

**INTERSECTIONS OF PRECARIOUSNESS.
VULNERABILITY AND QUALITY OF LIFE
OF MIGRANTS WITH IRREGULAR STATUS**

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The analysis of segments of the immigrant population with precarious legal status has been the subject of a broad – and critical – review in migration studies over the last two decades, especially those referring to migrants in an irregular situation. Thus, a good deal of research has focused on the political economy of irregular work (Gago 2018) or on the development and implementation of migration policies (especially those referring to regularisations and migration control) (Basok and Rojas 2018; López-Sala 2015). There have also been many efforts aimed at estimating the dimension of the phenomenon and its scope, in different contexts (Kraler and Rogoz 2011). More recently, analyses have focused on the production of illegality, on the everyday experiences of “illegal lives”, as well as on the processes of mobilisation and resistance that have been initiated by this type of migrants (De Genova 2002; Nordling, Sager and Sodermann 2017; Lacomba and Moraes 2020).

Despite this extensive scientific production, it is only in recent years that research has critically interrogated the traditional regularity/ irregularity dichotomy to highlight the multidimensionality, complexity, and diversity of precarious statuses, the multiple forms they have taken, as well as their reversibility (Menjívar 2006; Goldring, Berinstein and Bernhard 2009). These reflections have served not only to appreciate degrees and processes linked to these “non-full statuses”, but also to offer a more accurate picture of their production and linkage with immigration policies, as well as their effects on the attribution of rights and recognition (López-Sala 2016).

This special issue refers to this state of affairs. Taking Southern Europe as an example, and more specifically the cases of Spain and Italy, the monographs focus on precarious statuses, so as to show the degree of diversity and complexity that these have adopted. This journey includes seasonal workers in the agricultural sector, street vendors, unaccompanied minors and migrants in transit. The aim of the special

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issue, however, goes beyond a mere characterisation of each of these groups in Spain and Italy, by showing also the intersections observed between legality, work and social insertion. Furthermore, it delves into the impacts that these precarious statuses have on migrants' quality of life, and how they shape and affect their expectations, their life projects and their migratory decisions. The articles included in this special issue thus combine an approach that not only frames the selected cases in structural conditions, but also reflects on the life experiences, visions and agency of migrants facing these precarious statuses.

In order to understand many of the dynamics presented in the articles, it is necessary to mention some contextual elements linked to the dynamics and policies in these two Southern European countries. As it is well known, Spain and Italy became countries of immigration in the last decades of the last century, adopting a specific and differentiated migration model with respect to the rest of Europe, that has been the subject of extensive scrutiny (Arango and Martin-Edwards 1999). Analyses have highlighted the fact that this model is shaped by the economic structure of these receiving countries (where there are extensive processes of informal economy and work), with a significant weight not only of highly labour-intensive sectors, such as agriculture or construction, but also of other sectors that require low-skilled workers, such as the care sector. This has led to a policy that responds to the specific needs of this type of economy and labour structure. The second decisive element in understanding the evolution of migration policy in these two Mediterranean countries relates to their status as peripheral members of the Schengen area, as well as the role of transit and destination countries that these Mediterranean countries play in the process of irregular migration. The application of migration control and internal control policies, together with the economic and labour market structure, have led to chronic forms of irregularity in both countries. This, to a certain extent, shows a vicious circle between a precariousness that extends from legal status to labour incorporation, and that directly affects the living conditions mainly of migrants from the African continent. The four articles conforming this issue correspond to specific precarious categories shaped by these structural conditions.

The importance of agriculture in both countries has transformed this sector into one of the few possible ways of accessing the labour market for migrants in precarious and/or irregular situations, acting as a refuge sector also in times of economic crisis for its stable production (Molinero-Gerbeau and Avallone 2016). However, the harsh working and wage conditions prevailing in agricultural work have made it an attractive niche only for those with difficulties to access better jobs, which explains, to a large extent, the process of “migrantisation” of agriculture in these two countries (Molinero-Gerbeau 2020). The temporary program called “recruitment at origin”, in the case of Spain, and the incorporation of workers from Eastern European countries has been combined with the presence of a segment of foreign workers in an irregular situation (but also of asylum seekers). They are

usually employed as a “subsidiary and complementary resource” at times of peak demand, suffering from working conditions that can be described, depending on the situation, as labour exploitation (endless working hours, piecework, extremely low wages, chronic instability, etc.). Hence, this segment of workers – the most vulnerable within the precarious workforce – face an experience of complete labour and social subordination (Avallone 2014) that is also extended to their housing conditions. The lack of available accommodation, resources, and the very varied forms of social and institutional racism have produced not only the appearance of informal settlements, but also the use of abandoned infrastructures for housing, spaces that do not comply with the minimum conditions of habitability, and which subject these workers to extremely harsh living conditions that affect their physical and mental health.

The difficulties for accessing the labour market in Italy and Spain also explain, to a large extent, the development of a “self-employed activity”, such as that carried out by street vendors in tourist coastal areas and in the central areas of large cities. The so-called “*manteros*” – in reference to the blanket (“*manta*” in Spanish) on which they place their products – are a group consisting of migrants with different statuses (also irregular migrants). However, this diversity contrasts with their labelling as an irregular collective, in a conception that transcends the category of legality, and focuses on their activity – street vending in public spaces – as well as on the nature of their goods. The promotion of internal borders and urban enforcement policies, which have been implemented through municipal ordinances, have not only affected the daily work of this group, but have also fuelled a discourse around these vendors in which narratives of conflict, insecurity and criminalisation converge. The *manteros*, however, are one of the groups that have shown the greatest forms of resistance and mobilisation, through a strong internal solidarity, deploying actions of mutual support, denunciation and collective defence, together with concerned neighbours and citizens (López-Sala 2021).

Unaccompanied migrant children and young people constitute another essential migrant group for understanding the migratory reality of southern Europe. Coming mainly from African countries, this is a predominantly young male group that has been subject to much controversy, not only in the sphere of migration management policy, but also in that of integration, since their first arrivals in the 80s. These young people, for example, have been rejected by the population, and have been the target of some of the anti-immigration campaigns of the new far-right parties. In the case of Spain, the decentralised model has also meant that the guardianship of these minors, due to the distribution of powers, has been left in the hands of the autonomous communities, which has led to significant intra-national differences. Studies have also highlighted the fact that the migratory projects of these young people have come into tension with reception measures that limit their possibility of working, generating, among other things, strong frustration for not being able to help their families in the country of origin. However, perhaps the most

decisive element in their trajectory has been, precisely, the legal transition when they turn 18 (hence the term “ex-custodial youth”), since although it should apparently be a smooth transition after having resided, in many cases for several years, under the tutelage of the state, it has become a “closing mechanism”, where not only administrative barriers, but also discriminatory practices have been put in place.

Spain and Italy, in any case, are not always considered by migrants as their destination, rather for many, these are spaces of transit, a fact perhaps made invisible, as arrivals tend to concentrate the public spotlight. It was during the 2015 crisis that this type of intra-European mobility was uncovered and has ended up becoming a determining element of the European agenda. Yet the fight against secondary movements (migrants' attempts to cross to other European countries) articulated part of the decisions and agreements that have been embodied, among others, in the New European Pact on Immigration and Asylum. These transits, however, are usually blocked at the border by direct and indirect measures, which have shown that this mobility involves much more complex and irregular itineraries than might be thought a priori. The blocking processes and the complexity of the category itself (which incorporates multiple types of migrants in legal and social terms) have not only created situations of spatial concentration in border areas but have also produced the need for permanent intervention. As these mobilities can be understood as extremely provisional, there is an urgent need to rethink and reformulate their distinction from the rest, something that the world of social intervention took up some time ago, with a view to applying measures for initial reception and integration.

These four spheres show how the migration model in southern Europe has a differentiated impact on extremely heterogeneous migrant groups. The articles in this issue will thus address certain aspects of a complex but vital reality, in order to understand contemporary migration in Europe.

The issue starts with the article “«Coming out of the shadows?» Housing conditions of irregular migrant workers in Spanish agricultural enclaves” authored by López-Sala and Molinero-Gerbeau who focus on the housing situation of migrant workers in some Spanish agricultural enclaves, analysing the intersections between having an irregular status, carrying out agricultural work, and experiencing a subaltern spatial – residential situation. However, far from reproducing a passive view, the article analyses how migrants themselves have tried to respond to this situation, focusing on some of their recent struggles.

The authors underline that the development of industrial agriculture in the Spanish case has been accompanied, over the last decades, by an itinerant, recurrent and temporary mobility of migrant workers between different productive enclaves. Although this group presents a wide internal diversity, an important segment is made up of workers in an irregular situation who participate in the seasonal circuit, and who reside temporarily in some of these intensive production geographies. Lack of political will, and institutional and social racism has condemned many of these migrants to extreme forms of housing exclusion that have led them to reside in

abandoned buildings and spatially segregated informal settlements. The result is, according to the authors, their embeddedness in a chronic and intersectional dynamic of vulnerability and precariousness that has seriously affected not only their living conditions and health, but also their possibilities of articulating an autonomous migration project.

However, the recent health crisis has given impetus to various struggles over the past decades, shaping a mobilisation around the right to live in dignified conditions that has integrated demands for regularisation, for better working conditions, and for the right to decent housing, responding to a deeply entrenched politics of indifference. Although limited in scope, the authors have underlined the exceptional nature of this mobilisation, as migrant struggles in Spain have traditionally been located in urban spaces and border areas, so these cases break with the historical circle of invisibility that has turned its back on a segment of the immigrant population that has a structural presence and role in the agricultural sector.

In “Migration in transit: a challenging concept for public and social policy”, Barbero and Blanco focus on a category or label of mobility in dispute, and subject to extensive analysis in the literature of migration studies, in the last decade: transit migrations. Focusing on the case of the Spanish – French border (and more specifically, on the Basque Country), the authors not only describe the migrants who pass through this stretch of one of Europe's internal borders, but also identify the challenges associated with the institutional response to this type of mobility. The article begins with an analysis of the concept of transit migration, highlighting its weakness as a legal category, as well as the effects this has on the design and implementation of public policies. The case of the Basque Country is particularly relevant not only because of its border status, but because of its pioneering nature in the implementation of integration policies in Spain. Since 2018, however, the transformation of the migratory landscape in this autonomous community has led to an increase in the resources allocated to the reception of asylum seekers and refugees, and to those aimed at migrants in transit, a phenomenon that has undergone significant changes and has gained wide visibility, as a result of the border control measures adopted by the French police. In particular, recent years have seen the implementation of a series of temporary assistance resources specially designed for this type of migrants, which has been accompanied by extensive action developed autonomously by diverse civil society organisations. The article shows, through the case of the Basque Country, that the concept of *transit migration* should not be interpreted in a restrictive way, limiting it to a single migratory route (south – north), a maximum transit time (one month), or a certain legal status (migrants who entered irregularly in the country). On the contrary, it is necessary to conceive transit as a multidirectional mobility, prolonged and intermittent in time, and in which experiences such as irregularity, precariousness, vulnerability due to gender or age, the need for international protection, and the demand for autonomy are combined in

the migratory project. This new vision of transit, as the authors indicate, is necessary to guarantee a dignified and quality reception.

In “«A life on standby». The effects of irregular status and the pursuit of regularity on the quality of life of unaccompanied minors in Spain”, Sajir, Ruiz Andrés and Molinero-Gerbeau propose to analyse the effects that the threat of falling into irregularity when reaching the age of majority has on a very specific group of migrants: unaccompanied minors. Thus, after reviewing the state of the art of these migrant children in Europe, and more specifically in Spain, the authors focus on a case study, that of the *Sant Joan de Deu Terres de Lleida* reception centre in Almacelles (Catalonia), where they carried out a qualitative research project, aimed at discovering the subjective perspective that these children have of their migration and their personal situation. The article gives an account of how obtaining the necessary documents to reside legally in Spain becomes an obsession that blocks all other vital aspirations for these children. Aware of the need to reside legally, in order to settle in the territory and find a job, unaccompanied minors spend a large part of their stay in Spain focused on a goal that leads them to put everything else on hold, generating a situation of tense waiting that the authors have defined as a life on “standby”. The fear of irregularity and its consequences thus leads to a vital blockage that directly affects the quality of life of children, whose time in the reception centres tends to be limited to trying to maintain good behaviour, while they await the resolution of their legal situation. In the meantime, by reducing their expectations, they experience a vital situation of lethargy, only shaken, in the analysed case, by the organisation’s express desire to help them to be educated, in order to try to make the most of their stay. This research thus highlights a reality common to this special group of migrants in the European context, but also serves as an example of good institutional practices to try to prevent ‘the sword of Damocles’ of irregularity, even if it does not materialise, from ending up definitively affecting the quality of life of these young migrants.

Finally, in “Migrant street vendors in Italy: a history of irregularized labour and people”, Ragone and Avallone focus on a group of migrant workers present in numerous urban and coastal areas of southern Europe, notably Spain and Italy, namely street vendors. Taking as a reference the case of the city of Salerno (Italy), this research shows how these workers, mainly of Senegalese and Bangladeshi origin, who carry out an activity recognised by the Italian state as “autonomous work”, are constantly persecuted and singled out by governments and municipal police forces. As the authors point out, street work is sometimes carried out by migrants in an irregular situation, but not only, as it stands as an alternative to the dual Italian labour market where the only salaried jobs available to these migrants are often the most unstable and lowest paid ones. Thus, street vending allows those who carry it out to develop autonomous life projects that, nevertheless, clash with public plans deliberately aimed at repressing their free exercise. Labelled as an “irregular” collective, either because of the legal status of some of those who do it,

or because it is a job deliberately prohibited by certain urban decrees, street vendors are labelled in a way that is based on an aporophobic and racist vision of urban decency (Sajir 2020). The authors, therefore, argue that street work is the result of what they call a process of “democratic racialisation” consisting of prohibiting, with legal instruments applied by elected governments, a job whose only crime is that it is carried out by non-white, non-European nationals. In this case, irregularity reveals itself to be more a governmental device than a legal condition applied under a supposedly democratic cloak, to target and repress groups of migrants whose quality of life is highly affected by a discriminatory context, legally sustained by the Italian democratic order.

REFERENCES

- Arango, Joaquín and Baldwin-Edwards, Martin (eds.). 1999. *Immigrants and the Informal Economy in Southern Europe*. London: Routledge.
- Avallone, Gennaro. 2014. “Migraciones y agricultura en Europa del Sur: Emergencia de un nuevo proletariado internacional” *Migraciones Internacionales* 27: 137–169.
- Basok, Tanya and Rojas, Martha L.. 2018. “Precarious legality: regularizing Central American migrants in Mexico” *Ethnic and Racial Studies* 41(7): 1274–1293.
- De Genova, Nicholas. 2002. “Migrant ‘illegality’ and deportability in everyday life” *Annual Review of Anthropology* 31: 419–447.
- Gago, Verónica. 2018. “What are popular economies? Some reflections from Argentina” *Radical Philosophy* 2 (2): 31–38.
- Goldring, Luin, Berinstein, Carolina and Bernhard, Judith K. 2009. “Institutionalizing precarious migratory status in Canada” *Citizenship Studies* 13(3): 239–265.
- Kraler, Albert and Rogoz, Madalina. 2011. Irregular migration in the European Union since the turn of the millennium – development, economic background and discussion. Clandestino Project Working paper No. 10. https://irregular-migration.net/wp-content/uploads/2021/06/WP10_2011_Kraler_Rogoz_Europe_IrregularMigration_Dec11_fin.pdf.
- Lacomba, Joan and Moraes, Natalia. 2020. “La activación de la inmigración. Capacidades y agencia de los migrantes” *Migraciones* 48: 1–20.
- López-Sala, Ana. 2015. “Exploring dissuasion as a (geo)political instrument in irregular migration control at the southern Spanish maritime border” *Geopolitics* 20(3): 513–534.
- López-Sala, Ana. 2016. “Producing temporariness, (re)producing precariousness. Regulation, rights and non-citizenship status of temporary immigrant workers” *Arbor*. 192: 777.
- López-Sala, Ana. 2021. “Luchando por sus derechos en tiempos de COVID. Resistencias y reclamaciones de regularización de los migrantes sinpapeles en España” *Revista Interdisciplinaria da Mobilidade Humana* 29: 83–96.
- Menjívar, Cecilia. 2006. “Liminal legality: Salvadoran and Guatemalan immigrants’ lives in the United States” *American Journal of Sociology* 111(4): 999–1037.
- Molinero Gerbeau, Yoan. 2020. “La creciente dependencia de mano de obra migrante para tareas agrícolas en el centro global. Una perspectiva comparada” *Estudios Geográficos* 81(288): 1–27.
- Molinero Gerbeau, Yoan and Avallone, Gennaro. 2016. “Producing Cheap Food and Labour: Migrations and Agriculture in the Capitalistic World-Ecology” *Social Change Review* 14(2): 121–148.

- Nordling, Vanna; Sager, Maja and Söderman, Emma. 2017. "From citizenship to mobile commons: reflections on the local struggles of undocumented migrants in the city of Malmö, Sweden" *Citizenship Studies* 21(6): 710–726.
- Sajir, Zakaria. 2020. "Il 'Marocchino' Che Non è Marocchino: Un Linguaggio Che Conviene. Il Caso Dei Lavoratori Migranti Ambulanti in Italia." In *Vivere Non è Un Reato. Lavoro Ambulante, Socialità e Diritto Alla Città*, edited by Gennaro Avallone and Daouda Niang, 47–54. Verona: Ombre Corte.

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