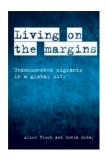


Oñati Socio-legal Series, v. 7, n. 6 (2017) – Investigations – Investigaciones – Ikerlanak ISSN: 2079-5971



Book review

Alice Bloch and Sonia McKay. Living on the margins. Undocumented migrants in a global city. Bristol: Policy Press, 2016. 9781447319368 (Hb) £56.00, 9781447319375 (Pb) £19.99, 9781447319405 (EPUB) £19.99.

ARIANNA JACQMIN*

What's it like being undocumented workers in London today? This is the leading question of the book. It is a crucial question, as it touches a variety of present although troublesome topics: migration and inclusion/exclusion, citizenship rights and accessibility, labour market and exploitation. Living on the margins, published in January 2016 and written in the shadow of the 2015 UK elections, wants to discover the complexity for irregular migrants in the UK in finding and maintaining a job; meanwhile it reveals the consequences of their working conditions on other aspects of their lives. The adopted perspective is twofold: both migrant workers and migrant employers talk through this book and show not only the mechanism of an unofficial economy but of an extended underground reality as well. The political and economic context where the research takes place is characterised by increasingly restrictive immigration laws, especially in regard to the employment of undocumented migrants, the implementation of deportations, and a widespread economic downturn. Although the book does not deal with what makes London a global city, or, better, with the specific elements of a global city that mostly endanger the conditions for undocumented migrants, the analysis and the considerations the authors offer might support further studies in alike global contexts in Europe.

Before going deeper in the structure and the aim of the book, I propose a few words about the authors. Alice Bloch is Professor of Sociology at the University of Manchester. The issues of second generation refugees, and of life, routes or employment of undocumented migrants, are present in her essays and books. Sonia McKay is Professor of European Socio-Legal Studies at the Working Lives Research Institute of London Metropolitan University. Employment rights and migrant workers emerge from her talks and publications.

The book is divided into eight parts, of equal length. I will retrace each of them and focus on the most interesting ones. Chapter 1 introduces the main topic – everyday life of irregular migrants in London – and provides the reader with the context of insecurity that they face: the fear of being caught and the threat of being imprisoned or deported is a constant within their lives. The authors explain in a very clear way why they privileged the word *undocumented*, over *illegal* or *irregular*, which are words that tend to be used as synonyms but which not only identify different conditions but contribute to create them as well, since, as the authors remind, these categories are a result of a social, political and legal

(CC) BY-NC-ND

^{*} arianna.jacqmin@unimi.it

construction. The status of people is mobile, although, as the book shows, it is easy to be trapped into one and hard to get out of it.

The theoretical framework to which the authors refer and which they successfully question is that of social capital and its development into social network. The way they deal with this theory presupposes a previous knowledge of scientific literature on the topic, starting from Bourdieu and on, in order to better understand what they suggest and contend. Even though the authors quickly retrace the literature, neophytes of Sociology of Law could find some difficulty in clearly understanding this part, while a more detailed, although longer, literature account could help. Yet, even though scholars from socio-legal studies are the main target of the book, the reading can also offer options for further consideration to legal experts in general, policy makers, and even lay people. The book develops from the awareness of the authors of a missing literature over "the ways in which undocumented migrants (...) engage in and perceive such networks within their everyday lives" (p. 12), and questions the consistence of benefits that may result from such networks. In an apparently counter-intuitive but convincing way, along the book the authors will show how social networks can get individuals stuck in the long term, rather than offering them opportunities in a new and foreign society: even though ethnic enclaves can initially offer protection, information, and support, they are also restrictive environments that likely foster social exclusion. Based on a "mistrustful solidarity", rather than on equality or choice, they tend to stick a newcomer under their schema. All this finds empirical source especially in the labour context, the object of the analysis of the book.

The authors explain and legitimate in a clear way their methodological and ethical choices. They privileged qualitative interviews, which resulted from an Economic and Social Research Council-funded project they had conducted in 2012 and 2013. The interviewees were 55 undocumented migrants and 24 ethnic enclave employers, who all lived in London at that time, and who came from China, Bangladesh, and Turkey. According to the authors, such choice provided a diversified panorama of immigration in regard to "migration patterns, migration drivers, and also in terms of sectors and profiles of workers" (p. 19). Internet focus groups with seven of the interviewed ethnic enclave employers completed the job. Even though the variety of the selected sample is guite limited from an ethnic perspective, the choice to give voice to employers of migrants is an innovative element in literature, while it offers the chance to get out of the tricky and simplistic juxtaposition of "powerless workers and powerful employers". They selected the interviewees through non-probability methods (snowball sampling) along with purposive sampling: the aim was to achieve a sample as differentiated as possible. Interviews were conducted in the interviewees' first languages, through the use of interpreters. The choice to interview a quite small number of people and only from three ethnic groups makes it difficult to generalize data to the broader category of undocumented migrants, but it provides a qualitative job that is attentive to deepening in personal choices and to take particular care in the construction of the relationship with interviewees, even beyond the goal of the research. Authors show great awareness not only of any bias that might be present within the sampling procedure (as the privilege towards men), but also of their ethical conscience as researchers. They adopted guarantees to protect the identity, the physical safety, and the informed consent of the interviewees; meanwhile, they provided both employers and employees with a Rights Guide. A deep and clear explanation of methodology, methods, and ethics support the reliability of the research and the transparency of the whole process, which results in a high quality empirical job.

Chapter 2 adopts a juridical perspective, as it deals with *Policy, law and rights* regarding undocumented migrants. This part is particularly appealing for legal scholars, as it offers a precise frame of international, European, and British rules for migrants, in regard to their working conditions, and the process of identification,

1375

repatriation, expulsion, and asylum concession. These explanations, which are juridically technical, satisfy a twofold purpose: on the one hand, they help understand the climate of legal incertitude and insecurity that characterize the life of undocumented migrants, and that develops not from deportation per se, but from deportability, which is the constant possibility of being deported. On the other, they locate legal and political choices within a broader process of what we could call illegalization. It is a multi-faceted mechanism that transforms undocumented migrants into illegal persons, or non-persons, non-citizens, or aliens in a broad socio-legal sense, as great literature on migration has underlined (Dal Lago 2004, Bosniak 2017). Illegality is the perverse product of immigration laws, of policies, and of practices. A concrete and incisive example is the following (p. 39): Directive 2009/52/EC, besides prohibiting the employment of irregular migrants, recommends sanctions on those employers who fail to pay and to provide social security contributions to employees, irrespective of their legal relationship, i.e. irrespective of whether employees do have the right to work. However, this rule, which tends to privatize migration control, is far from granting fair retribution to irregular migrants and to prevent their exploitation. Its main effect has been the opposite: a higher risk on the employers legitimates their adoption of even harsher working conditions in regard to irregular migrants. In turn, such conditions contribute to endangering affective, work and social life of undocumented people. The considerations the authors offer, within this and other parts of the book, might work as a starting point to investigate the hidden effects of immigration laws in other European contexts.

Chapter 3 investigates Motives, journey and status mobility within migration. In other words, it enlightens the variety of reasons to migrate and to choose the UK as a destination, and it deals with the complexity of leaving the home country and the different possible ways of reaching the destination. Means of transport, routes, time, modalities of passing borders, of actively organizing the journey or of being smuggled are all highly different. A recurring point is the randomness of the destination, or, better, the fortuity in ending up in a certain country. This phenomenon is coherent with what literature has identified as "stepwise migrant" (Paul 2011). Another element that emerges from this chapter is the concept of the fluidity of the legal status. Some of the interviewees entered the UK illegally, tried to regularize their stay and failed; others obtained a permit through the asylum procedure but it expired a few months after; others, although reticent about it, adopted false documents. Passing from the condition of clandestine, to refugee, and then again to clandestine, or from that of tourist to irregular person is part of their experience in the UK, or even in Europe before their arrival to their destination. Although nowadays scientific literature, humanitarian reports and - finally - the media love investigating and telling individual stories and routes, which have become more than ever widespread topics, the way the voice of the interviewees interacts with theory and the considerations of the authors makes the reading of this chapter pleasant and fluid.

Chapter 4 develops the body of the book, as it specifically deals with *Undocumented migrants living and working in London*. The premise of the inefficiency of laws fighting irregular migration and irregular labour is the following awareness: the capitalist working system requires cheap labour, which people in legal precarious conditions are more likely to provide. The chapter considers the practices to find and maintain a job, which is one of the major concerns of the interviewees, but it also focuses on contractual, ethnical and relational conditions within the working context. The authors are able to show, through the analysis of the interviews, how belonging to an ethnic local community can be both a personal opportunity and a trick. Friends or family networks offer information about job opportunities and their environment, they provide contacts, informal references, or, directly, a job. Even though they certainly represent a "bonding capital", which welcomes the newcomer, they do not "bridge" him to broader social and working

1377

resources and possibilities (p. 82). Rather, they "entrap" him within an ethnic group and a specific sector of employment, which are strictly linked to each other. The provision of a job from a community tends to be highly costly for the employee in terms of working conditions: interviewees confessed they felt morally obliged to their community in reason of the help they received or of their family obligations. From this perspective, it is hard to refuse a job offer, regardless of its unfair conditions, or to guit it. Through the voice of the interviewees, the authors contest the assumption that network relations within the country of destination are advantageous per se. At the same time, alternative and autonomous ways to look for a job are not easily accessible to undocumented migrants, especially if they do not speak English and they have a limited social network. I should notice, however, that, the fact of being documented, on the contrary, is not necessarily a benefit in regard to working conditions and bargaining power. If the residence permit of regular migrants depends on the employment contract, as it tends to be the case in European Countries, the necessity to find and maintain a job, not only for economic reasons, becomes impelling and reduces their resistance to unfair labour situations (Santoro 2010). In general, working conditions in or out of ethnic enclaves are hard. Undocumented migrants are easily exploitable, as literature and reports from NGOs have often revealed: they tend to work long hours and to be low paid; they have no employment rights; while the fact of being undocumented makes working stability and conditions precarious. They are open to blackmail. Working conditions do not change much on the other side of the Channel.

Chapter 5 meets the opposite point of view, that of Ethnic enclave entrepreneurs: it deals with their tendency to hire co-ethnic workers, and it investigates their attitudes in the working place. As already said, the perspective of employers is quite innovative, while it helps understanding the complexity of working relationships. The interviews reveal some of the reasons to hire co-ethnic workers: among them, the authors identify the difficulty to find skilled workers, or workers in general, and the sense of duty and a higher level of trust towards nationals or family members. Last, but not least, the difficulty to speak English is an important element as well. From the perspective of the employers, their willingness to offer a job to undocumented migrants - and to carry on the working relationship - is an act of solidarity and of benevolence towards irregular nationals. Hard work conditions, as lower wages and long working hours, are the price for the risk they take to hire and protect them.

Chapter 6 deals with Social networks and social lives of undocumented migrants, and it highlights the complexity of being part of a community. On the one hand, family, friends, and nationals networks promote a sense of belonging. On the other, they entail moral duties and submission, which may trap newcomers and prevent any further social or professional interaction with the British society. Friends and partners who come from outside the community are cautiously selected, since any relationship may be risky and the fact of being illegal could be embarrassing. These conditions lead irregular migrants to adopt a low profile: isolation becomes a strategy of defence from the possibility of being caught, as studies confirm (Vacchiano 2005). Going out of the neighbourhood is a fearsome situation. Long working hours, the difficulties with the language, the focus on finding or changing job, and the stress to maintain family relations in the home country further compromise the chance to enlarge social networks. A distressing and hopeless scenario results from this and it is further analysed in the following chapter.

The Consequences of being undocumented go well beyond the working field, as chapter 7 underlines. The individual status affects the accessibility to social and health security, to benefits and housing, and the chance to address police and civil justice officers. Contact with authorities or with professionals could be dangerous. Indeed, as literature specifies, it doesn't matter whether migrants have the right to access specific public services, as emergency assistance, or are allowed to register children to school, as it happens in some European countries, or to address public

Oñati Socio-legal Series, v. 7, n. 6 (2017), 1374-1378

ISSN: 2079-5971

officers to denounce their exploitation without risk of self-incrimination. What counts is the message that restrictive norms communicate: they invite migrants to isolate themselves, and European citizens to keep away from them (Santoro 2010). As a consequence, irregular migrants — I would add, regular but precarious migrants as well — tend to solve any issue privately or within their networks, which further strengthen and curb relationships. Small issues for *legal* people are transformed into unsolvable problems for undocumented people, as renting a room, getting a driving licence or a library card, opening a bank account, and so on. The credit for this chapter is to investigate the "banal" aspects of everyday life that contribute to marginalizing undocumented people in multiple and self-reinforcing ways. If, on the one hand, restrictive immigration laws and practices generate exclusion, on the other, undocumented migrants themselves tend to react to these restrictions by further isolating themselves.

The final chapter retraces the main topics, while it looks for the ways of Grasping lives on the margins. The ambiguous relationship between employer and employee, which is both a source of sustenance and of exploitation most of the times, shows how the reliance on a co-ethnic/family/friends network can be a tricky chance. Dynamics of class, power, mutual obligations, and ethnic solidarity permeate communities. Previous human and professional capital seems to play no role in improving one's social and working conditions. The authors wonder who benefits from these trapping relations, and the answer indicates that both the employers and the neo-liberal State do. Economic profit pleases the former category, as one could imagine, while policy makers are aware that restrictive immigration laws do not stop migration; rather, they create the social and legal category of undocumented migrants: exploitable people under a market economy. Irregular migrants are the informal reserve of labour that is an integral part of the organisation of capitalist economies. The very conclusion of the book, which questions the effectiveness of recent British migration policies, offers a quite pessimistic scenario: tightening laws will not prevent migrants from reaching the country and staying; rather, they will support the growth of an invisible economy and further deteriorate the conditions under which they work and live. Meanwhile, the very victims of such commercial model will continue to be targeted as responsible for the economic and welfare crisis.

References

1378

- Bosniak, L. S., 2017. Status Non-Citizens [online]. *In*: A. Shachar, R. Baubock, I. Bloemraad, M. Vink, eds. *The Oxford Handbook of Citizenship Studies*. Oxford University Press. Available from: https://ssrn.com/abstract=3029710 [Accessed 14 December 2017].
- Dal Lago, A., 2004. *Non-persone. L'esclusione dei migranti in una società globale.* Milan: Saggi. Universale Economica Feltrinelli.
- Paul, A.M., 2011. Stepwise International Migration: A Multistage Migration Pattern for the Aspiring Migrant. *American Journal of Sociology*, 116 (6), 1842–1886.
- Santoro, E., 2010. La regolamentazione dell'immigrazione come questione sociale: dalla cittadinanza inclusiva al neoschiavismo. *In*: E. Santoro, ed. *Diritto come questione sociale*. Turin: Giappichelli, 129–180.
- Vacchiano, F., 2005. Cittadini sospesi: violenza e istituzioni nell'esperienza dei richiedenti asilo in Italia. *Annuario di Antropologia*, 5 (5), 85–101.