

Chapter 8

Steps Towards a Systemic Theory of Irregular Migration



In this last, conclusive chapter, the main question at the origin of all the research work in this book – how can irregular migration be explained? – will be the focus of the discussion. The chapter is divided into two parts. In the first part, the aforementioned question will be addressed in relation to cases of the empirical study and it will then be reframed in the following terms: how can Ecuadorian irregular migration in Amsterdam and Madrid be explained? To answer this question, the efficacy of the “classic” theories, discussed in the Chap. 3, will be firstly tested. As it will be pointed out, many of the limitations which emerged in the theoretical discussion will become evident also when those theories are applied to concrete cases. Then, a systemic explanation, based on the theoretical approach developed in Chap. 4, will be proposed as a possible alternative.

In the second part of the chapter, bringing together the results emerged from the different research strategies presented in the book, the systemic theory of irregular migration outlined in Chap. 3 will be further developed. In particular, a systemic analytical framework for irregular migration will be proposed. Such framework should be considered as an initial, and necessarily perfectible, attempt towards the construction of a general tool of analysis of irregular migration as a structural, differentiated phenomenon of contemporary world society.

8.1 Explaining Irregular Migration in Madrid and Amsterdam

8.1.1 *Ecuadorian Irregular Migration in Amsterdam and Madrid: The Weaknesses of “Classic” Theoretical Explanations*

The results emerging from the empirical study have clearly shown that Amsterdam and Madrid display a very different picture regarding the characteristics of structural context that enabled irregular migration, Chap. 6, and also the characteristics of the irregular migration realities that in relation to such context have developed, Chap. 7. This empirical result, that, from a certain point of view, may appear rather obvious, is, however important not only because it confirms on a solid basis what previously was “only” obvious, and this is an underestimated function of research, but most of all because of the theoretical implications involved. As was extensively discussed in the first part of the book, and in particular in Chaps. 3 and 4, one of the main limitations of most theories developed to explain irregular migration was that it was treated as a single, undifferentiated phenomenon. The explanation for irregular migration put forward for a particular case, and sometimes even for a particular case during a limited time span, was proposed as a general, universal explanation of the phenomenon. The confirmation, then, that irregular migration is a differentiated phenomenon, emerging in different contexts and displaying different characteristics, challenges such theoretical assumption and demonstrates the need for a more sophisticated and versatile theory.

The experience of Ecuadorian irregular migrants in Amsterdam and Madrid not only appeared to be very different in the two cities, and therefore in relation to the geographic location, but it also depended on the moment in which the phenomenon was considered within each context, and therefore in relation to its chronological position. In brief, in Amsterdam, during the time considered: the number of irregular migrants continuously fell; the possibility to regularize was severely limited, thereby, marking irregularity as a long-term status; controls became increasingly sophisticated and pervasive; work opportunities progressively diminished so that, in the last years covered in this study, only few openings, for instance in the private houses-cleaning sector, were left for irregular migrants; access to housing and healthcare became increasingly difficult. In Madrid, two very different phases were discernible: the first, until 2008, witnessed high numbers of irregular migrants; the presence of accessible and effective channels of regularization which marked irregularity as a short-term, transitory status; controls were very limited; there were copious and diversified work opportunities; it was extremely easy to have access to both housing and healthcare. The second phase, from 2008 onwards saw a drastic reduction of the irregular migrant population; a reduced but still present availability of regularization channels; increased yet unsystematic controls; very limited work opportunities; easy access to housing and healthcare. Evidently, this very

differentiated picture calls into question all those theories of irregular migration that are unable to account for such geographical and chronological variance. Indeed, all those theories, fail to be consistent with a key precondition of every theoretical effort: its ambition of universality.

Yet, even closing an eye on this crucial limitation, other problems seem to be discernible. Notwithstanding the great number of hypotheses proposed to explain irregular migration, in Chap. 3 (see in particular Table 3.2), two main, broad, alternative underlying arguments were identified. On the one hand, there is the idea that irregular migration is the result of a diminished ability (if not the complete failure) of states in their ability to control populations. On the other hand, there is the idea that irregular migration is the result of a state choice, adopted to attain, through the manipulation of populations, a number of possible goals. What explicative ability have these two broad arguments if applied to the experience of Ecuadorian irregular migrants in Amsterdam and Madrid?

A first point to stress, which concerns the universality problem just highlighted, is that even if one of the two alternative arguments was effective in providing an explanation for irregular migration in one of the cities considered, given the important differences displayed by the phenomenon in the two contexts, the same argument will probably fail to explain the phenomenon in the other. If, for instance, the high number of irregular migrants in Madrid and their relatively easy daily experience were explained as the result of the inefficacy of the Spanish state, and, on this basis, it was claimed, more in general, that irregular migration evidences the failures of states to control populations, the low numbers of irregular migrants in Amsterdam and their very difficult conditions would then contradict such conclusion. This example shows how both points of view have problems and become contradictory if used to simultaneously explain two geographically different cases. Yet, similar problems arise also if one of the two arguments is applied to explain irregular migration in a single case, but when different chronological moments are considered. For instance, if the large number of Ecuadorian irregular migrants in Madrid and their relatively comfortable living conditions until 2008 are interpreted as a signal of state failure, the drastic reduction of numbers in the subsequent years and the deterioration of migrants' living conditions would suggest the opposite. In general, then, it seems possible to conclude that both theoretical perspectives fail to provide explanations for irregular migration that are able to withstand a comparative test.

Yet, even laying aside the comparative ambition, how effective are the explanations provided by the two theoretical perspectives if applied to the single cases? Let us first see the "performance" of the state failure thesis. Although the irregular migration realities experienced by Ecuadorian irregular migrants in Amsterdam and Madrid are very different and certainly evidence a different level of effectiveness on the part of the Dutch and the Spanish states to control irregular migration, it is frankly difficult to consider any of the two states as unable to control the phenomenon. A good indication of this is given by the fact that, in both cases, the political interventions regarding the migration regime put forward with the explicit intention of tackling the irregular migration phenomenon, in the Netherlands in 1998, in Spain

in 2004, have unequivocally shown a degree of efficacy, determining changes that clearly emerged in the experience of Ecuadorian irregular migrants. In Amsterdam, after 1998, Ecuadorian irregular migrants faced a drastic reduction in the work opportunities and had increasing difficulties in accessing healthcare services and finding permanent accommodation. In Madrid, after 2004, Ecuadorian migrants found it increasingly difficult to enter Spain irregularly and, if already in the country, they were strongly discouraged from maintaining their irregular status. As it emerges, though many of the forces and processes signalled by researchers as weakening states abilities to control population have been found at work both in Amsterdam and Madrid, the two cases have also shown, at the same time, successful efforts on the part of states to regain control and to increase the efficacy of their policies.

Taking now into consideration the choice thesis, the idea that states intentionally create or allow irregular migration, either to satisfy internal political needs (or hidden agendas) or to please societal demands, also the explicative capacity of this thesis appears to be rather limited. If neither in Amsterdam nor in Madrid states seem to have lost control on the migratory dynamics, it is also true that in neither case do they seem to be able to completely control the phenomenon. In this respect, the Amsterdam case is particularly telling. Despite the great, prolonged, and seemingly systematic efforts made by the Dutch state to fight irregular migration, Ecuadorian migrants in Amsterdam, although with increasing difficulties and deteriorated conditions, have been able to adapt to the changing conditions and to find ways to realize, at least in part, their aspirations. This fact shows that the “countervailing power” represented, for instance, by migrant’s agency or by the role of the civil society can all but be underestimated. Another aspect inherently related to the choice thesis that results quite problematic is the assumption that states are monolithic, almighty actors that are able to design and implement fully coordinated and coherent interventions. As it emerges from the data analysed in Chap. 6 and from migrants’ accounts in Chap. 7, despite noteworthy differences, both the Dutch and the Spanish states display, on the one hand, important administrative, budgetary and logistic limitations in their ability to deal with irregular migration, and, on the other hand, high degrees of internal complexity (levels and sectors of government, administrative organization, policy construction and implementation procedures, etc.) which determine policy incoherencies or even contradictions. In relation to this, the experience of controls Ecuadorian migrants underwent in Amsterdam and Madrid, is particularly revealing. Notwithstanding the very different approach adopted by the two states – the Dutch more discreet but pervasive, the Spanish more “spectacular” but unsystematic – in both cases migrants were able to find inconsistencies, for instance, legal loopholes, a lack of coordination, implementation weaknesses, and, taking advantage of these, find strategies to circumvent controls.

As pointed out in the critical discussion of both failure theories and choice theories of irregular migration, at the end of Chap. 3, the explicative limitations of these theories, confirmed by the collected data, were related to three fundamental conceptual weaknesses: a problematic understanding of society, often assumed as subsumed

to the state; a problematic understanding of social actors, both institutional and individual, imagined as monolithic, coherent, and time stable; and a problematic understanding of social interactions, interpreted in deterministic, cause/effect terms. The data emerged from the empirical study appears to reinforce this interpretation. Regarding the first, both in Amsterdam and Madrid, the experience of Ecuadorian irregular migrants appears to be the dynamic result of very complex interactions among social actors, each behaving according to their own interests and logics. Within this scenario, although with significant differences between the two cases, states have emerged as certainly crucial actors, probably the most influential, but in neither case are they able to fully control other social actors and determine the overall social outcomes. Accordingly, to make sense of the characteristics of the irregular migration phenomenon in the two cities what needs to be analysed is not states but a larger entity that exceeds them and includes all social actors and their interplay, i.e. society. In relation to the second conceptual weakness, the picture offered by the two analysed cases also evidenced the internal fragmentation and circumstantial variability of each social actor. Challenged by the complex societal dynamics, both institutions and individuals have been scarcely able to produce single, fully coherent, time consistent reactions. More often their responses have appeared as partial and never fully settled mediations among the multiplicity of interests, desires and logics present within each of them and an even more complex set of interests, desires and logics present in the social environment. This aspect has been particularly evident when considering institutional actors and in particular states. The “image” of these type of institutions that was possible to be drawn from the analysis of their policies and the experience Ecuadorian irregular migrants had of them in Amsterdam and Madrid, is that of extremely complex assemblages of relatively autonomous sub-components, active at different levels, in different sectors, with different functions, each according to specific internal logics. Although to describe states’ actions it is common to use terms such as “state will”, “state decision” or “state intentions (real or covered)”, these operations must be understood as a useful expedient to simplify communication. The uncritical acceptance of the analytical implications of this type of communication, however, is problematic because it determines a transfiguration of reality. Finally, focusing on social interactions, a similar problem was evidenced. In the “social arena” represented by Amsterdam and Madrid, no actor, not even the states, appeared to be able to perfectly assess all variables and on that basis design and implement actions capable of determining direct, fully predictable cause-effect relations. What it was possible to observe, instead, was a very blurred picture. Each actor, on the basis of their own, inevitably partial, understanding of reality proposes strategies intended to achieve desired results. The implemented actions, however, trigger complex environmental dynamics, the sum of the other actors’ responses, that can lead to extremely variable degrees of success. As was possible to observe, the limited effects of many of the policies aimed at controlling irregular migration, were partially determined by the reactions triggered by those actors, irregular migrants in the first place, interested in minimizing their effects.

8.1.2 Ecuadorian Irregular Migration in Amsterdam and Madrid: An Attempt to Explain It Through a Social Systems Perspective

As just discussed, one of the main weaknesses of the “classic” theoretical approaches to irregular migration is their difficulty to explain the phenomenon as a differentiated one. Accordingly, using such approaches, it was impossible to come up with a convincing, comprehensive explanation of the empirical study’s results, which, in Chap. 6, showed a very different structural context affecting migrations in the cities of Amsterdam and Madrid, and, in Chap. 7, a very different lived experience of Ecuadorian irregular migrants in the two cities. Now, is it possible to advance an explanation of irregular migration that is able to account for such a differential picture? In other words, is it possible to produce a theory of irregular migration that is able to successfully deal with its differentiation?

The discovery of important differences with regard to both contexts and the shape that irregular migration takes within them may appear rather obvious or somehow meaningless. It is not. As suggested by the systemic theoretical approach developed in Chap. 4, this result forces one to assume social complexity and difference as the starting point when approaching the irregular migration phenomenon. No context is equal to another; no irregular migrant lives under the same conditions as another. Assuming complexity and difference as the starting point, however, does not mean that comparisons and generalizations are not possible, that it is necessary to simply accept that everything is unique and therefore not comparable to the rest, that, since the whole context is different, the only possible explanation for the characteristics of a certain phenomenon is the difference of the whole context, ultimately, that a theory of irregular migration is impossible. What it does mean is that comparisons and generalizations, in order to effectively offer elements of analysis, can work at a higher level of abstraction. Therefore, for instance, it makes sense to compare the overall social condition of irregular migrants within a certain context or degree of restrictiveness of the migration regime, even more than the specific experience of a single migrant or a particular migration control action or law. What it also means is that linear, definitive monocausal explanations, such as those proposed by the “classic” theoretical approaches, must be abandoned in favour of systemic explanations that assuming complexity as the starting point, are able to assess the different influence of each factor. In this sense, the practice of searching for explanations for irregular migration becomes a hermeneutic exercise, perhaps less definitive in its conclusions, but certainly closer to the complexity of reality. Bearing this in mind, in this section a systemic explanation of irregular migration in Amsterdam and Madrid will be proposed.

Recalling the conclusions of Chap. 4, two main ideas are important. Firstly, irregular migration should be understood as a complex, differentiated, structural phenomenon of modern world society. The development of this phenomenon should be related to the existing structural mismatch between the dominant form of social differentiation (functional) and the specific form of internal differentiation

(segmentary) into territorial states of the political system. This creates a fundamental conflict between two logics: the all-inclusive logic of most social systems (economic, legal, educational, familial, etc.) that fosters human mobility across geographic space, and the exclusive logic of states that insist on regulating human mobility on the basis of a membership principle. Against this backdrop, irregular migration emerges as an adaptive solution to the mismatch existing between the demand for entry into certain states and the limited number of legal entry slots available. Secondly, if, in abstract and theoretical terms, irregular migration is explained as a structural feature of world society, the concrete, sociological manifestations embodied by the phenomenon within specific contexts must be empirically researched and subsequently explained as the result of a context-specific, dynamic, evolutionary interplay among: (A) functional social systems; (B) states; and (C) migrants. As suggested by the theory of social systems, moreover, each of these actors needs to be considered as autopoietic, self-referential and internally differentiated and social relations must be interpreted through an irritation/resonance model instead of an input/output model.

Then, if in abstract terms, the different irregular migration realities in Amsterdam and Madrid can be explained as the specific, context-determined, embodiment of world society's structural mismatch between the social demand for entry and the limited number of slots available, to explain the concrete, sociological manifestation of the phenomenon, it is necessary to explore and interpret the specific interrelation that in each city exists between the characteristics of the structural context and those of the related irregular migration reality. The first step in order to achieve this goal will be to "distil" the results of both the context analysis and the fieldwork in order to produce more abstract comparable results. Once one has these more abstract results in hand, the proper exercise of interpretation will be endeavoured.

Contexts

At the end of Chap. 6, a synoptic comparison of a number of important structural characteristics affecting the irregular migration phenomenon in the cities of Amsterdam and Madrid was presented. In particular, it was compared: the historical trends of migration, the migration regimes, the economies, the states structures and capacities, the public opinion and political stance regarding migration. In Table 8.1, it is possible to observe the results of the context analysis and an attempt at abstraction of them. By distilling and combining the role of the different elements, it seems possible to locate three main abstract comparable structural features that have affected, although in dissimilar ways, irregular migration both in Amsterdam and Madrid. Each of these general features can be understood as the result of a combination of the effects of a number of others and can vary along a continuum between two poles.

Table 8.1 Abstracting for structural contexts: Amsterdam (read from left to right) and Madrid (read from right to left)

		Amsterdam				Madrid				
→	→	→	→	→	←	←	←	←	←	
Migration trends	Historical Irregular migration	<ul style="list-style-type: none"> Old country of migration. Moderate until 2002, low afterwards. 	From moderate, to low afterwards.	From very high, to moderate, to low	<ul style="list-style-type: none"> Recent country of migration. Very high until 2005, moderate until 2007, low afterwards. 	Historical Irregular migration	Migration trends			
Migration Regime	Legal channels	<ul style="list-style-type: none"> Narrow labour migration channels. Broad asylum seeker channels. 	Highly restrictive	Inconsistently restrictive until 2004 Selectivity open after 2004	<ul style="list-style-type: none"> Narrow labour migration channels (until 2004); Flexible labour migration channels (from 2005). Narrow asylum seeker channels. Recurrent, massive regularization schemes. Available permanent regularization schemes. 	Legal channels	Migration Regime			
	Regularization	<ul style="list-style-type: none"> Very sporadic and limited regularizations No permanent regularization schemes. 			<ul style="list-style-type: none"> Increasingly strict after 2005 Regular migrants excluded from healthcare after 1998 Public spaces controls in spells Improved deportation policy 	Regularization				
Economy, labour market, shadow economy	Internal controls	<ul style="list-style-type: none"> Strict after 1998 Irregular migrants excluded from healthcare after 1998 No public spaces controls Improved deportation policy 	Medium until 1998, strict after 1998 Enforcement: increasingly strict the 2000s	Weak until 2005, medium after 2005 Enforcement: increasingly strict after 2005.	<ul style="list-style-type: none"> Increasingly strict after 2005 Regular migrants excluded from healthcare since 2012 Public spaces controls in spells Improved deportation policy 	Internal controls	Economy, labour market, shadow economy			
	GDP	<ul style="list-style-type: none"> Booming economy 1994-2000 and 2006-2007 (GDP over 2.5%). Mild economic crisis since 2009. Slow growth of total employment. 	Low demand of unskilled workers	High demand of unskilled workers until 2008 Low demand of unskilled workers after 2008	<ul style="list-style-type: none"> Booming economy 1995-2007 (GDP over 2.5%) Deep economic crisis since 2009. Creation of jobs between 1998 and 2007 (+6.5 millions) Destruction of jobs after 2008 (-3.4 millions) Unemployment: decreasing until 2007, steeply rising afterwards. Important low-skilled sectors. 24% to 19%. 	GDP				
	Labour market	<ul style="list-style-type: none"> Unemployment: stable, very low unemployment Limited low-skilled sectors 14% to 9% 			<ul style="list-style-type: none"> Deen economic crisis since 2009. Unemployment: decreasing until 2007, steeply rising afterwards. Important low-skilled sectors. 24% to 19%. 	Labour market				
	Shadow econ.	<ul style="list-style-type: none"> Conservative Social insurance + Social assistance 				<ul style="list-style-type: none"> Southern/Mediterranean Social insurance 		Shadow econ.		
Welfare State	Type	<ul style="list-style-type: none"> Social insurance + Social assistance 				Welfare Type				
	Main principles	<ul style="list-style-type: none"> Between 25% and 30% Education, Healthcare, Old age pensions, Old age assistance 	Medium to high regulation capacity and social interventionism	Low regulation capacity and social interventionism	<ul style="list-style-type: none"> Between 20% and 25% Education, Healthcare, Old age pensions Increasing after 2005 	Main principles				
	% of GDP	<ul style="list-style-type: none"> Increasingly strict along the 2000s Increasing importance of anti-immigration discourses in public and political debates. Anti-immigration parties. High to moderate. Increasingly restrictive policies since 1990s. 	Anti-immigration discourses Anti-immigration political vectors	No anti-immigration discourses No anti-immigration political vectors	<ul style="list-style-type: none"> No anti-immigrant discourses at a national level. No anti-immigrant parties. Low to moderate. Liberal policies until 2012; then increasingly restrictive. 	% of GDP				
Politics, public opinion, migration	Main universal services	<ul style="list-style-type: none"> Increasingly strict along the 2000s Increasing importance of anti-immigration discourses in public and political debates. Anti-immigration parties. High to moderate. Increasingly restrictive policies since 1990s. 			<ul style="list-style-type: none"> Education, Healthcare, Old age pensions Increasing after 2005 	Main universal services				
	Labour market controls	<ul style="list-style-type: none"> Increasing importance of anti-immigration discourses in public and political debates. Anti-immigration parties. High to moderate. Increasingly restrictive policies since 1990s. 			<ul style="list-style-type: none"> Increasing after 2005 	Labour market controls				
	Anti-immigration discourses and political parties	<ul style="list-style-type: none"> Increasing importance of anti-immigration discourses in public and political debates. Anti-immigration parties. High to moderate. Increasingly restrictive policies since 1990s. 			<ul style="list-style-type: none"> No anti-immigrant discourses at a national level. No anti-immigrant parties. Low to moderate. Liberal policies until 2012; then increasingly restrictive. 	Anti-immigration discourses and political parties				
	Public concern over migration	<ul style="list-style-type: none"> Increasing importance of anti-immigration discourses in public and political debates. Anti-immigration parties. High to moderate. Increasingly restrictive policies since 1990s. 			<ul style="list-style-type: none"> No anti-immigrant discourses at a national level. No anti-immigrant parties. Low to moderate. Liberal policies until 2012; then increasingly restrictive. 	Public concern over migration				
	Integration policies	<ul style="list-style-type: none"> Increasing importance of anti-immigration discourses in public and political debates. Anti-immigration parties. High to moderate. Increasingly restrictive policies since 1990s. 			<ul style="list-style-type: none"> No anti-immigrant discourses at a national level. No anti-immigrant parties. Low to moderate. Liberal policies until 2012; then increasingly restrictive. 	Integration policies				

- A. *The social demand for unskilled labour.* This feature combines the effects of the economic trends (GDP variation), the labour market structure and the size of the shadow economy. It can vary between a high demand, usually discernible in connection to growing economic trends, segmented labour markets and sizable shadow economies, and a low demand, often associated to stable or decreasing economic trends, unified and regulated labour markets and reduced shadow economies.
- B. *The migration regime.* This feature combines the effects the public opinion and political attitude towards irregular migration, migration history, political culture, external influences (international institutions) and the existence of political vectors of anti-immigrant discourses. This feature can vary between a restrictive and non-restrictive configuration. The first pole is usually associated to long or complicated migration histories, strict political cultures, to possible restrictive imperatives from partners or supra-national institutions and to the presence within society of active and successful vectors of anti-immigrant discourses. The second pole can be connected to recent or relatively non-conflictive migration histories, flexible or more relaxed political cultures, no external restrictive pressures and the absence in society of anti-immigration vectors.
- C. *The political system's capacity* to regulate and influence social transactions in relation to the other social systems (economy, law, religion, communication, etc.). This feature combined the effects of: history, political culture, and the extension, efficiency and culture of administration. This feature can vary between a preponderant and a subordinate political system. The first pole is usually associated to a longer and more successful history of the political system's organizations, to stricter, more legalistic and statistic political cultures, to older, more efficient and strict administration cultures. The second pole is more often discernible in cases of more recent and less developed political system's organizations, more fragmented and "private" political cultures and to younger, less efficient and more flexible administration cultures.

In Amsterdam, the social demand for unskilled labour appears to have been moderate in the 1990s and slightly diminishing from then on. This can be related to the relatively stable economic trends, the limited low-skilled sectors, the size of the shadow economy. Its continuous decrease in recent years can be linked to a further reduction of the underground economy and the effects of the economic crisis. Regarding the migration regime, a clearly restrictionist trend has been observable. The legal channels have been reduced and tightly controlled, the internal control policy has been reinforced and a policy of exclusion of irregular migrants has been enforced. This can be related to anxieties within the public opinion and the political attitude towards migration, which can also be connected to the migration history and the crisis of the Dutch integration model. Finally, concerning the capacity of the political system, it seems possible to consider this as medium to high. A number of elements support this claim: the level of intervention in the social transactions (sectors, level of expenditure, regulation of the labour market), the level and continuous

reduction of the shadow economy, the increasing effectiveness in the expulsion policy.

In Madrid, the social demand for unskilled labour appears to have been very high until 2008 and very low afterwards. This can be related to the combination of: the economic trends, extremely positive in the first phase and the very opposite in the second one; the structure of the labour market and the importance of sectors such as construction, care work and private house cleaning; the weight of the shadow economy. Regarding the migration regime, although with some internal contradictions and a slightly restrictive trend, this has been characterized by the availability of regularization channels, the low levels of internal controls and the inclusion of irregular migrants. Finally, concerning the capacity of the political system, it seems possible to consider this as low to medium. This can be related to the lower level of intervention in the social transactions (sectors, level of expenditure, regulation of the labour market), the importance of the shadow economy, the lower efficiency in internal control policies.

Irregular Migration Realities

At the end of Chap. 7, a synoptic comparison of the results of the fieldwork was presented. The main features of the experience of Ecuadorian irregular migrants in Amsterdam and Madrid were compared, in particular: the legal trajectories and regularization channels, the experience regarding work, internal controls, housing and healthcare. In Table 8.2, it is possible to observe the results of the analysis of irregular migration realities and an attempt at abstraction. Distilling and combining the role of all the elements it appears possible to locate three main abstract features that can be compared and that have characterized the experience of irregular migrants, although in different ways both in Amsterdam and Madrid. Each of these characteristics combines the effect of others and can vary along a continuum between two poles.

- A. *The size of the irregular migration population.* This feature can vary between a large or small irregular migration population.
- B. *The average length of the irregular migration experience.* This feature is determined by: the availability of *ad-hoc* regularization channels, the availability of alternative channels and the elaboration of strategies to regularize. It can vary between long-term irregular migration and short-term irregular migration.
- C. *The life conditions of irregular migrants,* determined by: the availability and conditions of working opportunities, the experience of internal controls and the fear of deportation, the accessibility to housing and to healthcare assistance. This feature can vary between good and bad living conditions.

In Amsterdam, the size of the irregular migration population appears to have been relatively significant at the end of 1990s, when it represented almost 30% of the total foreign population. Down through the 2000s, this proportion substantially

Table 8.2 Abstracting from irregular migration realities: Amsterdam (read from left to right) and Madrid (read from right to left)

		Amsterdam				Madrid			
		→	→	→	→	←	←	←	←
Length	Irregular population size	<ul style="list-style-type: none"> • Medium (27%-1998) • Small (15%-2009) 		<ul style="list-style-type: none"> • Very high (50%-2003) • Small (20%-2009) 		Irregular population size			
	Legal trajectories	<ul style="list-style-type: none"> • Never regular (17/39) • Regularized through marriage or cohabitation agreement (11/30) • Regularized under exceptional circumstances (2/30) 		<ul style="list-style-type: none"> • Regularized using ad-hoc channels (21/30) • Befallen irregularity (6/30) • Never regular (3/30). 		Legal trajectories			
Conditions	Average irregular years	• 12 years		• 5 years		Average irregular years			
	Regularization Options	<ul style="list-style-type: none"> • No ad-hoc channels, difficult. 		<ul style="list-style-type: none"> • Ad-hoc channels, easy 		Regularization options			
Conditions	Work	Availability	<ul style="list-style-type: none"> • Medium • Many 	<ul style="list-style-type: none"> • Low • Very few 	<ul style="list-style-type: none"> • Very low • Very high 	Availability		Work	
	Controls	Sectors	<ul style="list-style-type: none"> • Many 	<ul style="list-style-type: none"> • Very few 	<ul style="list-style-type: none"> • Many 	Sectors		On work sites	
		On work sites	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • Low 	On work sites		Controls	
	Public spaces	<ul style="list-style-type: none"> • Not available 	<ul style="list-style-type: none"> • Not available 	<ul style="list-style-type: none"> • High in spells 	<ul style="list-style-type: none"> • Low 	Public Spaces		Direct	
Indirect	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • Low 	Indirect		Indirect		
Deportation fear	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • Medium 	<ul style="list-style-type: none"> • Low 	Deportation fear		Deportation fear		
Housing	<ul style="list-style-type: none"> • Very difficult 	<ul style="list-style-type: none"> • Very difficult 	<ul style="list-style-type: none"> • Easy 	<ul style="list-style-type: none"> • Easy 	Housing		Housing		
Healthcare	<ul style="list-style-type: none"> • Easy access 	<ul style="list-style-type: none"> • Very difficult access 	<ul style="list-style-type: none"> • Easy access 	<ul style="list-style-type: none"> • Difficult access 	Healthcare		Healthcare		
		<ul style="list-style-type: none"> • After 1998 		<ul style="list-style-type: none"> • Until 2012 					
		<ul style="list-style-type: none"> • Easy access 		<ul style="list-style-type: none"> • Very difficult access 					
		<ul style="list-style-type: none"> • Medium to Small 		<ul style="list-style-type: none"> • Very high to Very low 					
		<ul style="list-style-type: none"> • Long term 		<ul style="list-style-type: none"> • Low and unsystematic to Variably strict and unsystematic 					
		<ul style="list-style-type: none"> • Difficult access 		<ul style="list-style-type: none"> • Easy access 					

fell; the last available data for year 2009 showed that the irregular migration population represented less than 15%. It is important to recall that this reduction occurred without the adoption of massive regularization processes. Regarding the average length of the irregular migration experience, this can be considered as long-term. The data that emerged from the fieldwork showed that most migrants could not find ways to regularize their status and that they had been living irregularly for an average of 12 years. Concerning the living conditions of the irregular migration population, this can be considered as increasingly tough since the end of the 1990s. Although the working conditions have been generally good, the availability of opportunities has fallen. Controls have become stricter and stricter in the working sites and the fear of deportation has substantially increased. Housing remains one of the most complex problems for irregular migrants in Amsterdam, the accessible options being usually expensive and unstable. Finally, the access to healthcare has become severely restricted to irregular migrants since 1998.

In Madrid, the size of the irregular migration population was very substantial in the first years of the 2000s, when it represented more than 40%. This proportion sharply fell after 2005, and has maintained a decreasing trend since then. Regarding the average length of the irregular migration experience, this can be considered as short-term. The data that emerged from the fieldwork showed that most migrants were able to regularize their status thanks to the existence of many *ad-hoc* channels, and had lived irregularly for an average of 5 years. Concerning the living conditions of the irregular migration population, this can be considered as good until 2008 and increasingly hard afterwards. The working conditions and the availability of opportunities were very positive until 2008. From that year on, the circumstances abruptly changed: it became very difficult to find employment (especially for men), wages fell and options were usually unstable. Controls were very limited until the second half of the 2000s. After 2008 and especially during certain periods, there were raids in public spaces, like metro stations, buses, parks and bars. Except for the very first years, housing has not been a major problem for Ecuadorian irregular migrants in Madrid. Access to healthcare was free for irregular migrants until 2012.

Assessing Systemic Relations

Adopting a systemic perspective, the relation between contexts and irregular migration realities appear complex, dynamic and multi-causal. The specific characteristics that the experience of Ecuadorian irregular migrants had in Amsterdam and Madrid appear as difficult to be deduced from a single factor and explained in its relation. On the contrary, what emerges is the existence of eco-systems made of different components, which interact and influence each other, creating the condition for the irregular migration phenomenon to appear and evolve. In Table 8.3 it is possible to observe the parallel evolution of contexts and irregular migration realities in the two cities.

Table 8.3 Assessing systemic relation

Amsterdam				Madrid			
Context		Irregular migration reality		Irregular migration reality		Context	
Social demand for unskilled labour	Moderate To Low	Medium To Small	Irregular population size	Irregular population size	Big To Small	Very high To low	Social demand for unskilled labour
Migration regime	Restrictive To Highly restrictive	Long-term	Status Length	Status Length	Short term	Inconsistently restrictive To selectively open	Migration regime
Political system capacity	Medium To High	Medium To Hard	Conditions	Conditions	Easy To Hard	Low To Medium	Political system capacity

The most evident relation that has surfaced from the analysis of the Amsterdam case is the one between the implementation of an increasingly restrictive migration regime since the end of the 2000s and the toughening of the conditions for irregular migrants. As discussed, such change can be understood as part of anxieties within the public opinion and the political attitudes towards migration. The reduction of entry channels, exclusion of irregular migrants from healthcare and other social services, the stricter controls on labour and the implementation of a more efficient exclusion policy may have certainly contributed to the reduction of the irregular migration population. Yet, this result may have not been attained without a political system that was able to efficiently implement its policies and deeply penetrate different spheres of the social life (labour market, housing market, identification and expulsion policy). At the same time, the relatively low demand for unskilled labour, resulting from the sectorial structure of the labour market and the reduction of the shadow economy, have certainly been relevant as well. In this sense, it is possible to say that the restrictive effects that polices have evidently had on the lives of irregular migrants, have been possible within the context of a more general systemic structure that has favoured this outcome.

The most evident relation that emerged from the analysis of the Madrid case is the one between the sharp change in the social demand for unskilled labour after the start of the economic crisis at the end of 2007. Even if a number of reforms to the migration regime in 2004 and the adoption of massive regularization had certainly contributed to the reduction of the stock of irregular migrants, the effect of the sudden and deep change in the labour market had a deep impact on the conditions of irregular migrants. In the space of one year, the working opportunities became very limited, especially for men, salaries decreased and the jobs became extremely precarious. Interestingly, the modification in the labour market affected also the possibility of irregular migrants to regularize their status or to renew their residence permit in the case they had already got one. In this sense, the dynamics of the economic system reverberated through other important aspects of migrants' lives.

Moreover, it is possible that the adoption of very “spectacular” control measures, such as the raids in public spaces and the amendment to the free healthcare-access policy may have also been a result of the economic downturn. The reduction of the administration budget may have favoured the adoption of a less organic and less costly control policy and the attempt to reduce the budget by reducing rights. Also in the case of Madrid, then, it seems possible to recognize a sort of systemic reaction that, originating from one of the systems, the economic one, has determined a reaction that has involved the other systems.

Coming to a conclusion, in general terms, the different irregular migration realities existing in Amsterdam and Madrid can be explained in relation to the particular shape that the structural mismatch between the social demand of migrants – determined by the interplay of all social systems – and the limited number of entry slots available – determined by states – assumes in the two cities. Yet, the analysis of the relations existing in each case between the characteristics of the structural context and those of the irregular migration reality, allows one to take a step further. In particular, it allows one to put in relation the effects of specific “macro-structural” features that characterize the context – each of these the sum of several “micro-structural” features – to specific features of the experience of irregular migrants.¹ In Amsterdam, irregular migration has been a numerically reduced phenomenon, characterized by the long-term period of the status and the difficult social conditions for migrants. This characteristics can be linked to: a structurally limited demand for unskilled labour; the existence of a highly restrictive migration regime; and a pervading political system capable of largely (not fully) controlling social transactions and therefore effectively implementing its policies. In Madrid, irregular migration has been a highly variable numerical phenomenon, characterized by the short-term length of the status and variable social conditions. This characteristics can be linked to: a highly variable demand for unskilled labour; a rather open migration regime; and a non-pervading political system capable of controlling social transactions to a lesser extent and therefore moderately effective in the implementation of policies.

8.2 Further Steps Towards a Systemic Theory of Irregular Migration

8.2.1 *An Analytical Framework for Irregular Migration*

On the basis of results obtained and the discussion proposed in the previous section, in this final section, a typology of context/irregular migration reality relations will be presented. The objective is not to create a fixed structure of causal relations or a deterministic tool of analysis but to propose a tentative scheme of analysis, a hypothetical

¹The proposed distinction between “macro-structural” and “micro-structural” features only refers to the fact that the former are the cumulative result of the sum of the latter.

space of interactions that allows one to visualize recursive relations between structures and irregular migration phenomena. Such an analytical tool is coherent with the social systems’ perspective outlined in Chap. 4. Having assumed that no social actor (not even states) is able to fully determine social outcomes, that every actor is internally complex and that social interactions work through an irritation/resonance model, the point is not to produce, once again, linear explanations or to identify decisive actors (that either succeed or fail). The objective is to design an instrument, complex enough to be able to acknowledge the role played by a multiplicity of actors, to take into consideration the dynamics of actions and reactions that each of them trigger, to account for the different degrees of success and failure that such dynamics entangles but, at the same time, sufficiently simple to foster the identification of possible regularities, stronger linkages and recurrent patterns.

The area of the proposed scheme is divided into 8 spaces by three axes (see Fig. 8.1). Each axis represents one of the three main structural features affecting irregular migration that have been identified – the social demand for unskilled labour, the migration regime, the political system’ capacity – and the variability of that feature between two poles. Each of these macro-structural features is the cumulative result of the effects of other micro-structural characteristics. In Table 8.4, there is a schematization of the main influences that was possible to observe (others may be possible).

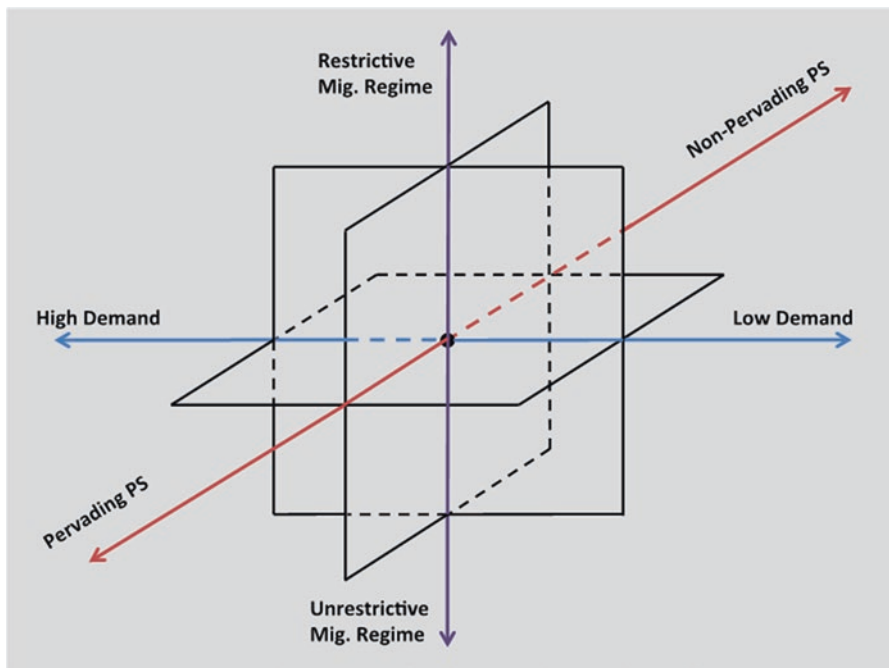


Fig. 8.1 Structures and irregular migration realities

Table 8.4 Context features that affect irregular migration

Macro-structural features	Micro-structural features
Social demand for unskilled labour	Economic cycle: expansion/contraction. Structure of the labour market: degree of segmentation and size of the informal sector Size and networks built by migrants Geopolitical position of sending and receiving countries Welfare state regime
Migration regime	Migratory background and cultural attitude towards migration Demographic cycle: percentage of migrant population, number of migrant generations, ethnic conflicts Politicization of migration: high/low
Political system capacity	Political culture: statist/non-statist. Implementation capacity: high/low. Regime type: liberal/non-liberal. Administrative culture and tradition

Table 8.5 Irregular migration typology

	Structural context	Irregular migration realities
1	Restrictive migration regime Low political system capacity High social demand for unskilled labour	Long term Big population Easy conditions
2	Restrictive migration regime High political system capacity High social demand for unskilled labour	Long term Big population Hard conditions
3	Restrictive migration regime Low political system capacity Low social demand for unskilled labour	Long term Small population Easy conditions
4	Restrictive migratory regime High political system capacity Low demand for unskilled labour	Long term Small population Hard conditions
5	Unrestrictive migration regime Low political system capacity High demand for unskilled labour	Short term Big population Easy conditions
6	Unrestrictive migration regime High political system capacity High demand for unskilled labour	Short term Big population Hard conditions
7	Unrestrictive migratory regime Low political system capacity Low demand for unskilled labour	Short term Small population Easy conditions
8	Unrestrictive migratory regime High political system capacity Low demand for unskilled labour	Short term Small population Hard conditions

The 8 spaces created by the crossing of the three axes represent different combinations of the three macro-structural features. Combining this scheme with the results of the Amsterdam/Madrid comparison, it is possible to imagine 8 types of irregular migration (see Table 8.5). Each of these types represents an ideal-type that

links the combination of structural conditions to the characteristics of the irregular migration reality. They describe an overall general tendency, the type of irregular migration produced by a certain social configuration. It is clear that important exceptions are possible and that to fully describe the experience of each migrant, it is necessary to add an analysis of each individual trajectory. To give an example, space 4 represents a structural context with a restrictive migratory regime, a high political system capacity and a low social demand for unskilled labour. This is a context that prompts an irregular migration reality characterized by long term irregular statuses, small populations and hard conditions. Reconnecting to the results of the empirical study, this combination could represent well the situation found in Amsterdam in the most recent years considered in this study. Space 5, on the other hand, represents a structural context with an unrestrictive migration regime, a low political system capacity and a high social demand for unskilled labour that translates into an irregular migration reality marked by short term irregular statuses, big populations and easy conditions. This is a combination that could represent well the situation found in Madrid before the effects of the economic crisis in 2008.

The proposed analytical framework is coherent with the idea of irregular migration as a differentiated phenomenon that emerges from the particular configuration that the different social systems maintain within a specific context. According to this perspective, the irregular status of a migrant, by itself, does not tell much about the social, lived experience of this migrant. In each context, such status translates into a number of opportunities and limitations that can be extremely different. The analysis of irregular migration realities, at the same time, reveals important characteristics of the context in which they emerge, the dynamic equilibrium between different social systems, the existence of a certain systemic coherence that affects the evolution of all the different social systems.

8.2.2 Study Strengths and Limitations

The combination of different theoretical and empirical research strategies, and the attempt to establish a dialogue between them, has offered interesting material and original viewpoints from where to question the existing theoretical explanations for irregular migration and explore other possible perspectives. In particular, the systemic theoretical approach to irregular migration, based on Niklas Luhmann's social system theory, appears to have offered a stimulating and effective alternative capable of overcoming many of the limitations displayed by more "classic" approaches. Interestingly, such advantages, that had been prefigured in the theoretical discussion, were confirmed once the theory was tested in relation to the data which emerged from the empirical study. Not only was the systemic approach able to withstand the comparative challenge, offering an explanation of irregular migration capable of making sense of the realities that surfaced within very different contexts, such as Amsterdam and Madrid, but it was also able to offer a more realistic, multi-causal account of such realities.

The analytical framework of irregular migration presented at the end of this chapter, which represents the most advanced step towards a comprehensive systemic interpretation of possible irregular migration realities, is, at the same time and necessarily, the weakest. Although, the proposed idea – that of a schematization capable of assessing the cumulative impact of the different contextual characteristics in terms of some, decisive macro-structural features and of relating these to the characteristics of the irregular migration realities that in each context emerge – appears encouraging, because it offers a flexible, non-reductive tool of analysis. In order to confirm its usefulness, and, if that is the case, to produce more sophisticated, strengthened versions of it, it is crucial to expand and diversify the comparative research in this field. In particular, it would be necessary: to comparatively explore the experience of irregular migrants of different nationalities within the same contexts, in order to assess the impact of this variable; to compare the experience of irregular migrants in other countries that present similar structural conditions to those already considered, to observe possible differences among similar cases; to consider other countries with very different structural contexts, in order to further explore the insights of the “most different case” strategy.

Having considered its many limitations, the data presented in this book is significant and its discussion in relation to the proposed systemic theoretical approach appears to have contributed to the affirmation of an innovative perspective in the understanding of one of the most complex and characteristic phenomena of our time. The road to cover is long but the suggested route seems promising.

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