

RESEARCHING IRREGULAR MIGRATION

Concepts, numbers, and empirical findings in a Scandinavian context

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1 Introduction

The age of globalisation has accelerated the movement of people between countries. This development has in various ways been managed by states through more or less restrictive immigration policies. Both national and supra-national measures to curtail irregular migration have been strengthened without greater success, which indicates that the measurements possibly are inadequate (Ghosh 1998). However, discussing both regular and irregular migration in relation to increases and decreases, points to one of the central problems this special issue of *Nordic Journal of Migration Research (NJMR)* explores. Who are we talking about, how are we talking about them, is there any reliable method to actually quantify the stock of irregular migrants, and what are the consequences for the migrants, the states, public attitudes, and policy-makers of actually trying to do so? Furthermore, the way in which irregular migration usually is framed, as a strictly legal term, may be regarded as a problem or methodological and conceptual challenge, as it arguably has impeded the development of concepts and theories (Anderson & Ruhs 2010a; Black 2003). This tendency has in recent years been confronted and questioned by researchers from various academic fields of migration research (Legrain 2007; Van Schendel & Abraham 2005).

This special issue gathers four quite different contributions on irregular migration in a Scandinavian context. They share the common aim of challenging prevailing understandings of particular angles of irregular migration. The article by Helle Stenum discusses the problems relating to enumeration from a methodological, theoretical

and normative perspective. She does so from a position claiming that all numbers are political and therefore have political consequences. Martin Bak Jørgensen and Susi Meret's article explores how irregular migration has been framed in research investigating irregular migration in Scandinavia or deliberately has been omitted for particular convictions and compares these understandings with how irregular migration is framed in parliamentary debates in the three countries. Where the first two articles locate their point of departure in the research literature itself, the two articles that follow are primarily empirical studies of two distinct cases. The article by Denis Frank presents a detailed study on how the Swedish trade union *Byggnads* perceives irregular migration and irregular employment and how it cooperates with Swedish enforcement actors. The last contribution by Trine Lund Thomsen looks at the motivation factors behind the migration process and the coping strategies applied in relation to the actual migration. Here the empirical focus is on Polish migrants in Denmark during the years of the transitional agreement between Denmark and the new EEC member states.

Subsequently, the intention of this special issue is not to provide a comprehensive analysis of irregular migration in Scandinavia or correcting the limited research available. Rather the aim is to engage in the theoretical, conceptual development and empirical knowledge-production of irregular migration in Scandinavia by challenging and discussing the theoretical and conceptual frameworks constituting the research field on irregular migration today.

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The four articles do not take the same point of departure. Indeed some of the contributions seemingly stand in contrast to each other. Jørgensen and Meret argue in their article that the majority of the prevailing research has contributed to what the author conceive as particular representation of the non-presence of irregular migration in Scandinavia through a particular description of the structural conditions and characteristics of the Scandinavian labour market and welfare states. Frank oppositely subscribes to the exact same explanation which the two former authors perceive to be problematic. However, the purpose of the first article is not to provide more accurate numbers or new empirical evidence of the stock and flows of irregular migration in Scandinavia. Rather the authors wish to emphasize the potential consequences of conceptualizing irregular migration in a specific way. Stenum's article makes a similar argument and likewise looks into the relationships between research, knowledge production, governance, and policy-making. Thomsen's article problematizes rigid distinctions between legal and illegal and through the analysis of biographical interviews with Polish labour migrants shows how the concept of irregularity is characterized by fluidity. In that sense it provides an example of why it is so difficult to define the irregular migrant. What unites the four articles theoretically however, is the constructivist point of departure, namely that: who are perceived as illegal and/or irregular is a construction which can be analyzed through different power relations in times and places. How this takes place and what kind of political implications this can have is explored in different contexts and analytical levels in the four articles. The four articles also look at quite different sets of actors when trying to understand how irregularity is produced. Stenum looks at governments, research projects, and NGOs and the attempt to develop methodologies and enumeration – and what she would claim: identifiable, countable and governable objects. Jørgensen & Meret investigate how research itself has conceptualized and characterized irregular migration in a Scandinavian context and likewise analyse how these same issues are debated on parliamentary levels and reflect upon the relations between the research and policy domains. Frank especially focuses on the production of irregularity by the trade union and the police and Thomsen investigates the actor-structure relationship through interviews with Polish migrants and offer the only bottom-up perspective in this special issue. Consequently, the four articles offer a variation in both analytical perspectives as well as in choice of research units. This diversity in research approaches, as already suggested, does not contribute to a comprehensive knowledge on irregular migration in Scandinavia as such – the special issues does not come closer to providing the accurate 'number' and neither is this the intention. The strength of the conceptual and analytical variation found in this issue is that it puts attention to research challenges for future studies on irregular migration.

In sum, this special issue focuses on three different themes which can be found in the different contributions: explanatory models – why do we find irregular migration and how does it take place; conceptualization of the unit of analysis – who are we talking about and how can we define the phenomenon; and counting – how do we count the uncountable and should we?

2 Understanding irregular migration

Many labour markets in destination countries allow for the absorption of large numbers of migrants in an irregular situation, which acts as a pull factor, notwithstanding governmental migration management measures (Legrain 2007; Castles & Miller 2009). The availability of jobs and of employers willing to hire irregular workers are significant

pull factors, while unemployment, low wages and unattractive working conditions in the home country are among important push factors (Düvell 2006; Thomsen 2010). It is however insufficient to focus only on push/pull factors as the explanation is far more complex and includes both social and cultural dimensions as well as structural and political elements. In the EU countries the scale and scope of irregular migration vary according to the various types of welfare states and migration policies adopted in the respective EU countries (Jordan & Düvell 2005).

Comparative studies on integration- and immigration-regimes in Scandinavia have shown that there are quite profound differences between the three countries (e.g., Brochmann & Hagelund 2011; Jørgensen & Meret 2010). Often depicted as division between 'the good' (Sweden), 'the bad' (Denmark) and the in-between (Norway) from some kind of implicit normative assessment of policy regimes (cf. Brochmann & Hagelund 2011). We do find similar tendencies when focusing specifically at irregular migration and policy action and approaches in the three countries. However, at the same time the countries are still characterised as having rather similar labour market arrangement and welfare structures making irregularity a difficult enterprise for a number of reasons.

This theme is addressed in all four contributions but in different ways. Frank and Thomsen provide empirical analyses of the structural conditions and barriers and seek to explain how migration takes place and what the consequences are for the migrants ending up – intentionally or unintentionally – in irregular positions, Jørgensen and Meret oppositely refrain from undertaking an analysis of the structural context but investigate how academics and politicians frame and explain the phenomenon of irregular migration differently. In their reading the predominating frame has produced and still reproduces a particular image of Scandinavian labour markets and welfare states as especially resilient to flows of irregular migration.

3 Conceptualising the phenomenon and units of analysis

Irregular migration as defined by the International Organization of migration (IOM) is migration that occurs outside of the rules and procedures guiding international movement of people and covers modes and conditions of entry, stay and employment (www.iom.int). Irregular migration takes several forms, and the distinctions between them, as well as the overlaps, are important for policy makers as well as for practitioners and researchers. This makes it an important area of research in order to produce conceptualizations that guide the discourse and provide both qualitative and quantitative knowledge that reflects various social realities of irregular migration. Irregular migration tends to be synonymous with different concepts used to address the legal status of immigrants such as illegal, undocumented or clandestine (Düvell 2006). The definition of irregular migration is first and foremost connected to illegal entry and illegal stay. However, a critique has been proposed to this definition in the conviction that irregular migrants should not be categorised as hard core criminals just by accessing the soil of another country. Furthermore, in it seems more appropriate to talk about illegal or irregular *migration* rather than illegal or irregular *migrants*, in order to emphasize that it concerns not only the migrated person, but also other actors involved in the activities of the migration process as well as the legal and political frame that constitutes the categorisation of migrants and illegalises them (Geddes 2006). This position does not entail abandoning the concept of illegality, but rather seeks to go beyond it. Changing the terminology does not necessarily change anything in itself, but

might just function as another labelling, and it is therefore imperative to change the content of definition as well. Based on this point of view the concept of irregular migration can be defined in a much broader sense than illegal or undocumented migration (Anderson & Ruhs 2010b; Thomsen 2010). The aim is to apply a definition that is capable of embracing the very high complexity of irregular migration by referring to conditions and activities from both a legal and a social perspective. It can be argued that both illegal and irregular migration is useful terminologies that offer different perspectives on the subject. Whereas the concepts 'illegal' and 'illegalisation' purely refer to the legal and political concerns of the state, the conceptualisation of irregular and irregularisation are constructions that may include other dimension of migration processes, such as aspects that are not in full compliance with the regulations on both state and social level (Van Schendel & Abraham 2005). The aim of this discussion is furthermore to present a critical approach to conventional understanding and use of the concept of irregular in contemporary migration research.

The four articles deal with irregular migration in various ways: The distinction between a legal and political definition of irregular migration in relation to frames and discourses at macro level and a more social approach concerning individual challenges and social interaction at micro level.

The first article by Stenum shows how conceptualisations make migrants countable and how methodologies are tied up to concepts spurring specific forms of categorical fixation such as illegalization. In the second article Jørgensen and Meret explore how conceptualisations and modes of explanation from academic studies converge or diverge from conceptualisations employed in parliamentary debates and reflect on the potential consequences of applying particular frames. The approach to irregular migration and migrants in the third article is based on a broader conceptualisation not referring to the migrants as 'illegals' or undocumented as these concepts are only applicable to migrants who have entered or are staying without the necessary permits. The author chooses to use 'unauthorised migrants' instead because it provides a frame for the analysis that goes beyond legal rights and possessing documents concerning entry, stay and work. In the fourth and last contribution irregular migration is perceived as a concept that has the capacity to embrace both legal and social aspects and refers to both illegality and illicity as being part of conceptualising irregular migration.

4 Enumeration: counting or not

Statistics can be defined as conventions representing legitimate (and normative) divisions of the social world. They are used for designing policies, for representing societies and for building 'objectivation' of social processes (Bourdieu 1990; Jørgensen 2012; Rallu, Piché & Simon 2006). In this issue Stenum argues, through a Foucauldian governmentality perspective, that statistics are political numbers. Quoting Nikolas Rose she claims that visibility and numbers makes the population a countable element and ultimately makes the target population governable (Rose 1999; see also Scott 1998). Stenum tests this argument and pushes it to the uttermost end by claiming that also research projects and institutions like the CLANDESTINO project and the International Centre for Migration and Policy Development through their attempts to produce more reliable data on irregular migration flows and develop methodologies 'make the irregular migrant visible as a non-citizen, as a deportable individual and as governable subject' (Stenum). This argument can be made from a governmentality

perspective as she does; however, counting and producing numbers obviously also can be assessed from other perspectives. Projects like CLANDESTINO can be seen as a means for providing more realistic scenarios. Researchers, as almost a general rule, have come up with lower numbers than politicians and policy-makers and therefore contribute to more balanced debates which may have an effect on the development of anti-immigrant sentiments in the populations. Producing data in terms of quantified entities is not only a sensitive issue in relation to bringing attention to a politicized policy issue but also is a methodological challenge. How indeed can the uncountable be counted? Most research projects including CLANDESTINO make us admit that we lack reliable data while at the same time offering data and qualified guestimates on the actual stock and flow of irregular migrants (e.g. ICMPD 2006). There is no simple answer to this very complex discussion. We can identify a variety of positions, also among the contributors to this special issue.

The Scandinavian countries have taken rather distinct approaches to the issue of counting irregular migrants (Jørgensen & Meret 2010; see also Thomsen et al. 2010). In Norway the government itself made the Directorate of Immigration responsible for producing more exact knowledge on the extent of irregular migration in the country (UDI 2006). In Sweden there has been discussion about the size of this population but no commissioned studies like in Norway and in Denmark the issue of irregular migration (in policy discourse described as illegal immigration) has gained less political attention – until rather recently at least. In a Danish context some of the authors contributing to this issue ended up experiencing the political implications of producing and disseminating research knowledge. After having published an edited volume on irregular migration in Scandinavia (Thomsen et al. 2010) the immigrant critical Danish People's Party called for increased control as a consequence of the research results. Emphasizing that there is no exact information about the number of irregular migrants does not help, as numbers very fast get an existence of their own. The most recent development in Denmark again provides an interesting example. From having previously estimated that there were around 5,000 irregular migrants in Denmark, the Danish police now estimate that there are between 20,000 and 50,000 irregular migrants in the country (Glerup 2012; Kejser & Scharling 2012). The estimate is not based on any research project or new methodology but on three interviews with anonymous sources within the police (Glerup 2012). It is now assumed by the police that the number of irregular could be ten times as high as estimated the year before. The basis for this assumption is not supported by any empirical evidence. Nevertheless this number was reproduced by the national public and private media (e.g. Fahrendorff 2012) and ended up as a part of Danish People's Party's recent 1st of May Campaign – do something about the large number (40,000) of irregular migrants they advocated for.

Numbers therefore can be used as both a politicising and depoliticising instrument. The articles dealing with enumeration in this special issue likewise engage in this dialogue and contribute in different ways in answering the basic but crucial questions: should we count, why should we count, how should we count, and what are the implications?

5 Summary

The four articles challenge the conventional perception of irregular migration in various ways. Jørgensen and Meret's article concerns the overall representation of irregular migration in Scandinavia in terms of contesting the notion of Scandinavia being a region without or with very little irregular migration as well as the generally accepted

idea of the Scandinavian countries are almost alike. Stenum argues in her article that all actors involved in the production of knowledge relating to estimating the number of illegalized migrants also assist in making the migrants governable – intentionally or unintentionally. In the third article Frank confronts the conventional understanding of migration management through regulations and restrictions of for example labour migration by showing how period of increased restrictions lead to escalation in problems with irregular migration. In the final article Thomsen challenges the traditional perception and application of irregular migration in pursuit of transcending the legal aspects of irregular migration.

The aim for this special issue is not to develop a particular approach to the study on irregular migration with a high degree of consistency within the articles, but rather to critically address the phenomenon from different angles representing various analytical levels and disciplinary approaches.

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