned bribing an officer or administration employee although they did mention 'buying' their employers' consent to regularise their position.

The interviewees' experiences mainly converge on one common feature typical of both internal control practices and daily routines of labour market control through the management of immigrant labour participation in it: Italian authorities apply the law in a highly personalised manner that depends on the conjuncture, the personal views or mood of the policeman or employee in charge and the strategy adopted by the interested immigrant to achieve his/her aims or evade a sanction. The implementation and interpretation of the law is flexible and eventually becomes an issue of negotiation between the immigrant and the administration employee or police officer. Clearly, the immigrant is the weaker party in the negotiation but, as suggested by our interviewees, they can adopt various strategies to convince the officer ranging from asking an Italian friend or their employer to intervene to adopting a 'woman's charm' -- to use the words of our young Polish interviewee.

We also found that the social and institutional environment of a receiving country, Italy in particular, are closely intertwined not only because stay and work status condition the social integration or exclusion of the immigrant but also because administration employees and police agents switch from their professional role to their personal identity and views with surprising easiness. Such personalised patterns of behaviour seem to bear heavily on the actual outcomes of implementation (i.e., the efficiency of random checks in public places) and on the immigrants' perception of risk and related design of 'strategies' to avoid risk. Thus, personal positive or negative views concerning immigration in general or a specific immigrant group in particular -- such as stereotypes of the 'needy immigrant' and feelings of compassion towards them -- may influence the daily practices of administration. At the same time, Italian administration and police employees are not necessarily

consistent in their personal and professional behaviour. Thus, while strictly enforcing immigration law during their working hours, they may be employing an undocumented housekeeper in their home. Similarly, they may not hesitate to 'refer' a friend to colleagues in order to speed up the processing of his/her permit while otherwise interpret the immigration law in a restrictive sense. These findings open thus a number of issues concerning how to ensure a set of just, efficient and democratically accountable practices of implementation.

### *United Kingdom*

#### *The Immigrant's Perspective: Migration Patterns, Strategies, and Identities*

Globalisation implies that (for some groups) the constraints of locality are fading away (Bauman, 1998), borders become increasingly porous and the concept of nationality is challenged by new ideas of membership (Bauböck, 1994). Among the many new categories of nomads, we have studied two distinct groups: the globally mobile elites, and the 'illegal' immigrant workers. Both groups reflect the new focus for UK immigration policy -- labour-market recruitment and 'illegal work'. In broader terms, they also reflect the EU's new concerns with the management of recruitment from outside the Union, the control of irregular migration, and as well as the containment of asylum migration (Commission of the European Union, 2000). In an integrated global economy, firms (and public sector organisations) want to draw their staff from all over the world, to transfer them between branches in different countries, or to benefit from professional training provided at the lowest cost. But workers, too, want to take advantage of opportunities for higher earnings abroad, whether these are available through official schemes, or in shadow labour markets. The UK is at the forefront of new developments in these forms of market-led economic migration.

The 'inter-linked economy' increasingly provides for a 'borderless world' facilitating unimpeded travel and economic activities (Kenichi, 1999); it is the global elites and the most mobile who increasingly enjoy such tendencies. However, there is a legally constructed difference, because the demand for the elites is politically acknowledged, whereas that for low-paid, low-skilled labour is not so easily justified to the electorate. Consequently, the elites find an efficient system of work permit regulations in the UK that leaves open little space for complaint. But the undocumented worker too could not complain too much about the immigration enforcement regime because it has neither been particularly efficient nor has it particularly targeted undocumented work. Immigration enforcement policy gives priority to clandestine and illegal entry and failed asylum seekers rather than the economically active or their employers (Jordan and Düvell, 2002). Undocumented workers have more to fear from competing compatriots than immigration raids. However, for both possibilities they developed a set of strategies to avoid detection. The confidence of undocumented immigrant workers as found in our study indeed has been based upon the awareness that they are wanted, even waited for, during harvest and peak tourism times.

Elites and undocumented workers alike represent an increasingly globally mobile workforce. Not only because those in search of work may well be the majority of the world's migrants, both groups certainly represent truly neo-liberal requirements of being flexible and mobile, acting upon economic incentives, striving to improve their human capital, and reaching out for available opportunities. Where the IT -expert enjoying his work permit and the dish washer without any immigration status differ in rank is in the context of social stratification; however, it is remarkable that none of them turned to any kind of class-ideology to explain their situation, except, for example, working Turkish and Kurdish asylum seekers (Jordan and Düvell, 2002). Perhaps that is because there is another figure below them on the social scale: the refugee. Refugees are treated entirely differently within public systems and represent the opposite end of a 'migration scale of popularity' (Koser and Lutz, 1998). They are perceived as 'placing demands upon' public funds instead of 'contributing' to the economy. Contradictorily, they are either defamed as 'scroungers' when they apply for public funds or as 'economic migrants' when they want to work. In fact, many of them are not very different from work permit holders or undocumented immigrant workers. Their educational background is usually high, though they may not have the skills the labour market is looking for, and they too respond to the temptations of the shadow economy. In the end, it is very difficult if not impossible to find convincing demarcation lines between the apparently different categories and to justify unequal treatment for what appears a complex but coherent process of global mobility (Jordan and Düvell, 2003).

Comparing accounts of work permit holders with those of undocumented workers not only allowed administrative practices to be re-evaluated, it also offered a whole new range of insights into migration patterns and challenges to existing analytical frameworks. Most strikingly, the overwhelming majority of our interviewees who have been chosen to participate in the labour market presented themselves as rational market actors; indeed, they argued as if they had read rational choice theory before making their comments. The interviews also allow immigration policy implementation to be seen in a new light. They expose shortcomings, help to understand the strategic game between immigrants and immigration authorities, and point to inconsistencies and inadequacies between immigration policies and immigration reality.

- *The Work Permit Scheme - Successes and Shortcomings*

The interviews with human resources managers confirm what we found from our study into the work permit schemes: it serves the UK based businesses efficiently and successfully. In the opinion of their clients they are easy to deal with, approachable and client-friendly. The views WP (UK) staff have had on their agency ('the basic aim of WP (UK) is to process work permit applications in the fastest possible time... I think we are a very efficient outfit' (15), the pride they showed genuinely reflected their customers' satisfaction ('very efficient' (4b)). On the other hand, the work permit holders strongly appreciate that they are not the ones to be bothered with paper work, but that the

employers, once taking on an employee provide them with a work permit. In their view it reflects that they are wanted and welcomed instead of being the applicants.

The other side of the story is that some interviews with work permit holders indicate that despite a stainless-looking image there seems to be a downside to the work permit scheme, which is breach of contract, exploitation, negligence, lack of training, unequal treatment and discrimination. All of these, to some extent, are in breach of the conditions for work permits placed on employers, which demand that work permit holders are employed according to UK standards, working conditions and wages. However, none of these 'real world' features was in any way indicated during interviews with WK (UK) staff (Düvell and Jordan, 2001), therefore the immigrants' accounts came as a bit of a surprise. The fact that WP (UK) does not seem to be aware of such incidents and does not address them leads to the conclusion that these are structurally ignored in the way WK (UK) seeks to define its role in the world of 'labour and capital'. Their sole goal is to serve the needs of UK businesses, while the scheme never deals with and, therefore, totally neglects the immigrant workers.

- *Undocumented Migrants' Strategies and Immigration Enforcement*

Undocumented Polish workers respond to clear labour market demands and to the incentives of what are perceived to be good earning opportunities. They represent a tiny proportion of the otherwise welcome stream of visitors to the UK. They have established strategies to disguise their intentions from immigration officials, however, only a small proportion are successful and many are refused entry. Such immigrants usually find accommodation, support and employment through immigrants' networks and informal brokers. Employment is frequently waiting for them and there are well-established channels into the UK's shadow economy. In immigration enforcement we found that the ISED knows the variety of illegal immigrants' strategies for how to stay and how to evade detection pretty well, while, for their part, the immigrants also showed an awareness of enforcement strategies and developed adequate responses (see Jordan and Düvell, 2002).

- *Migration Strategies and Labour Markets*

Studies into the labour market participation strategies of migrants of different statuses, cultures, and ethnicities must also take the kind of labour market migrants enter into account. Migrants 'are not randomly dispersed across the absorbing economy nor are they all concentrated in one single labour market. Migrants tend to form clusters'; there are specific patterns to be identified of the interaction between migrants and markets and specific features applying to each individual market (Stark, 1991: 32). From the findings it becomes obvious that there are considerable differences between the ethnic niches that, for example, Turkish and Kurdish refugees enter; the open global labour market for IT-experts that Indian work permit holders, for example, move in; the kind of internal labour markets that transnational business employees move within; or the shadow strata of the

UK labour market undocumented Poles and others make use of. That may become clear by comparing the two extremes. Internal labour markets have been understood as one in which employees move from one branch to another or to another part of a country within one company (Johnson and Salt, 1990). Meanwhile, with transnational companies increasingly moving staff from branch to branch based in different countries, the concept of internal labour markets needs to be reconsidered within the framework of the global economy (Stalker, 2000). It is the market a company acts in that is globalised but its in-company labour market nevertheless remains internal. In labour market theory such employees would be labeled mobile workforce as they move within the organisational structure of the same company, but in migration theory they would be labeled international migrants because border crossing is involved, and, in politics and immigration policy, they would equally be labeled as migrants. From the perspective that migration involves moving from one functional system to another (Bommes, 1999), these migrants remain in the same functional system, the businesses' internal labour market, while at the same time they move from one functional system to another, the different national contexts. As one can see, there is considerable tension involved.

Interestingly, irregular labour markets reflect some border-crossing, but nevertheless internal structures do as well. These are provided by migration networks, by friends and kin who recruit new staff across borders, and migrants vice versa often know in advance where they will find work and accommodation. Such structures readily integrate newcomers in existing economic niches built by previous generations of migrants, altogether they represent migration systems. These combined with migration networks provide for the emergence of transnational communities including their internal markets for information, accommodation and labour (for example, see Pries, 1999; Sassen, 1996).

At the other extreme, however, is, for example, those Polish migrants trying to enter sections of the UK's local labour market either from the beginning or as a step in their strategy of stay. In that case the labour market is in no way internal, the migrant rather aims to move from one functional system to another. Obviously, this involves far more uncertainties and risks than the other two types, even though the migrant may very well also have some previous information about how to do this and where to start. It is no surprise that it is those migrants who do not need to travel long distances and who do not pay a fortune to get here that find it acceptable to opt for this strategy. In our study such migrants were Poles. On the other hand, those who come furthest, Indians, tended to move within the secure framework of internal markets. Even Turks and Kurds, who frequently needed the help of smugglers, which means that considerable capital had to be invested and the risks in case of failure would have been high, opted for internal structures and markets.

- *Migration Strategies Evaluated in the Light of New Approaches in Migration Theories*

'The decision for border-crossing migration is almost always realised within the framework of network structures of inter-personal relations' (Pries, 1999: 33). While this can be verified for undocumented migrants from Poland and Turkey, the case of work permit holders is different. Only some pointed to university mates or colleagues who had already migrated to the UK, but a considerable proportion had no prior relevant contacts in the receiving country. They acted within migration channels provided by multinationals, company links, or recruitment agencies. As such, network structures and migration channels represent separate and alternative provisions for migration, sometimes adding to each other.

That also affects the kind of communities emerging. Undocumented migrants from Poland, shifting to and fro between two countries and, at the same time, members of a new type of a migrants' community in the UK, confirm the concept of transnational communities (Glick-Schiller *et al*, 1992) but their networks are very narrow. Because of the fear of denunciation and rivalry they rely on a few trusted friends and on informal markets for information and documents. Though this is still a dual pattern, while the geographical space remains the same, the migration pattern between the two countries has changed. In contrast, Indian and Polish work permit holders, when mentioning networks, frequently refer to global contacts. That indicates another version of transnationalism, which is even more radical. It has spread across multiple countries, if not to say the globe, in that it is covering a far larger geographical space and is truly transnational.

- *Shifting Immigrants Strategies*

Interviews with Polish migrants, most of them irregulars and business visa applicants, suggested that strategies have only changed in some ways in the three years since our previous research. Obtaining invitations from friends, arriving on the bus as a tourist, living in multi-occupation Polish houses, working in textile factories, construction, or as cleaners, and the exploitation by Poles of fellow Poles, all feature in these accounts. However, it seems as if the business visa, then a rather new feature, has been gaining relevance as a migration and stay strategy, whilst work permits are new features for Poles, which is indeed interpreted within the context of avoiding an illegal status. Two more aspects suggest a development of the systems by which those who have been in the UK for longer periods come to occupy new niches within immigration chains, either as brokers for new arrivals ('buying and selling' jobs), or bridges with the first generation Polish communities (such as caring for the elderly), which indicates a 'deepening' of the infrastructure of Polish social relations in London. However, these still exist within a culture of exploitation, resentment and unrestrained competition.

- *Comparing Documented and Undocumented Immigrant Narratives*

Undocumented Polish workers are not in every aspect different from their work permit holding counterparts from India or Poland. In fact, the undocumented migrants were

educated to much the same standard as those recruited through work permits and other legal recruitment schemes, and some of the work permit holders from Poland had even previously been undocumented workers, for example in Germany, to fund their studies. Consequently, it makes sense that both show the same behaviour in responding to clear labour market demands for the manpower and skills they offer. In their narratives the Polish undocumented immigrants in particular show even more 'entrepreneurial' attitudes than the Indians, they talk far more about the opportunities in the UK than their lack of opportunities back in Poland. In terms of the push-and-pull model, the pull factor seems to be stronger. Consequently, both groups deploy a clear workers' account, they come to the UK because of labour market opportunities and for financial gain. In both categories one finds individuals who aim to invest in themselves through improving their language skills or by working abroad. They reflect a strong preference for a temporary stay and the strategy of returning repeatedly could be found with both groups. Indian work permit holders act upon distinct migration channels providing access to employment. Polish undocumented migrants also did often know in advance where they would look for work and what conditions they would find, as they also have developed channels into London's shadow economy. Hence migration narratives, strategies and aspirations reflect some similarities. The main differences, though, concern the distance of the journey, culture and language, skill-levels (though there are examples of well-educated workers among Poles), social capital (lower with Indian interviewees) and political responsiveness.

A comparison rather points to the question why such individuals as yet are treated so differently. In theory, that is because one category is acknowledged as shortage-skills workers under the work permit provisions, whilst the other group is not acknowledged under any such provisions, though obviously the labour market demand is there too. The White Paper 'Secure Borders, Safe Havens' (Home Office, 2002) which thinks aloud about immigration provisions for the low-skilled is a first step towards acknowledging this anomaly.

- *The Migration Experience and Identity Development*

The Polish interviewees in the construction of identities most clearly tend to emphasise a kind of 'whiteness' (Phoenix, 1998) in order to construct some belonging to the UK host society, doing so, in particular, by drawing a demarcation line between themselves and those who are perceived as 'non-white' migrants and ethnic minorities. That however, did not save them from experiencing some forms of discrimination. Indian interviewees rather tend to only occasionally refer to the concept of 'race and ethnicity'; instead, they derive their identity from a non-racial concept of 'human beings' or their social and labour market position. Comparing identities, one could say that the Polish interviewees carved a kind of ruthless economic niche out for themselves in which they could earn higher rewards the longer they stayed. Indian interviewees, in a self-consciousness style, aim to integrate into UK mainstream society claiming to deserve that right as highly competitive members of society.

## 4. Conclusions and Policy Implications

### 4.1 Context, Rights and Rules

Our study demonstrates the importance of organisational culture and professional identity in the implementation of immigration control. Broad policy goals are interpreted within national traditions, public-service cultures, and the functions of particular agencies. In the Southern European countries, for example, foreigners are mainly perceived as either threats to public order or objects of pity, unless they can provide evidence of their connections with prestigious citizens or their value to the economy. Such cultures require a strong input of training and the reorientation of official practices towards the recognition of the rights of foreigners to fair and impartial treatment under rules that are transparent and standards that are published and to which officials can be held accountable. This implies:

- 1) Complaints procedures and appeals processes that are accessible
- 2) Notices, brochures and electronic texts (websites) giving details of rights, rules and standards
- 3) Ombudsman or other systems to settle disputes and grievances over implementation, as well as over substantial issues and claims
- 4) Measurements of efficiency that include waiting times, delays, recalls, etc., rather than simply numbers of cases processed
- 5) Legislation and policy with clear goals, and simple outcomes, consistent with the resources and training of staff. This should include equal opportunity legislation and standards for minority ethnic groups and immigrants

In the Northern European countries, most of these features are already present in principle, but substantial discretion for immigration and other officials still influences outcomes and migrants' experiences. Here training should focus on the nature, uses and misuses of discretion, with special reference to racial and other forms of stereotyping and discrimination.

In the UK, two other features of the systems and agencies demand urgent attention.

- 1) In the Work Permits system, the lack of proper enforcement of the rules governing work permits in relation to the pay, conditions, equality of opportunity, accommodation standards, etc., for foreign recruits
- 2) In the other (Foreign Office and Home Office) schemes for work permissions and visas, the failure to set and implement adequate standards of efficiency, punctuality, courtesy, consistency or respect for rights. In these respects, many of the same issues apply as in the Southern European states, but with the added criticism that the disparity between standards for visa and work permission holders and for citizens is more glaring.

## 4.2 Amnesty, Regularisation and Recruitment

Here again there are two different traditions. In the Southern European countries, amnesties provide the main channel for transition from illegal entry or unauthorised (informal) work to legal residence and employment. Such approaches necessarily involve a stigmatised status (immigration offender) for the applicant. They thus facilitate discriminatory and patronising forms of implementation. In the medium term, it is therefore desirable that these countries move towards schemes for recruiting skilled and less skilled workers for specific roles under mandated schemes. This implies:

- 1) Training of staff for labour-market management and recruitment tasks
- 2) Systematic liaison with employers through formal meetings rather than patronage and clientelism
- 3) Detailed attention to the skills profiles of migrant workers and potential recruits
- 4) Schemes for legal entry under specific categories, including job seekers, rather than generalised regulation

In the Northern European countries, labour-market recruitment, especially under short-term schemes, has a long tradition, whereas amnesties are rare. There is a good case to be made for selective amnesties to be introduced, especially for citizens of more distant countries, who are otherwise trapped in the informal economy, and open to exploitation and criminalisation.

In Germany and the UK, despite enormous differences in organisation, function and culture, the systems share a sharp distinction between schemes for recruitment and for the control of unauthorised residence and work. There is a good case for introducing new categories of legal entrants which closes the gap between these two by allowing entry for job search (under close regulation) and which hence allow more flexibility in the (highly regulated) German labour market and more regulation in the (market-orientated) British.

- 1) Both business visa and work visa schemes (somewhat tentatively introduced in the UK), could be more strongly advertised and recognised, in both the UK and Germany.
- 2) Entry and work permission without access to benefits could be allowed, initially on a quota basis, to those able to produce evidence of cash resources and access to accommodation.
- 3) Internal control, through immigration services, benefits, fraud controls, and social insurance checks, could include the regulation of these schemes.

## 4.3 Policy Recommendations

*Germany*

The German case study led to basic insights with policy relevance in the areas under consideration. In this section, we shall summarise our findings according to three main research and policy areas: work permit administration, enforcement and migrant perspectives.

- *Work permit administration*

Concerning the use of discretion in the work permit administration we stress that the influence of organisational culture depends on the institutional structure. The salient factors are the division of labour between local and central agencies and the front desk and back office. Namely, front desk employees in the work permit office find it easier to follow a restrictive line towards their clients -- the migrants -- by pointing to negative decisions by job agents (the back office) and central regulations.

In a time of high unemployment, admitting new labour from abroad is a very sensitive issue in Germany. A proposal for a substantially changed Immigration Law has been under intense debate, although it would not bring many changes in the near future, but, rather, opens the way for substantially larger immigration in the distant future. By comparing our results with results from the British study, we assume that labour immigration could be enhanced by organisational changes. By transferring the priority decision from job agents to an employer-oriented work permit unit, the threshold for a positive decision would be lowered. On the other hand, it can be doubted that this would lead to more sympathetic decisions in favour of irregular migrants.

- *Enforcement*

Enforcement activities are characterised by wide discretion in the selection of work sites. As enforcement mainly reacts to tips, the presence of foreign-looking or sounding workers enhances the probability of selection. This practice can be characterised as discriminatory in the scientific sense of the word, although individual agents made efforts to act polite and impartial with regard to ethnic differences. As our research shows, the effectiveness of work-site enforcement and especially of different selection procedures are not systematically evaluated. It is recommended to monitor enforcement activities systematically and verify whether there is a justification for discriminatory site-selection practices. Other selection practices should be tested and compared. Specifically, evaluation procedures could look for bottlenecks in the control procedures, which involve many different organisations. It could also look for ways to enhance more employer-oriented strategies that would match the employer-oriented aims of the involved organisations.

- *Migrant perspectives*

Immigrant perceptions and reactions depend on their social situation, and the situations typically depend on the length of residence. Enforcement against workers may induce the return of individual migrants. But as long as they can be

replaced by new, more vulnerable migrants, wage and working conditions may even decline due to enforcement efforts.

Although migrants without a regular status receive some support from civil society actors, this support is always precarious. Migrants should be supported without regard to status in situations of hardship -- both in order to protect their human rights and to protect the German labour market from situations of extreme exploitation. With a fragmented health insurance system, this also means that the state should provide some sort of low key health care support in big cities with large populations of homeless and undocumented immigrants.

### *Greece*

The research findings of the Greek team and their discussion at the dissemination events led to the formulation of a concrete set of policy recommendations:

- 1) The representative from the Forum of Albanian Workers suggested a number of policies concerning the implementation and integration of immigrants in Greece. First of all, he noted that the work permit should not be part of immigrant legislation in the future. With only the residence permit immigrants should have the right to work legally and thus to avoid any relations with the Greek informal sector in the future. In addition to this, the legislation process should extend beyond the existing date (December 31, 2002) in order to allow a greater number of immigrants to prepare their applications.
- 2) The residence permit should be granted either upon presentation of insurance documents or a simple reference letter from an employer.
- 3) Immigrants' social rights by law should be respected (i.e., unemployed, pregnant women, and immigrants with physical or mental disabilities).
- 4) The Greek State should reopen the application procedure for work permits given to people who specialize in small vending businesses.
- 5) There should be no expulsions for any reason, a practice that took place prior to the implementation of Law 2910/2001.
- 6) Immigrants should have the right to change their occupational status.
- 7) Centres of information for immigrants should be established.

In relation to IKA and OAED, the representative added that employees should be given further training in order to adequately deal with the specific ethnic, cultural and work-related problems immigrants face. The representative considered the immigrant legalisation programme to be the cradle of all of the problems that the immigrant population and Greek society are facing.

The Red Cross representative questioned whether Greek immigration policies aim at the integration of immigrant workers or, rather, aim for the production of a cheap labour force useful to Greece's informal business sector. In addition, the representative recommended that an integration-oriented programme be both multicultural and locally based. In

particular, she mentioned that there should be different preferential treatments for adults, children, and women, and cooperation between different immigration authorities belonging to different ministries (i.e., OAED, Ministry of Culture, local administration). The government should establish centers of information for immigrants and, together with local administrations, should establish cultural centers for immigrants in different districts. In addition, the representative recommended the establishment of the role of organizational mediators within different public offices who would act as a departmental ombudsmen between immigrants and authorities.

Academics also noted that any immigration policy should take into consideration the fact that the Greek birth rate is extremely low in comparison to other European countries and that immigrants cover the immediate labour shortages. However, because immigrants are not insured by their employers, the welfare system may not be able to pay pensions in the immediate future. They also noted that current migration policies lead to a greater increase in the cheap labour force in Greece and an increase in informal labour practices. In addition, it was argued that any future immigration law should refer to both labour and social integration and that labour integration does not necessarily imply social integration.

IKA and OAED representatives argued for an immigration policy that is more organizationally varied and takes into consideration the differences and practical problems employees face in their everyday duties. More specifically, IKA representatives asked for a better management of resources and an increase in staff members. In contrast, OAED officers asked for less intervention by government and less bureaucratic controls which confuse employees and make their 'duties even harder' to implement.

### *Italy*

One of the main objectives of the IAPASIS project has been to provide feedback to administrators and the policy community and offer policy recommendations. In this section, we shall present our suggestions for improvement concerning the organisation and daily work of the Foreigners' Offices (now renamed Immigration Offices) of *Questura* (Police Headquarters) across the country. Our findings and suggestions are derived from our study of the Florence *Questura*, but we have good reasons to believe that they apply to a large extent to the work of most Immigration Offices in Italy.

- *Policy Recommendations Concerning the Work of the Police (Questura) Foreigner's Offices (FO)*
  - 1) In Italy there is a large fragmentation between the various administrative services working with immigrants. Reduction of this could help to unify the interpretation of the law. Establishment of exclusive networks between different offices (i.e., by using the Internet) can facilitate their work.

- 2) The immigration law and cases FO officers encounter are very complex and they often lack special training. Training initiatives should be intensified (such training should be repeated to keep officers up to date with changes in the policy and in the overall immigration phenomenon in their country) so that police officers are better prepared to deal with clients of different ethnic, cultural or religious backgrounds.
- 3) When FO officers have difficulties that cannot be solved by consulting other colleagues, they contact the head of the office. The head may consult the Immigration Office at the Ministry of Interior (by fax). The latter usually sends a response by courier, but more often than not replies take a long time. We believe that it is very important that the Immigration Office of the Ministry responds more promptly to the queries of the local *Questura* offices.
- 4) Local offices would also be more efficient in their work if there was systematic exchange of information and better coordination between them. We therefore strongly encourage the use of Internet technology and electronic mail so as to render the communication between them and between local offices and the Ministry quick and efficient. The use of electronic technology would allow for the simultaneous rapid distribution of circulars or notes clarifying certain aspects of the law in Immigration Offices across the country.
- 5) Our study revealed an important problem of communication between immigrant clients and the FO. In Florence, communication between the office employees and the immigrant clients was hampered by linguistic problems, chronic staff shortages (leading to long queues all year round) and ethnic prejudice. Trade union and NGO representatives agreed that language often creates a barrier between the FO agents and immigrants clients. We underline the necessity and usefulness of the presence of cultural mediators and translators (possibly of immigrant background) inside public offices who could help the dialogue between public officers and immigrants (the issue here is not only linguistic but also cultural competence in mediating between clients and service providers).
- 6) We also suggest that instructions concerning the issue/renewal of stay/work permits is provided in different languages -- this is already the case to a certain extent in the Florence FO -- on a blackboard in the entrance hall, that this information is sent to different ethnic and immigrant associations, that information is made readily available to immigrants through local centres (the Municipality, NGOs, etc.), and other means like the Internet (such initiatives have already been taken by the Region of Tuscany and the Municipality of Florence but they should be expanded and advertised more widely).
- 7) We suggest that the language used in such documents is precise and comprehensive avoiding the use of technical terms that might be incomprehensible to foreigners with a limited knowledge of Italian.

- 8) We believe that the changes proposed above would facilitate the work of FO officers. If information and communication are improved, the time needed for receiving applications at the FO counters will be reduced, immigrants would have to go to the FO fewer times, hence queues and workloads would also decrease. If better prepared, applications would need less time to be processed and the overall service would be quicker and easier.
- 9) Last but not least, we believe that a greater effort should be made on the part of the Italian state to inform migrants in the countries of origin of the conditions and procedures for applying for legal entry and the risks of unlawful migration and/or illegal work.
- 10) We recommend that a link between actual practice, verification and appraisal, and policy design is necessary. Furthermore, we encourage the co-operation among governmental organisations and NGOs, and better communication between researchers and policy actors.

- *General Policy Recommendations*

- 1) Our study has shown that there is both a demand for immigrant labour in Italy and an offer of such labour from the sending countries. Therefore, the big challenge for Italian immigration policy is how to match offer and demand through legal migration channels. Formulation of policy for properly managed legal migration is essential in Italy. While legal migration channels continue to fail to meet the demand for labour, irregular migration, and, in particular, smuggling and trafficking will flourish. Immigration policies based on quotas may be essential for regulating future immigration. But, at the same time, their implementation should be quick and efficient, adopting transparent procedures and clear criteria in the respect of the human dignity of immigrant workers and their families.
- 2) Migration seems at the moment to be one of the factors that can contribute to population growth in the majority of Western European countries. In Italy, the birth rate is even lower than in other Western countries. Immigration seems necessary to avoid population decline or to escape the consequences of population ageing. Because immigrants in their vast majority do not participate in national insurance schemes (nor in private ones, which they probably cannot afford anyway) and their employers are often reluctant to pay welfare contributions for them, the national welfare system may face important problems in the immediate future as immigrants get settled, start families and grow old or sick. Better and stricter labour market inspections are necessary to prevent irregular jobs and exploitation. Sanctions should also be applied against employers who infringe the law and distort labour market competition.

- 3) Trafficking of human beings remains a plague in the southeastern part of the European continent. More effort and funding should be put into combating organised crime in the form of immigrant smuggling and human trafficking (such as that taking place between Albania and the southeastern coasts of Italy). Programmes of support and reintegration in the country of origin should be put in place to assist victims while at the same time discouraging them from migrating illegally.
- 4) We vividly recommend the protection of the human rights of immigrants -- both legal and undocumented. Recent studies have revealed new forms of 'slavery' taking place in Italy. Cases of forced labour in conditions that do not respect human dignity and the basic rights of the individual are not confined to the sex industry but are now more and more often encountered in private homes where immigrants care for elderly and sick people (see for instance, <http://www.stranieriinitalia.it/news/tatiana29mag.htm> ). Employers or illegal 'work brokers' often confiscate the immigrant's identity documents, prevent them from contacting their families or even the local authorities and submit them to degrading treatment and unacceptable working and living conditions. Given that most forms of such slavery take place in private homes or in tiny enterprises, their detection and prevention is particularly difficult. We therefore welcome the development of suitable measures and policies for combating this phenomenon of 'post-industrial slavery'

- *Housing issues*

- 5) Our study showed that accommodation is one of the main problems that immigrants face in the receiving country: many owners refuse to rent their properties to foreigners and, if they do, ask for very high rents. A stricter control of the housing market and the integration of legal immigrants into state housing schemes is highly recommended.

- *Public attitudes*

- 6) Attitudes towards immigrants in Italy are often skewed because of prejudice and/or lack of information on different cultures, religions, countries or traditions. Efforts for an immigrant integration policy, as introduced by law 40/1998, need to be intensified. Funding has to be provided at both the state and regional or local level for combating ethnic prejudice, social marginalisation and exclusion and for promoting social cohesion. The government should take an active role in creating a climate of acceptance for different cultures and peoples, condemning racism and intolerance.

## *The United Kingdom*

We have, in our recent publications, analysed present migration as a complex but coherent phenomenon of increased global mobility of people and labour. We are concerned about the unequal treatment of apparently different but otherwise very similar forms of migration, such as economic migration, illegal migration or asylum migration. On the other hand, we acknowledge the complexity of policy making that needs to do justice to immigrants and indigenous peoples, to mobile and sedentary workers alike. We also recognise the task to win over the electorate for a just and fair approach, as we have recently been observing in Germany. And, last but not least, we also appreciate that the Home Office White Paper on 'Safe Havens' does already address these topics.

The 'inter-linked economy' increasingly provides for a 'borderless world' facilitating unimpeded travel and economic activities; it is the global elites who increasingly enjoy such tendencies. However *en détail* that often proves to be more of a vision than reality, as some comments from our interviewees show. In contrast, low -skilled, low-paid workers are still subject to rigid immigration controls and often lack an appropriate immigration status. Those coming on a visa and those entering by unlawful means may appear to be the two ends on the migration scale though it is not quite so. In fact, *both* are wanted by the employers, *both* are integrated into the labour market, and *both* derive their identity from economic activity as the workers' accounts they share show.

These and other reasons also explain why internal immigration enforcement does not and cannot completely succeed, neither in the UK, nor in Germany with probably the most close-knitted net of internal controls *and* the highest figure of illegal immigrants. Our German partner's findings suggest that illegal immigrants have developed successful strategies to evade detection, for example, by moving deeper into economic niches such as private households, or by moving into areas with a lesser density of controls.

We have not yet compared the immigrants' typologies, their strategies and patterns of labour market participation in all countries. However, it can be hypothesised that each country attracts a particular type of immigrant. That Indian immigrants have a preference for the UK and are not likely to go to Germany is maybe no surprise. However, it is more interesting that Polish undocumented immigrants to the UK are better educated and probably represent a more aggressive and demanding character than those going to Italy and Greece. This is because those who already have a good education tend to know some English, are aware of the market value of their education, and, hence, their human capital and can most clearly see the advantages of increasing this, for example, by improving their English. Both, Polish undocumented workers and work permit holders alike argued that having learned to 'survive' the UK's economic environment is a plus to their socialisation. Apparently, each country gets the migrants it 'deserves'.

Comparing strategies over a period of four years we could identify two major shifts: applying to EEC agreement provisions to avoid or to regularise an irregular status, and to seek employment within the work permit regulations to avoid an irregular status. That

shows that a status is preferred to no status. Insofar recent policy moves to offer regular channels for migration in order to prevent illegal migration are confirmed.

The study also confirms that the temporary nature of, for example, the work permit scheme does suit the concepts of these mobile individuals. Indeed, any similar temporary, seasonal, or multiple-entry regulation and/or part-time permission to work would also suit the perspectives of, for example, those illegal immigrants we interviewed. Also, extending the working-holidaymakers' provisions to other nationalities would suit two main strategic aims: working and learning. It could prevent irregular migration, considerably improve the socio-economic and political relations with the countries of origin, while, on the other hand, it would not necessarily attract long-term immigration.

Regarding the work permit regulations we would suggest to structurally integrate the immigrants into this concept. The however limited vulnerability of the system to employers' misuse could be balanced by a scheme of information to the actual work permit holder and, for example, a help desk or an ombudsman or woman. Any effort to show that someone also cares for the immigrants, keeping in mind that many are quite young men and women, would add to the attraction and therefore to the competitiveness of the scheme as a whole.

## **5. Dissemination and exploitation of results**

### *Germany*

In this section, we first describe the main meetings and discussions with authorities and go on to discuss selected results of discussions in different forums mostly including NGOs and academia.

- *Authorities at the Local and State Level*

During our research in the Berlin Labour Authority we gave informal feedback to the department heads immediately concerned. They were generally interested in our portrait of their work and behaviour. As interviews and observation portrayed the sympathetic attitudes of the staff, they were relieved and/or delighted to see themselves described in this way. The enforcement units in particular are often portrayed as 'hunting illegals' in the media, an image they object to, so they saw our description of their behaviour towards foreign nationals as an element that can contribute to correcting that image. Nonetheless, we also pointed out that the procedure to select sites in fact *does* result in a concentration on ethnic minorities and can be characterised as discrimination. They were reluctant to

accept or discuss this aspect, pointing either to the non-representative character of our study or the allegedly academic character of this conclusion. A state officer was specifically interested in some considerations that do not form the core of our outcome, namely, on the difficulties of evaluating the outcome and success of enforcement activities. The background for this particular interest is rooted in the tasks of public authorities to justify their expenditure of public funds. We agreed to organize a one-day seminar for all Berlin-Brandenburg enforcement authorities in cooperation with his office, scheduled for February 2003.

- *Discussion Groups at the Federal Level*

In September 2002, we organised two separate discussion groups for the two federal authorities competent for immigration and enforcement. The main office of the Federal Labour Office (*Bundesanstalt für Arbeit*) competent to process work permit granting and to conduct work site enforcement, is located in Nuremberg. In the same city, there is the Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*), founded in the summer of 2002 and developed from the former Federal Office for the Recognition of Asylum Seekers. This new institution is the central authority responsible for migration related issues in connection with adjudicating asylum claims and was supposed to be assigned new responsibilities by the new Law on the Restriction of Migration (*Zuwanderungsgesetz*) bound to enter into force in January 2003 but stopped by the constitutional court in December 2002. Providing the information about and coordinating labour migration is one of the new tasks of the authority.

In the Federal Labour Office, the meeting was attended by two high-ranking institutional officers and one researcher from the related research institute, the *Institut für Arbeitsmarkt- und Berufsforschung*, who is specialised in migration issues.

Concerning work permit issues, neither the fact-finding efforts nor our conclusions turned out to be particularly controversial. Concerning regional diversification, it was added that the same organisational structure may lead to more liberal outcomes in other parts of Germany. Especially in the booming south-western areas, employers pressure state governments successfully for a more liberal implementation of work permit rules. Local employment agents are interested in keeping good relations with employers who frequently employ from 'their clientele' -- the unemployed. Thus they may be more generous in granting work permits with employers they are familiar with. In addition, local political authorities may demand a more liberal implementation of rules.

Concerning enforcement issues, discussion was more critical. The concerned officer was eager to point out all specificities of our case study in order to highlight the limited scope of our insights and insisted that it was the legal and political task of enforcement units to follow up on tips in order to control where most offences can be expected. We interpret this partly as an unwillingness to discuss discrimination issues and ideas for major restructuring.

Our presentation in the Federal Office for Migration and Refugees was extremely well visited with 9 high-ranking officers attending. Discussants explained that they were specifically interested because the project concerned the new tasks of the office. Some of them are attending team meetings with the Federal Labour Office in order to develop strategies for the implementation of the new migration law. For them, our presentation offered a welcomed chance to learn more about migration control in the labour market. Specifically, they asked many questions about work permit decisions in the Federal Labour Office getting an outsiders' perspective on the information they receive from the Labour Office itself.

Participants in both discussion groups were interested in developments in other European countries, mainly from practical points of view. They either showed a motivation to learn from good practice examples, or they seemed to hope to put their work in a more positive perspective by showing that other countries were not achieving more and sometimes even less.

- *Non-Governmental Welfare Organisations*

Traditionally, a few large non-governmental welfare organisations share the market of state-sponsored migrant counselling and support among themselves. The largest two organisations are connected to the catholic church (*Caritas*) and the protestant church respectively (*Diakonisches Werk*), one is close to the labour movement (*Arbeiterwohlfahrt*), others are not bound to a social movement. Basically the same organisations offered social work to asylum seekers and refugees when this became a major task since the 1980s. These organisations became increasingly confronted with issues of illegal stay or work by their clients.

In addition, churches had to clarify their position when they were approached for church asylum, mainly by rejected asylum seekers. Since the 1990s, these organisations started to include issues of illegality in workshops for their staff. Following somewhat scandalizing media coverage, catholic organisations took a lead in spreading more adequate information about the situation and problems of migrants without residence status. Welfare organisations are dominated by a social work perspective and mainly promote the effective protection of human rights for illegal immigrants. Moreover they are interested in practical solutions to legalize consulting for illegal immigrants and supplying health services.

- *Political Initiatives*

In addition, a network of small left-wing groups is involved in the support of refugees, illegal immigrants and campaigns against racism (*Kein Mensch ist illegal*). They also support self-organisations by refugees and illegal immigrants, which are still of minor

importance in Germany. Left-wing organisations complain about racist immigration policies and promote the legalisation of all 'refugees'.

- *Political and Adult Education*

Several organisations engaged in policy consulting and adult education became interested in these and related topics. The most important are political foundations closely related to political parties and Political Academies for adult education run by states, churches and non-governmental organisations.

The German team established contact and took part in discussions in all these different domains. In several discussions we met a large number of functionaries and members of welfare organisations. Generally, they find it easier to understand and accept our work on migrants' perspectives, as they are used to see migration control from this perspective. Some discussants find it difficult to accept our results about the self-confident and independent attitudes of Polish workers without status, Especially because activists who formally or informally consult and support migrants are often approached by migrants in despair so they tend to view migrants generally as victims. Members of the left-wing anti-racism network find it particularly difficult to accept that we indulge in discussions about detailed changes in the control regime as they do not accept the control regime at all. On the other hand, some grass root activists were surprised and interested in our idea to evaluate both sides of migration control in the labour market and showed particular interest in our findings on the attitudes of control staff.

There is one expectation that we could not quite fulfill: we could not report on other European countries in the demanded detail. Although we read the country reports from our partner countries and cherished discussions at project meetings, we were not informed enough to prepare presentations and answer detailed questions. Fortunately, we could at least arrange one joint presentation with a German-speaking member of the British team.

Regarding future projects, we consider developing a system that enables partners from a specific country to develop a close knowledge of at least one other country. There could be a systematic 'pairing' or 'twinning' of countries for the course of a project, including, for example, research visits at the partner country and presentations of the partners' research at joint project meetings. This type of organisation could improve research in three respects: first, it would enable researchers to ask more questions about their own country, as close contact with the partner gives them a different perspective; secondly, it would improve the basis for comparison at the larger project level, as the comparative discussion will be improved through the insights of paired countries at research meetings; thirdly -- and this was the starting point in this report -- research partners would develop enough knowledge about their partner countries to be able to present it to their own country's audiences (without high travelling and translation costs, but with a good idea of what might be interesting about the other country to an audience from their own country).

## *Greece*

- *Introduction*

On November 18, 2002, KEKMOKOP (Centre for Social Morphology) and the Greek research team of the IAPASIS project held a one-day discussion. The purpose of this discussion was the exchange of information and ideas on migration control between the research team, NGO representatives, academics and public officials responsible for implementing immigration policy in Greece.

The aim of the discussion meeting, more specifically, was twofold: first, to present the findings of the IAPASIS project to welfare agencies, and, secondly, to focus on the participants' recommendations, critical comments, and future policy suggestions. The discussion meeting was held at Panteion University and participants included representatives from the Forum of Albanian Migrants in Greece, the Red Cross, the General Secretariat for Greeks abroad and members of the academic community (professors and postgraduate students).

The discussion was organized in order to exchange ideas and suggestions between the organizers and the participants, who directly or indirectly hold key positions in the implementation networks of Greek immigration policy. The discussion was structured around three phases: the presentation of the findings, the response of guest participants, and the critical appraisal of current immigration policies and implementation processes. This last phase included the reviewing of the Greek team's recommendations and participants' suggestions for immediate action concerning immigration. The main findings from the discussion are presented here and the intention, after a request from the participants, is to give as much publicity as possible to this event and to hold a national conference on the issue of implementation (in February 2003) at Panteion University.

- *Responses and Suggestions*

The findings of the Greek research team were found by participants to be reflections of the everyday concerns and problems of immigration officers dealing with immigrants. In addition, the majority of participants raised a number of issues concerning the difficulties of immigrants' integration into the country due to language and economic reasons.

- *Forum of Albanian Workers*

More specifically, the representative from the Forum of Albanian workers raised, in addition to the research team's findings, three issues concerning the implementation of immigration policies. The first issue concerned the highly bureaucratic nature of immigration authorities. On an everyday level, it was noted that immigration policies have

proven to be too general and far removed from the real problems immigrants and officers face. 'If the legislature is correctly formulated then immigrants', according to the Forum representative, will also 'behave according to the letter of the law'. In addition, he referred to the issue of the legalisation of undocumented immigrants, and how, due to bureaucratic inertia and the problem of legislature, only 200 000 immigrants have renewed their visas to stay and work. The majority (i.e., approximately 300 000) applicants will remain without work and residence permits and will once again become undocumented immigrants by the end of 2002. Law 2910/2001 and Law 3013/2002 on immigration, according to the representative, have created two problems: first, the repealing of existing human rights protections of immigrants, and, second, the negation of the power of various authorities (i.e., due to particular departmental/individual interests) to implement the law.

In relation to this, there is a second issue which legislation seems to leave unanswered. That is the differences that exist in Greece between different organizations responsible for the implementation of immigration control. Organisations together with Greek society respond differently towards the same and/or different immigrant groups. In accordance with the Forum of Albanian Workers, Albanians who are on unemployment benefits cannot renew their visa permits at OAED. This is due to article 53 of L. 2910/2001 (i.e., according to which for renewal one must have an employer, but an employer cannot hire anyone without a work permit and the OAED refuses to issue permits on the basis that the unemployed do not have an employer). The representative also referred to the examples of tolerance and prejudice that exist in Greece: prejudice is expressed against Albanians and other minorities, as opposed to the case of Poles who enjoy a more favourable position.

Thirdly, the representative noted that apart from organizational and legal issues, immigrants also face discrimination due to the difficulties they face when they communicate in the Greek language with public officers. Their difficulties in expressing themselves in Greek, according to the representative, is responsible for raising the barriers of communication between immigrants and public officers.

- *The Greek Red Cross*

From the point of view of the Greek Red Cross and their experience in refugee camps in Athens, the representative noted that discrimination against immigrants was more an issue of designing an adequate immigration policy than an issue of public officers. The representative gave some evidence concerning the work of the Red Cross and how ill practices take place as a result of immigration policies which do not reflect the cultural and family needs of immigrants and are not based on a multicultural understanding.

- *General Secretariat for Greeks Abroad*

The representative from the General Secretariat for Greeks Abroad noted that discrimination against immigrants was not a tolerable practice by the organization and its

officers. However, on the issue of implementation, critical comments concerning the training of public servants in dealing adequately with immigrants were raised.

- *Academic Community*

Representatives of the academic community, on the other hand, stressed the fact that the lack of immigration policies that deal with the contemporary problem of undocumented immigration and the introduction of flexible labour policies produce an undesired effect on the integration of immigrants. In particular, academics stressed the fact that the Greek government seems to have difficulty to coordinate, disseminate and combine research on immigration.

- *IKA*

IKA representatives agreed that there are problems of implementation and that immigrants sometimes had difficulty using welfare or other services, but did not agree that officers have discriminated against them intentionally. There were cases, according to IKA employees, in which officers were less tolerant, but this was due to the officer's workload and their concern about the mismanagement of public funds. Representatives stressed the fact that officers deal on a daily basis with hundreds of immigrants who are unable to speak the Greek language and demand services that do not exist even for Greeks.

- *OAED*

OAED representatives on the other hand, explained that officers are dealing with many problems at the same time. They also rejected the research finding that officers discriminate against immigrants. Instead, they argued that immigrants behave badly towards officers and many employees face personal threats while having no one to protect them. However, they also pointed out that problems of communication between immigrants and officers reflect the government's public policy inertia towards public servants and, more specifically, towards frontline officers who do their duties without adequate training, resources and adequate staff.

A set of specific policy recommendations (included in the relevant section of this report, above) was formulated after this event. The dissemination activities of the Greek research team, however, continued with a one-day conference on 'The Informal Aspects of Migration Policy and Strategies of Integration: The Case of Albanians and Polish Workers'. The conference was held at Panteion University (February 27, 2002) and participants included (i.e., except for Prof. K. Kassimati and Dr. S. Georgoulas) academics who spoke on subjects relating to demography and the social characteristics of immigrants, the legal framework of Greek immigration policy, the ways local communities in the North of Greece perceive immigrants, and the direction labour migration in the

country is heading. There were also participants from NGO's (i.e., the Greek Red Cross and the Forum of Albanian Workers), as well as from the General Secretariat for Greek emigrants. The conference was attended by a number of representatives of the Albanian council, the association of Albanian women, and representatives of the Greek T.U.C. (i.e., GSEE).

### *Italy*

This section presents the findings of our discussion meetings with the institutional and non-governmental actors involved in the implementation of immigration policy. More specifically, the purpose of these meetings was to provide feedback on our previous two studies on policy implementation and discretionary practices (Triandafyllidou and Veikou, 2001; Kotic and Triandafyllidou, 2002) as well as, through this, to elicit further information on implementation and suggestions for improvement of the policy design and implementation practices. We also wish to compare the main points of our results on implementation practices in the Florentine FO with the implementation practices in Rome. Our objective is to focus once again on the implementation of the Law 40/98 and to discuss aspects of discretion in the application of the regulations on the issuing and renewal of stay permits, which emerged as more problematic and controversial. Here, with regard to this, a reflection on our experience of providing feedback to policy actors and of their availability to interact with researchers is also given.

We have met the different institutional actors involved in immigrant issues in Florence and Rome. As mentioned above, interviews in Rome should be treated as a comparative case to examine if the problems with policy implementation and discretionary practices encountered with the FO in Florence also exist in Rome and how they are dealt with. In total, four interviews in Rome (*Questura* - Police Station; Office of family reunification, and CISL - *Confederazione Italiana Sindacati Lavoratori*) and six in Florence (The Prefecture - *Prefettura*; CGIL - *Confederazione Generale Italiana del Lavoro*; ARCI - *Associazione di Promozione Sociale*; Social Promotion Association; CISL - *Confederazione Italiana Sindacati Lavoratori*; CISL of Tuscany, and UIL - *Italian Workers Union - Unione Italiana del Lavoro*) were conducted in the period from June to October 2002. These interviews were conducted singularly or, in two cases (Prefecture and CGIL/ARCI), with two agents.

- *The Discussion*

Initially, we gave the interviewees a short summary of our main findings of previous studies and also briefly presented the results orally (see Kotic and Triandafyllidou, 2002; Triandafyllidou and Veikou, 2001). We asked the participants to give us feedback and critical comments, and to raise other arguments concerning the discretionary practices in the processing of stay permit applications.

- *The Impact of the Organisational Culture on Policy Implementation*

a) *The distinction between national, regional and local level in policy -making* and the enforcement of immigration laws -- with a strong increase in the decision-making competence assigned to regional and provincial offices. In the present discussion about the role that decentralisation plays in making implementation more or less efficient, interviewees in the Prefecture pointed out that the status of foreigners is defined by the national law, which is in turn defined by the state, and not by local or regional authorities. Only the auxiliary services like housing, education, etc. are left to the care of local or regional authorities. For example, the parameters for the lodging of residential public housing is a regional regulation and is not defined by the national law. They noted that a fragmentation between the various administrative services working with immigrants exists and that this does not help to unify the interpretation of the law.

b) *Lack of structural and/or operational continuity in administration.* In order to fight the criteria of old attitudes, a constant re-arrangement of offices, employees and competencies has recently been institutionalised. For instance, employees are appointed to temporary posts before they are asked to migrate to another section of the Office and, in a few cases, to a different department altogether. According to officers in the FO in Rome, in many FOs (especially in Local Police Stations) there is a high level of turnover and this creates problems; they are not well prepared to cope with different cases. The immigration law and cases they encounter are very complex and they miss good formation.

c) *There is a lack of continuity in immigration policy .* Legal provisions are periodically attuned to changes in policy and society; however, this is done in a piecemeal fashion. Legislation piles up over time and keeping up with developments becomes an increasingly burdensome task for administration employees. Concerning this, NGO representatives pointed out that there are some gaps in the law or lack of coherence between different legal provisions. Sometimes, normative problems and the gaps are related to the lack of attention on the part of the experts drafting the law, insufficient knowledge of the practical details of implementation and the variety of cases, but sometimes also by a lack of political will or agreement to deal with such issues effectively.

d) *Organisational culture depends on the leadership in FO.* Officers in the Roman FO revealed that they try to cope with problematic cases through consultation with other colleagues. When they have difficulties which cannot be resolved by consulting other colleagues, they contact the head of the office. The head may consult the Immigration Office at the Ministry of Interior (by fax), which usually sends a response by courier, but it takes time. In general, the resolution of a problematic case leads to the creation of a circular, which is then sent to all Foreigner Offices. It emerged that the FO in Rome is in an advantageous position in comparison with the FO of other Italian cities because the staff personally can meet the employees from the Ministry. Thus, they know who can be called on the phone to get an immediate answer to their question. NGO representatives agree with us concerning the importance of leadership style; according to them, the

attitudes of the desk operators in the FO in Florence and their relations with clients depend on the attitudes of the head of the office. If the head is not open to dialogue with immigrants and representatives of services dealing with immigration policy implementation, the operators will also be less available. They claim that all decisions concerning complex cases are taken by the head, and not by the agents working at the counters.

*e) The problem of the communication between immigrants and offices in the FO .* It emerged that it is difficult for immigrants to obtain accurate, precise and complete information on the norms and documents requested for different practices. Contacts with the FO in Florence are frequently very problematic for immigrants, on account of their linguistic problems, the intolerant behaviour of the officers, organisational problems (there is a lack of officers which leads to chronically long queues), etc.. Since they are not given precise information, immigrants are forced to come back to the Foreign Office several times before completing the visa/stay procedure. Interviewees in the Prefecture in Florence were slightly apologetic concerning the personalised and often unfair behaviour of FO officers and stressed their heavy workloads and the difficulties in communicating with a variety of foreigners from different countries all speaking different languages. They underlined the necessity and usefulness of the presence of cultural mediators and translators. They noted that there have recently been training courses for officers/employees in the Prefecture and the FO aiming at preparing them for the kind of work they have to do and also in anticipation of the new law. Such courses, even though they may be seen as coming after the problem began to emerge, were still pioneering initiatives among other administrations . Interviewees noted nonetheless that resources are limited and that this influences the quality of work done in the various offices. They also agreed that the number of immigrant clients that FO and other offices have to deal with has been consistently underestimated. The Prefecture's employees also noted that more attention is paid to making information more readily available to immigrants through local centres and other means; for example, there has been a decentralisation of information and the proliferation of different sources of information (i.e., the Internet).

- *Interpreting the Law: Formal and Informal Discretionary Practices*

The interpretation of immigration law varies among different institutions and offices, and it involves both formal and informal discretion.

The interviewees of the Prefecture and FO in Rome emphasised that the immigration law is generic and necessitates the interpretation of points that are not well defined and do not give a precise response to a specific problem, being left to the interpretation of the FO's agents.

Interviewees agreed that methods of interpretation should be unified and standardised rather than left to individual employees at the various administration offices. They think it would be more helpful if they could work in a network. The circulars are one of the ways

helping officers have an identical interpretation of some points of the law that are not well defined.

In our discussions we tried to compare our findings concerning the interpretation of legal norms and regulations concerning the issue and renewal of stay permits by the officers in the FO in Florence, to elicit further explanations, and to highlight the additional clarifications and the new points brought up during these encounters. In this task the information provided by NGO and trade unions representatives were useful. They reported a series of concrete cases in relation to the norms examined which confirm the presence of discretion in the interpretation of immigration law.

*a) Stay permit for dependent employment*

From our previous study with immigrants (Kosic and Triandafyllidou, 2002) it emerged that immigrants have to go to the FO several times when they decide to apply for a stay permit because of the incomplete information they receive in the offices.

Trade union representatives and NGO activists confirmed and emphasised the unpredictable behaviour of the FO officers. Consequently, an immigrant has to come back 2-3 times and to ask for free days from an employer, which, in this way, jeopardises his/her job.

According to officers interviewed in the Central FO of Rome, desk operators may request some additional documents that are not specified by law in the case that they have some doubts about the legality of the documents presented. They explained to us that they sign each file and take responsibility for it, and, therefore, for their own security ask for additional documents (it seems that the more documents an immigrant presents certifying his/her work and civic position, the more protected and sure the officers feel that these documents are valid and authentic).

They also emphasised problems in the interpretation of art. 4 and art. 13. The first defines the timeframe within which one should to apply for a stay permit: 30 days before the due-date specified on the stay permit. The second, specifies that immigrants may request the renewal of a stay permit within 60 days after the due -date. Consequently, the application of an immigrant for renewing the stay permit after 60 days may be rejected and he/she may be expelled from Italy.

Concerning these points, however, FO officers in Rome declared that they are not so rigorous in respecting these norms. Usually, they accept a certificate which may justify this delay in the presentation of the application, especially if this person is a long -term resident in Italy, i.e., has a medical certificate which attests that he/she was ill during this period.

Furthermore, officers in the FO in Rome talked about the substantial difficulties in interpreting the rules concerning the capacity to demonstrate the financial means sufficient to live in Italy for the duration of the stay permit. Art 5, par. 5 sets out that the application for issuing and renewing the stay permit must be rejected in the case where immigrants

cannot demonstrate that they have sufficient financial means to subsist in Italy (exceptions are made for foreigners who have lost their jobs and are enrolled on the employment lists for one year).

Art. 22, par. 9 sets out that the loss of a job does not constitute a motive for depriving an immigrant of their stay permit. A foreigner with a stay permit for subordinate work who has lost his/her job can be enrolled on the employment list for the period of the duration of the stay permit and, excepting seasonal jobs, for a period not inferior to one year. This norm does not imply that signing on to the employment list cannot be for longer than one year. This question is better defined in art. 37 which explains when a foreigner worker has a right to remain in Italy over the due-date of the stay permit ('over the term fixed in the stay permit'), or when the duration of the period of the signing on to the employment list is longer than the duration of the stay permit, the FO has to renew the stay permit for a period of one year from the date of signing on to the employment lists, but this is allowed only once.<sup>7</sup> A further point to mention here concerns the immigrants who, during this one year of 'job searching' (*attesa occupazione*), have found a job with a short-term contract (for example, for 6 months) but at the due-date for the renewal of the stay permit are not working. At that point these persons cannot obtain a new stay permit and usually become illegal. Most of the Italian employment system is based on the underground economy, and it is not easy for an immigrant to find a stable and subordinate job. Moreover, the Italian working system privileges work contracts with present limits, including for Italians, whereas immigrants are required to have a job for an undetermined length of time.

Our interviews revealed until recently discordant practices concerning the possibility to renew the stay permit for a 'waiting occupation' (*attesa occupazione*): some officers have renewed it for one year from the date of the end of the last job, and the others for one year from the date of signing on to the employment lists. More recently, the Ministry of the Interior issued a circular to enable a similar interpretation and application, specifying that the renewal refers to one year from the date of signing on to the employment lists.

Trade union representatives in Florence revealed that some immigrants managed to renew their stay permits even after the one year limit of the signing on to the employment list. These requests for renewal are accepted when an immigrant can demonstrate that he/she has a serious job proposal or when he/she demonstrates that he/she has sufficient financial means to allow him/her to continue to live in Italy (guaranties from the members of his/her family are also accepted).

#### *b) Residence card*

The foreigner with a regular stay permit (for subordinate jobs or self-employed work) that allows for an unlimited number of renewals, who has lived in Italy for at least five years,

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<sup>7</sup> Before Law 40/98 it was possible to renew the stay permit various times by showing a certificate of signing on to the employment lists.

and who earns enough to provide for himself/herself (and family) can request a residency card (*Carta di soggiorno*).

From our interviews it emerged that the procedures for the issuing of a residency card are not very clear. NGO and trade union representatives reported that different officers in the FO interpret the norms concerning this document in the following way: the stipulation that the immigrant should have been working and staying in Italy continuously for five years was reinterpreted to mean that the immigrant should have resided legally and worked CONTINUOUSLY over the last five years (has continuously possessed a stay permit which allows for an unlimited number of renewals). Hence if an immigrant loses his/her job or changes jobs with a break between the two occupations of even one day, even if his/her stay during that time was legal, making no recourse to public benefits, etc., he/she is considered to fall outside the five-years provision. So, the five-year period starts again with each new job. This interpretation of the Ministry of Labour was clarified recently by the Circular of Ministry of Interior (June 3, 2002) specifying that an immigrant applying for Residency Card should have been resident in Italy for at least 5 years and should have a permanent job at the moment of application.

*c) Family reunification.*

According to art. 28, foreigners who hold a stay permit for non-occasional free-lance work, study or religious reasons which is not less than one year, or a residency card (unlimited length of stay) can ask to be reunited with: a) husband or wife, b) dependent children, c) dependent parents, and d) dependent relatives thrice removed, who are unable to work. In order to obtain permission to be reunited with their family, which is called *Nulla Osta*, a foreigner needs to present a specific application to the FO of the place of residence.

According to NGO representatives, the right to family reunification is made excessively complicated because of the number of documents to be produced and the rigidity with which the authorities -- the police prefecture -- assess whether the conditions to obtain this right are fulfilled. This can take up to six months or more. The application, which should include the general documents asked for, must prove (art. 29, par. 3):

- the availability of an annual salary that is not less than the annual amount of a social security cheque if relevant to only one member, and double that if asking to be reunited with two or three family members, and triple that amount if asking to be reunited with four or more family members. There emerged significant differences among the FO officers in their interpretation of the concept 'annual salary': a) some of them request immigrants to demonstrate that they have a job for at least one year and an annual income, which is not less than the annual amount of a social security cheque; b) that they have an annual income -- independently from the period of employment -- that is not less than the annual amount of a social security cheque; c) that they have a job which guarantees after one year of employment an annual income that is not less than the annual amount of a social security cheque -- '*in fieri*' revenue

or 'prognostic' revenue. The NGO and trade union representatives emphasised that the third option is most suitable for the application, especially in the case of immigrants who have permits lasting less than one year and who wish to apply for family reunification, but not all officers use this interpretation. This situation has been clarified by the circular from the Ministry of Interior (February 27, 2001), which considers the 'prognostic' income as calculated on the base of a month's income as this was specified in the work contract.

-- a certificate demonstrating the availability of accommodation. The interested party must present certification released by the Municipality confirming that the flat has the minimum levels provided by legal parameters for the lodging of 'residential public housing', or a certificate of hygienic-medical approval issued by Local Health Care enterprises with jurisdiction over the territory. Initially, the FO had only requested a certificate witnessing the satisfaction of the minimal legal parameters for the lodging of residential public housing, which had created significant difficulties for immigrants. There are differences in the administrative requirements of the surface of the house among different regions in Italy. This norm is defined by the Municipalities and asks that the legal immigrant who applied for his/her family reunification should have, for example, in Rome 14 square metres of space in his/her accommodation for one person and the same for each additional family member, whereas in Florence each person should have 30 square metres, two people 45 square meters, three persons 55 square meters, etc. (regional Law, n.96). In the FO in Florence the agents often accept small areas. They realise that this criteria is too strict for immigrants, there are also many Italian families who have smaller spaces. It seems that all the FOs have begun to accept the certificate of the Local Health Care enterprise as sufficient.

- *Conclusion*

Discordant behaviours between Foreigner Offices in Rome and Florence concerning many points in the interpretation and the implementation of the law emerged from the research.

If the norms are not implemented uniformly over the national territory, as emerged from our research, it implies a disparity in treatment favouring some and penalising others. Interviews in Rome confirmed the existence of the great number of problems highlighted in our previous studies regarding the implementation of the immigration law in the FO in Florence, but also revealed the existence of other problems.

Usually, problems in the interpretation of the law and norms are resolved by circulars of the Ministry of Interior. But, frequently, circulars create a sort of confusion among immigrants because they are not usually acknowledged. Frequently, it is also difficult for a lawyer to find a copy of a circular.

Furthermore, the results showed the existence of the gap between Foreigner Offices, on the one hand and local public and private services (NGOs and trade unions), on the other.

The former have maintained the task of protecting immigrant rights. They completely agree with the findings of our previous studies and have spoken about concrete cases of immigrants who encountered these problems and asked for help from these services. Concerning the role of discretion and personal initiative in sorting out implementation issues, NGO and trade union representatives agreed that the FO agents and high rank officers applied negative initiative, rendering the life of immigrants more difficult and the application of the law more rigid, while NGOs and trade unions applied positive agency in trying to help. According to them, regional and local variance in the implementation of law depends on the personal attitudes of officers, and above all, on the head of the office.

### *United Kingdom*

#### *Discussing Migration in a Heated Environment*

We have been intensively disseminating our findings on the theme of migration management and migrants' strategies over a period of three years. This has involved contacts, meetings or events such as international conferences in six countries, the UK, Germany, Belgium, Italy, Poland and Hungary; and within four frameworks, statutory agencies, NGOs, the academic community, and the media.

In detail, dissemination activities targeted the UK statutory agencies, such as the Home Office. The Immigration Research and Statistics Unit (IRSU) consulted the team several times. In the course of a feasibility study on a *Survey on the Undocumented Population in the UK (December 2000)*, and on March 16, 2001 the team joined a select consultation by IRSU staff to discuss the matter; on March 21, the team attended the Immigration and Nationality Directorate's seminar on *Bridging the Information Gaps: A Conference on Asylum and Immigration in the UK*. Requests for research papers were made by staff on three separate Home Office research projects -- on the motivations of asylum seekers, on the relevance of English language study as a 'pull factor' for migration, and on migration from Poland.

Equally, contacts have been made with Work Permits (UK) and on two occasions the findings of the research have been reported and discussed. In 2002, the Department for Trade and Industry (DTI) contacted the team to inquire about its findings in the course of a DTI report on 'Employers and Illegal Migrant Workers in the Clothing and Restaurant Sectors'. We have also been approached by the Italian Ministry for Social Affairs/Commission for the Integration of Immigrants -- though this agency has, in the meantime, been dissolved by the new conservative government -- with a request to provide them with some consultation papers concerning UK practices in immigration

policies. Additionally, we were consulted by major non-governmental agencies such as the Confederation of British Industries; think tanks such as the Institute for Public Policy Research (IPPR, London), the New Policy Institute (NPI, London), the Institute of Race Relations (IRR, London), Statewatch (London), Regioplan (Netherlands), and local NGOs such as Hackney Community Law Centre (HCLC, London).

We have also been involved in NGOs acting on a European level, such as the Platform for International Cooperation on Undocumented Migrants (PICUM, Brussels). Some dissemination took place in other countries, in particular, Germany, where the refugee support agencies' umbrella organisation ProAsyl, a research institution (Rosa-Luxemburg-Stiftung, Berlin) and church agencies (Evangelische Akademie, Berlin) took an interest either in the more general research or its comparative aspects. For example, the Protestant Academy (Berlin) invited both the German and UK teams to present their findings at the conference '*Phänomene irregulärer Migration von und nach Europa und ihre Auswirkung*'. In particular, the German trade union environment and, namely, the public sector trade union Ver.Di, proved to be responsive. The research has also been presented in two national seminars, '*Bündnisse der Arbeit: Gewerkschaften, Migration, Frauen*' in Hamburg and '*Neue Anforderungen an Gewerkschaften: Globalisierung, EU-Osterweiterung, Zuwanderung, illegale Arbeit*' by Ver.Di in Bremen.

Our findings have also been provided to the academic community through participating and addressing events or meeting individual colleagues in the UK, Germany, Poland and Hungary. We participated in an Institute for Public Policy Research seminar in London (*UK Migration in the Global Economy*, September 8, 2000), seminars in Warwick and Plymouth, a talk at the University of North London, the international conference '*Beyond Transition: Development Perspectives and Dilemmas*' in Warsaw, and the '*International Conference of Critical Geographers*' in Hungary. We also gave a paper in the Institute of Public Policy Research seminar series on Migration, which allowed our findings to reach a wide audience of researchers, NGOs and policy staff. The German and the UK team together were invited to the annual conference of the German Society for Comparative Political Science to present their findings on employment and recruitment policies of foreign workers.

In the UK, we were consulted by programme makers for national and regional radio and TV (BBC, ITV, and Channel 4), and our research was reported in lengthy articles in the *Observer* (May, 2001) and the *Guardian* (June, 2002). We were interviewed on Flemish-language Belgian TV (September, 2001) and Korean TV (January, 2002), and also consulted by ARTE (Germany). We were extensively quoted in the Dutch and Belgian press in September 2001, concerning the asylum 'crisis' in the UK. A two-page detailed article on Polish migrants to the UK appeared in the leading Polish national daily newspaper, *Gazeta Wyborcza*, in April 2002.

By and large, neither issues surrounding undocumented migration, nor policy shifts towards economic migration are straightforward issues that are easy to disseminate in the UK. The topic of undocumented migration is still surrounded by a sort of taboo. A moral

panic on asylum-related matters contributes to an adversarial culture between migrants and refugee support agencies, statutory agencies, and the media that act as a barrier to more rational approaches. Because of the strong focus on humanitarian arguments, any economic approach is perceived as a threat and is therefore rejected. But we feel that we have contributed to the slow emergence of a more rational debate.

It does not seem as if UK based migrant and refugee support agencies mainly acting on humanitarian issues take an interest in research that is not narrowly addressing their area of concerns and confirming these. Equally, migrants' support agencies acting on a European level are too concerned with humanitarian approaches to see the opportunities of new policies on economic migration.

In contrast, German agencies took a great interest in these topics and seem to be better prepared to accept these sensitive themes. German trade union representatives have been willing to discuss adequate responses to international labour migration and the challenges posed by globalisation and increasingly porous borders. This is reflected in the first Service Sector Union (Ver.Di.) conference on 'Migration and Trade Unions -- a Field for Future Engagements' in October 2002 in Berlin. Equally, the German protestant church, as well as international networks such as PICUM expressed great interest in the UK conclusions. This shows how results from a study in one member state can become relevant for politics in another member state.

The UK Home Office is only recently beginning to cooperate with external and academic agencies, though traditional suspicion is still strong. They prefer to fund and control research and fear criticism. Although we were stereotyped as 'risky' or 'unsound' by one unit, we are extensively consulted on sensitive topics by another unit. There now exists a stable link between one Home Office unit and the research team. There are reasons to hope that the results will have some policy implications.

Unfortunately, a major limitation to continuous cooperation lies in the staff fluctuation within all agencies concerned. Within the period of the study most cooperation partners have either left the organisations or have moved on to other areas within their organisations or their agencies have been reorganised and staff reshuffled. Usually their successors did not know about the project and its earlier reports. Although we have even resent the reports to some, it is predictable that the knowledge fed back into these agencies may be lost within some time.

However, dissemination has only just began and communication channels have been established with the potential to bear fruit in the long term. In January, 2003, the Home Secretary personally acknowledged the receipt of a copy of our book on 'Irregular Migration', and promised to get a precis of our recommendations from his immigration policy adviser.

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## 8. ANNEXES

### ANNEX I: A list of the agreed deliverables and their status

<b>Deliverable no.</b>	<b>Deliverable title</b>	<b>Delivery date</b>	<b>Status</b>	<b>Nature</b>	<b>Dissemination level</b>
D1	Background report on immigration policy	T3	<b>Done</b>	R	PU
D2	National reports on organisational culture and policy implementation	T14	<b>Done</b>	R	RE
D3	National reports on identity processes	T18	<b>Done</b>	R	RE
D4	National reports on immigrant adaptation strategies	T24	<b>Done</b>	R	CO
D5	Does implementation matter? A comparative analysis	T27	<b>Done</b>	R	PU
D6	Research and social actors workshops	T29	<b>Done</b>	W	RE
D7	Reports from the workshops	T33	<b>Done</b>	R	RE
D8	Final report	T36	<b>Done</b>	R	PU

## **ANNEX II : A list of the publications and other output of the project**

### **GERMAN TEAM**

**Dr. Dita Vogel and Dr. Norbert Cyrus**

**University of Oldenburg**

- Cyrus, Norbert: 2003, **Changing Rhetoric and Narratives: German Trade Unions and Polish Migrant Workers**, in: Spohn, Willfried; Triandafyllidou, Anna (eds.) *Europeanisation, National Identities and Migration: Changes in Boundary Construction between Western and Eastern Europe*. London: Routledge 2003, 192-222.
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#### **Forthcoming**

- Cyrus, Norbert; Vogel, Dita: 2003, **Work-permit decisions in the German labour administration: an exploration of the implementation process** , forthcoming in: Journal for Ethnic and Migration Studies 2003.
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#### **ITALIAN TEAM**

Prof. Bo Stråth, Dr. Anna Triandafyllidou, Dr. Ankica Kopic, Dr. Mariangela Veikou  
European University Institute, Florence

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- Kosic, A., Mannetti, L. 'Stereotypes and prejudice towards immigrants in Italy at the beginning of the Third Millennium', paper presented at XVI International Congress of Cross-Cultural Psychology, Yogyakarta, Indonesia, 15-19 July 2002.
- Kosic, A. Triandafyllidou, A. (2002) *Making Sense of Italy as a Host Country. A Qualitative Analysis of Immigrant Discourse*, 3rd Project Report, EUI, Florence, February 2002 available at <http://www.iue.it/RSCAS/Research/IAPASIS/Index.shtml>
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- Triandafyllidou, A., Veikou, M. 2002, 'The Hierarchy of Greekness. Ethnic and National Identity Considerations in Greek Immigration Policy', *Ethnicities*, 2, 2, 189-209.
- Triandafyllidou, A, Strath, B., Jordan, B. (2001) ' *The Transformation of Immigration Policy Implementation in Europe in the Context of European Citizenship and the 'Marketisation' of Civil Society* ', paper presented (upon invitation) at the First Conference on the Future of European Society organised by the European Commission Research DG and the Belgian Presidency of the European Commission, Brugges, Belgium, 29 -30 October 2001.
- Triga, V., Triandafyllidou, A. (2001) ' *In search of new methods for studying organisational culture* ', poster presentation at the 7th European Congress on Psychology, July 1 -6, 2001, London
- Veikou, M., Triandafyllidou, A. (2001) 'Immigration Policy and its Implementation in Italy: The State of the Art' in A. Triandafyllidou (ed), *Migration Pathways. A historic, demographic and policy review of four countries of the European Union* , Brussels: European Commission Research Directorate, available also at <http://www.iue.it/RSCAS/Research/IAPASIS/Index.shtml>

## UK TEAM

**Prof. Bill Jordan, Dr. Franck Duevell, University of Exeter**

### Articles and books

- Düvell, F.; Jordan, B. (2000): *The perspectives of undocumented workers from Poland and Turkey*, in: moda - bulletin for organisational and community development, No. 8, pp. 10 - 11.
- Düvell, F. (2000a): *Undocumented immigrants - 'Viele Leute gehen nach England. Wir haben oft darüber geredet und so bin ich halt auch gegangen'* , in: Ohne Papiere in Europe, Berlin: Verlag der Buchläden, pp. 69 - 96.
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- Düvell, F. (2001a): *Grundzüge des europäischen Migrationsregimes* , in: Flüchtlingsrat. Zeitschrift für Flüchtlingspolitik, No. 75/76, Hildesheim: Niedersächsischer Flüchtlingsrat, pp. 32 - 37.
- Düvell, F. (2001b): *Die Green Card ist kein Beitrag zur globalen sozialen Gerechtigkeit* , in: 1999 - Zeitschrift für Sozialgeschichte des 20. und 21. Jahrhunderts, Vol. 15, No. 1/2001, pp. 7 - 13.
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- Jordan, B. (2001): *Review of Alex Callinicos, Equality*, Cambridge: Polity, 2000, in: Imprints Vol. 6, No. 2, p. 134 - 147.

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- Düvell, F. (2002a): *The struggle over global social justice: Migration, social movement and political action, a thesis*, in: International Critical Geography Group: International Conference of Critical Geography, Becescsaba: Hungarian Academy of Science, p. 69 - 71.
- Düvell, F. (2002b): *Responses to migration: The modernisation of European migration policy and the emergence of a transnational migration regime*, in: International Critical Geography Group: International Conference of Critical Geography, Becescsaba: Hungarian Academy of Science, p. 72 - 78.
- Düvell, F. (2002c): *Undocumented immigrants in the UK*, in: PICUM (ed): *Book of Solidarity Assisting Undocumented Migrants in Germany, the Netherlands, Belgium and the United Kingdom (Vol. I)*, Brussels: PICUM.
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- Jordan, B., Düvell, F. (2002), *Irregular Migration: The Dilemmas of Transnational Mobility*, Cheltenham: Edward Elgar.
- Jordan, B., Düvell, F. (2003): *Migration: The boundaries of equality and justice*. Cambridge: Polity.
- Düvell, F., Jordan, B. (2003): *Immigration control and the management of economic migration in the United Kingdom: organisational culture, implementation, enforcement and identity process in public services*. In *Journal for Ethnic and Migration Studies*, forthcoming April 2003.

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- Düvell, F. (2000a): *Undocumented immigrants in the UK: regularisation, 'rights' and informal public services provisions*. Consultation paper submitted to Commission for the Integration of Immigrants, Rome.
- Jordan, B. (2000b): *Notes for documentary on undocumented immigrants*. Paper submitted to Channel 4 programme maker.
- Düvell, F. (2000c): *Immigration control: statutory agencies, organisational structure and culture, relevant players in policy making; objections in implementation: The case of the United Kingdom (UK)*. Paper submitted to Istituto Psicoanalitico per le Ricerche Sociali, Roma.
- Düvell, F. (2001a): *Der Entwurf des Zuwanderungsgesetzes im Lichte von EU -Beschlüssen*. Consultation document submitted to Pro Asyl and to Bündnis 90/Die Grünen.
- Düvell, F. (2001b): *Globalisierung und Migration*. Paper submitted to Rosa-Luxemburg-Stiftung, Berlin, Seminar 'Bündnisse der Arbeit: Gewerkschaften, Migration, Frauen' Hamburg, 3/11/2002.

- Jordan, B., Düvell, F. (2002), *Irregular Migrants in the UK - Some Implications for Public Policy*, paper presented at IPPR Seminar on Migration, London, 15th March.
- Jordan, B. (2002a): *Migrant Polish Workers in London: Mobility, Labour Markets and the Prospects for Democratic Development*, paper presented to international conference 'Beyond Transition: Development Perspectives and Dilemmas' Warsaw, 12 -13 April 2002.
- Jordan, B. (2002b): *Irregular Migrants in the UK - Some Implications for Public Policy*. Paper presented at Centre for Research on Ethnic Relations, University of Warwick, 29th April.
- Düvell, F. (2002a): *Neue Anforderungen an Gewerkschaften: Globalisierung, EU - Osterweiterung, Zuwanderung, illegale Arbeit*. Paper submitted to seminar by Ver.Di, Bremen, 23 - 24/8/2002.
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## Reports

- Düvell, F., Jordan, B. (2000): *The British Case, in: EU socio-economic research - migration pathways, a historic, demographic and policy review of four countries of the European Union*, Brussels: European Commission, p. 85 - 105
- Düvell, F., Jordan, B. (2001): *Does implementation matter? Immigration control and economic migration management in the UK - organisational culture, implementation and enforcement in public services*, Exeter: University of Exeter.
- Düvell, F., Jordan, B. (2002): *The immigrants' perspective: migration patterns, migration strategies and identities in the UK*. Third research report of IAPASIS project. Exeter: University of Exeter.
- Düvell, F., Jordan, B. (2002): *Does implementation matter? Informal administration practices and shifting immigrant strategies in four member states. Feeding back research findings: Perception and Potential*. Fourth research report. Exeter: University of Exeter

## GREEK TEAM

**Prof. Koula Kassimati, Dr. Iordanis Psimmenos, KEKMOKOP, Panteion University of Social and Political Sciences, Athens**

- Kassimati, K. (2002a), 'Female Migration from Albania and Poland - Employment and differences', pp.1-32, in *Special edition in honour of Profes sor A. G. Maragopoulou*, Athens, Panteion University (in Grk).
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### **ANNEX III: Project Reports**

All project reports<sup>8</sup> are available to download from the IAPASIS project web site:  
[www.iue.it/RSCAS/Research/Iapasis/Index.shtml](http://www.iue.it/RSCAS/Research/Iapasis/Index.shtml)

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<sup>8</sup> In agreement with the academic officer Mr. Aris Apollonatos, the co-ordinator does not attach here all the project reports as Mr. Apollonatos has already received copies of them. All the project reports are also listed in Annex II.