



## **Centre on Migration, Policy and Society**

**Working Paper No. 61,  
University of Oxford, 2008**

The Paper Market:  
'borrowing' and 'renting'  
of identity documents

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WP-08-61

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### ABSTRACT

The focus of this paper is on how the state sets up discriminatory structures and how immigrants work out ways of managing those structures. Two main issues are explored. The first is concerned with the relationship between state control and exclusion and immigrant resistance. Despite the increased surveillance and digital nets mounted by European states to keep immigrants out of their territory, the paper shows how the state is rather ambivalent towards irregular immigrants, many of whom form a reserve army of labour. At the same time, it is between the interstices of ambiguity that immigrants, by buying, renting and borrowing documents, have found ways through their networks and communities to resist or to get around exclusionary and contradictory regulations. Some immigrants, accommodated by the needs of flexible labour markets, find ways to circumvent the complex and harsh regulations in their quest to find better work and life experiences. Secondly, the paper is concerned with modes of immigrant integration and participation. The research reveals the flexibility with which immigrants move between regularity and irregularity. This is best characterised by the concept *irregular formality* - the attempt to 'regularize' one's status within the constraints of irregular immigration and labour market status. The results indicate that immigrants accommodate irregularity by developing flexible or fluid life and work strategies in order to deal with new economic and socio-political contexts. Furthermore, the data, based on research conducted in London between 2004 and 2006, show how many of these immigrants are incorporated into the community, at work and in their localities. So, while they form a reserve army of labour, they have formed their own ways of integrating into their social and economic localities.

**Keywords:** irregular immigrants, labour market, state surveillance, immigrant resistance, documents, identity, irregular formality, London.

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## **Introduction**

The paper regime of modern societies sets up a mass of contradictions. On the one hand, documents, such as passports, form an aspect of our national identities. They provide us with access to specific rights and with freedom of movement. On the other hand, with managed migration they provide the state with the means of bureaucratic management, moving away from force to control of social groups through administration. Some of these papers provide us with a sense of belonging and responsibility, while simultaneously regulating our lives. These papers include identity cards, driving licences, passports, visas, work permits, and National Insurance numbers. The purpose is to identify, verify, and to provide permission to live and work in certain places 'Without papers, one is officially dead' (Biao and Bakewell 2006). Nevertheless, these papers have acquired different statuses and different values, leading to a hierarchy of documents with the intention of classifying immigrants and citizens.

While immigrants strive to gain legal documents, these very documents are often used as instruments of surveillance. European states have developed more and more mechanisms of power through surveillance and ever-expanding digital nets to catch people, in order to be seen to be providing barriers to 'unwanted' and 'undeserving' immigrants. However, this is only one aspect – the state (and private sector) employ documents alongside other 'capta' technologies such as pre-clearance (e.g. IRIS) to sort and filter populations and to regulate them once 'inside'. For some, documents are being dematerialised, such that the body – or the face – becomes the passport. The hierarchy, stratification and surveillance introduced by European and other states to control immigration reveal the uneven power relations between developed and developing countries and between various immigrant groups and the citizens of European nation-states. Nevertheless, these regimes of power and of knowledge create points of resistance (Foucault 1982). In the research reported in this paper, I found that immigrants have developed innovative identities and cultures of resistance around papers and documentation. Many immigrants considered 'illegal' by the state have become immersed in their localities and their communities, constructing localized identities and becoming integrated into the local social and economic milieu. The 'paper market', that is, the trading of both real and copied documents, is in essence part of the process of constructing new identities and can be the route to local integration. It is one way in which immigrants deprived of rights and power can develop agency to contest exclusionary structures.

The focus of this paper is on how the state sets up discriminatory structures and how immigrants work out ways of managing those structures. Two main issues are explored. The first is concerned with the relationship between state control and exclusion and immigrant resistance. Despite the increased surveillance and digital nets mounted by European states to keep immigrants out of their territory, the paper shows how the state is rather ambivalent towards irregular immigrants, many of whom form a reserve army of labour in the London labour market. At the same time, it is between the interstices of ambiguity that immigrants have found ways, through their networks and communities, to resist or to get around exclusionary and contradictory regulations. Clearly, some immigrants, accommodated by the needs of the London labour market, find ways to circumvent the complex and harsh regulations in their quest to find better work and life experiences.

Secondly, the paper is concerned with modes of immigrant integration and participation. The research<sup>1</sup> on which it is based reveals the flexibility with which immigrants move between regularity and irregularity. The results indicate that immigrants accommodate irregularity by developing flexible or fluid life and work strategies in order to deal with new economic and socio-political contexts. Furthermore, the data show how many of these immigrants are incorporated into the community, at work and in their localities. So, while they form a reserve army of labour, they have formed their own ways of integrating into their social and economic localities.

After defining the terms 'regular' and 'irregular' the paper firstly focuses on an examination of the paper trail that immigrants deal with in the process of finding work, in their attempts to join family, and in their endeavour to develop relevant work and life strategies. The focus is on the circulation of papers and documents, revealing how immigrants, particularly irregular immigrants, use these to construct and accommodate their lives between regular and irregular statuses. These data on renting, buying and borrowing of documents will then be placed into broader context in an analysis of the complexities of state surveillance, forms of resistance and the construction of innovative identities.

### **Regular and irregular immigrant and labour market status**

The terms 'irregular' and 'informal' have often been used to avoid normative language, such as 'illegal' and 'undocumented', which is often implicated with ethnocentrism and prejudice. There is, however, no clear consensus on what these terms denote since they might imply a set of

meanings ranging from an emphasis on the method of border-crossing to a focus on current employment conditions. For example, Jordan and Duvell define irregular migration as the 'crossing of borders without proper authority, or violating conditions for entering another country' (Jordan and Duvell 2002: 15). Irregular immigration also includes those who have come in legally but who have overstayed their visa.

In a similar vein to definitions of irregular immigration status, reference to informal employment, unregistered or undeclared work, the informal sector or the informal economy, can be confusing for they do not distinguish between paid and unpaid informal work. There are many degrees of informality or irregularity in the labour market. Informal employment can be highly paid and autonomous work or low-paid, exploitative work. It is heterogeneous and 'ranges from "organised" informal employment undertaken by employees for a business that conducts some or all of its activity informally to more "individual" forms of informality' (Williams and Windebank 1998: 30-32). Informality can also denote cheating around the margins by employers who don't pay overtime. Furthermore, in order to avoid the danger that the 'informal' becomes the 'other' to formal employment or to the formal economy, or where the informal economy is seen as a sphere outside of the activities and regulations of the formal, organized economy, many now understand that the formal and informal economies are intimately linked and are shaped by each other in a complex process of economic, social, and political relations (Mingione and Qassoli 2000; Portes, et al. 1989).<sup>2</sup>

For the purpose of this paper, I consider that some immigrants live irregular lives either through their immigration status and/or by working in the informal economy. In both cases, government policies can encourage irregular immigration status and contribute to undocumented labour. The neo-liberal economies of Europe have generated a demand for cheap and flexible labour. The London economy, for example, is fuelled by cheap and irregular immigrant labour. There is a common belief that irregular migrants and asylum seekers form the largest constituent of the underground economy (Farrant, et al. 2006). Williams and Windebank suggest that citizens perform the bulk of undocumented work (1998). Samers, on the other hand, suggests that since the early 1990s this may be changing in the EU because citizen workers 'are less available...or less willing (because of poor work condition and/or low pay) to work in particular sectors...because they have found more attractive employment elsewhere' (Samers 2005: 40).

Informal employment increasingly plays a contradictory role in advanced economies for, while it may be seen by many as evasion of state regulations, migrant work meets the demands

of deregulated markets in cities such as London in construction and manufacturing, agriculture, hospitality and domestic service. As a result, irregular immigrant workers are forming part of a reserve army of labour, particularly in the London economy (Datta, et al. 2006; May, et al. 2006).

The EU, for example, prides itself in its development of non-discriminatory immigration policies. Yet many countries, including Britain, have immigration policies that discriminate at the point of entry, that deport some nationals while turning a blind eye to others, and that discriminate against asylum seekers to the point of placing their lives in danger by forbidding them to work (Flynn 2005; Morris 2002).

As a result of such discriminatory practices, a hierarchy of immigrant statuses has emerged. For example, it became evident that citizenship works in two main ways for many. One way is through the phenomenon of 'hierarchical citizenship' where different citizenships and passports have acquired different value. Castles (2005) suggests that in the new global order, a 'hierarchical citizenship' exists among the world's people, with the citizenship of some nation-states possessing more rights and freedom than others - they have more socio-economic and political value than others. Similarly, in the UK there is a system of 'civic stratification' that provides new arrivals with different levels of rights. Morris (2002) suggests this leads to a 'hierarchy of statuses' with a close relationship between rights and controls. Furthermore, she suggests there are informal deficits, for some, when accessing rights. Certain categories of people may have various rights on paper, but when it comes to claiming these rights, they experience great difficulties and discover that access to rights is conditional.

In addition, different value is given to rights in the system of civic stratification. Our research reveals there is also a hierarchy of statuses among those who can claim regular or documented status and those pushed into irregularity. For instance, members of some nationalities who enter on a tourist visa intending to work, may find it possible to gain self-employment visas or work permits, while other nationalities, unable to gain such access or opportunities, end up over-staying. The picture becomes complicated for immigrants who have irregular immigration status for, whatever they do, they will always be perceived as illegal. Thus, irregularity begets irregularity. This is especially the case in the labour market – if you are an irregular immigrant worker, your work is perceived as illegal, even if you are paying National Insurance,<sup>3</sup> as many do. Howard Becker's famous study of 'deviance' and labelling theory sums up this problem squarely: 'The question of what rules are to be enforced, what behaviour

regarded as deviant, and which people labelled as outsiders must also be regarded as political' (Becker 1963: 7).

### **The Paper Market**

With a few exceptions, the majority of our immigrant respondents came to London to work. Few of them imagined the level of difficulties, disadvantage, exploitation and racism many had to confront.<sup>4</sup> Many of our respondents feel they have a right to work and to live a reasonable life, so are prepared to challenge and contest the law, to cross spatial, institutional and cultural boundaries – the boundaries are very fluid. Immigrants, including undocumented immigrants, usually construct and contest the degree and intensity of accommodation into their new context. Instead of understanding immigrant accommodation as a typical, passive form of integration or inclusion, immigrant agency operates through the construction of social, economic, political practices and conditions of everyday life. Networks can be emergent structures, operating as constructive and productive processes. There is both local accommodation and resistance to authority power structures as well as to global conditions (Smith 2002; Smith and Guarnizo 1998). One way of resisting the power of the state's gaze is by becoming invisible. On the other hand, a localized construction of identity develops right there in the localities where immigrants live and work. While this local accommodation and resistance appears to be happening off-stage (Goffman 1959), it also occurs right under the surveillance of the state.

In the following sections I will provide several vignettes of how immigrants accommodate the paper trail between regularity and irregularity. In these sections we also see how immigrants contest and manage prohibitive laws and structures.

### **Buying, renting and selling passports**

The practice of buying and selling documents is not always involved with mafia rings. Most of our respondents carried out their negotiations in a low key way, through immigrant and community networks aiming to help compatriots in need of work and to help those who wanted to join family. In many cases, the buying and selling of documents involved family life strategies. This case shows how immigrants construct different kinds of illegality – keeping within some laws, while breaking others.

In this next case, a woman went to France from another European country to pick up a passport and ticket on the journey to join her partner in the UK:

Don't think that we were involved in who knows what kind of mafia or things like this, we were just at the end of all this, we heard that there were some ways to do it, and we thought that maybe we will also be able to do it this way. And he [her partner] gave all his savings to help me. 1200 pounds ... I didn't want to stay there [in France] longer than the three months I was allowed, I didn't want to get in trouble, and to have my name destroyed for ever...*it would have been illegal* [my italics].

She paid to swap her passport for an 'acceptable' (Irish) one, because she couldn't travel with her own 'unacceptable' passport (in case she was searched). She swapped her own passport for the bought one, not imagining the risks she was taking:

Well, they showed him [her partner] the passport I was supposed to use and he didn't like how it was made so he asked for it to be made again. Well, I arrived in France, I met the person I was meant to. *The person gave me the passport and took mine* [my italics] and told me that I'll have the train in 10 minutes...I knew what I had to do but I didn't know why and how I was going to do and how risky it was. I wasn't aware about the risk.

When she had finished her transaction, she boarded the train and several hours afterwards found herself at Waterloo Station, London.

This case reflects one noteworthy result of the project – how immigrants construct a range of flexible meanings between regular and irregular status. She did not want to overstay her limit in France because that would be, in her own words, 'illegal', though she used a 'bought' Irish passport to enter the UK. So she entered the UK 'legally', but immediately became 'irregular' once in the UK because she could not use her Irish passport to gain a National Insurance (NI) Number:

The fact is that I never wanted to have and to use forged documents once here because you risk. And I preferred to work without, I preferred to work for who wanted me without documents, do you understand... Yes. I could get forged documents which will allow me to look for a better job, but the risk is too big, I think. So, I'm not interested in doing it.

She continues:

Absolutely, he [employer] knows. If you have documents he [the employer] is obliged to pay you the minimum wages plus some benefits he is obliged to give you. But if you don't have documents, he will not cheat you, he will not exploit you, don't get me wrong... you are not exploited...it is not like in those stories you hear about where Japanese people who live like 50 in the same house, work at the fish market and so on. No. But if you have documents you'll earn about 50 pounds more per week.

Eventually, she was able to 'buy' a 'safe' National Insurance number that had been 'left behind' for £1000:

Now, something better means that you should have at least a National Insurance Number and this is "something unreachable", you know...And I have to say that I was very lucky. As I said, I didn't want to get forged documents, but I met a person who had a friend who left the UK going back to her home country. Ok? So she had the right to work here and she also had a NI number. And she "left it behind". And we had also been assured that it was ok, it was not one of those NI number with five people working in it, this, you know, happens very often. Some times there are a lot of people working on the same one because they just take numbers without checking them before. So at this stage, as long as I pay taxes I don't do any harm to the state, on the contrary.

By having a National Insurance number, she feels she is providing her contribution as a worker. Many of our respondents made it clear that they were here to work and they did not want to be seen as people 'ripping off the system'. They wanted to contribute.

Again, in the quote below, the fluid way in which she defines illegal – 'nothing is illegal' because she is contributing to the country by paying taxes. But also, 'having it made up', that is, forged is far worse than simply buying someone's document or renting from friends and family:

The fact that you have the NI number makes things ok, your boss...pays the required taxes, you also pay your taxes so there is nothing against the law, *nothing is illegal* [my italics], on the contrary...what happens is an advantage for the country, because I could for example work on the black market and don't give anything to the state. However this [the NI number] was a sort of "luck" because I didn't have it made, don't get me wrong, I didn't do anything for *having it made*. Actually if you pay you can have everything, all sorts of passports you want, whatever *colour* you want...

### **Hierarchy of Citizenship - The little red book**

The colour of passports is important in the 'hierarchy of citizenships' mentioned above. The *magnificent red book* (the colour of the British Passport) has rather high status as revealed by the question posed by the interviewer (a compatriot of the respondent). This respondent had made an application for 'Leave to Remain':

Q: And what would be the greatest thing with you holding that magnificent red book ...

A: I would just have a little glass of white wine and just pray to my God and thank God for it because when you get that you don't get scared. Now you can do everything you want to do, you can go to wherever you want to go. You are not restricted from the country. You can move about. And that is a great thing.

Another respondent dreams of what life will be like after he buys a British passport for £5000. He would not give up his own passport as he is simply an overstayer:

[I]n fact, it will...make me comfortable actually. Then I will be able to combine my two intentions of coming to make a good living for me, my family and also to pursue further studies. It will probably make it possible for my family to join me, my young boy and his mum to join me and we will be living together.

### **Borrowing documents and renting bank accounts**

Renting of documents is another way of constructing suitable conditions for 'regular work'. Migrant workers, in order to receive their salaries, need to have a bank account. As a result, some borrow or rent relevant documents or bank accounts. When borrowed or rented, the expectation is that documents will be returned usually to family or friends:

The main stumbling block...for some of us...it is the NI and work permit, that is our problem. [S]ome of them borrow and rent documents from relatives and friends. Relatives and friends who have the documents already, they either borrow or rent them for a fee...And it's not a fee that they pay once, they pay monthly...

One respondent who has irregular immigration status has rented her sister's National Insurance number. She pays rent out of her monthly pay packet, claiming this was all for the good of the family, because she also sends back remittances:

And sometimes, if you don't have this paper, you don't have your own way to work, you have to go and borrow this paper or lend it from somewhere where you have to pay some money, so eventually you live in zero zone, you know?

Another woman who placed her money in a friend's bank account was paying a monthly rent but was also expected to pay an amount for each withdrawal:

Ah yes. And even the money we were giving her were more than (pause) more than what other people were paying because as the money will come to the account and she will be refusing to (pause) withdraw the money for me and I have to give her something.

The renting and borrowing of documents sometimes leads to cases of exploitation among compatriots. At one stage, this woman, who had to return to her home country for a while, lost nearly £1000 as the friend claimed that the last amounts of pay had not gone into the bank account. Another respondent who was renting a compatriot's bank account discovered that the compatriot was taking out extra money from the respondent's banked monthly pay as monthly payment for having found the respondent a job. Not all renting and borrowing ends up this way. Many reported the practice had positive outcomes for both parties.

## **The paper trail for regular migrants**

One of the myths of migration is that because the UK has a strong liberal democratic tradition it will be easier - legally, bureaucratically and socially - for immigrants to arrange to settle in Britain. But as mentioned above, a process of civic stratification is well in place. Here we have the words of one woman who was the so-called 'dependant' of her husband who first had a job offer in Ireland at a time when dependants could not work there. Eventually, he was able to get a work permit to come to the UK so that she could work legally:

One of the first things I did was to apply for the National Insurance number. Then I applied for the 'medical card'. There it was a bit annoying because you have to provide your passport that of your husband, the work permit...and so on. And...ah...then all the problems with the bank...Yes, there are a lot of problems like, why your husband's surname is different than yours? Because on my passport I still have my surname not that of my husband. This is because the passport was still valid when we married, and there was no reason to change it. So they ask me to bring the marriage certificate. I brought it. This was still not enough, they ask me to come with my husband.

The UK distinguishes between primary migrants and their 'dependents' and this is often a gendered distinction as revealed in this case. Moreover, hierarchical status exists not just between, but within nationalities and even within families and households.

## **Irregular Formality**

Immigrant networks play an important role in the circulation of social capital to help compatriots find work, negotiate the paper market and settle. Members of our sample of immigrants referred to links made through personal relationships including kinship, friendship and community ties and relationships. For some, their networks included associations in the country of origin and of settlement, and intermediaries such as labour recruiters, immigration consultants, ethnic community relationships, economic relationships and ties. Many found their networks and communities empowering by providing a positive flow of information, resources and links. Once in London, our immigrant respondents relied mainly on family and on compatriot friends, for information and occasionally for financial help. Often it was 'friends of friends' who helped out. Information networks were also established at work and these were the most open, cutting across ethnic boundaries. At the same time, it is important to note that communities and networks are not perfect. Baumann cautions against using the term 'community' too loosely, since immigrant groups experience the same cross-cutting social cleavages, economic, political, cultural and others, as occur in the broader society (Baumann

1996). Indeed, we occasionally found an ambivalent attitude towards their community, similar to Levitt's 'mistrustful solidarity' comprising strong community ties with some degree of scepticism (Levitt 2001: 118).

One of the significant results of this project, however, is the fluidity between irregular and regular statuses. Some form of irregularity exists in all our sample population, including that of informal employment among the British-born. Immigrants who have irregular immigration status, even those who pay taxes, will always be perceived and defined as illegal. From the state's point of view, these phenomena are defined as 'illegal'. From the migrant point of view, it might be seen as a form of immigrant resistance to draconian state policies in wealthy countries. The results discussed above concur with what Peggy Levitt calls a 'dual consciousness' or 'dual competence' around regularity and irregularity. She suggests that in their quest to develop relevant work and life strategies, people will find ways to mentally accommodate the two (Levitt 2001).

However, our results also reveal that although resistance might provide immigrants with a sense of agency, many would rather have regular or legal status. As a result, a notable phenomenon emerges which is best characterised by the concept *irregular formality* - the attempt to regularize one's status within the constraints of irregular immigration and labour market status. Networks play a major role in this process. In all our immigrant samples, we found that many irregular migrants would prefer to have formal immigration and labour market status. Over-stayers (who form the majority of those with irregular immigration status in our samples), or those who come in with borrowed or bought passports do so as a way of 'normalizing' their status. For some, this is achieved by buying a 'legal' passport so that they can work 'legally' in the UK. Others, who have irregular status by overstaying their visa, 'rent' or 'borrow' national insurance numbers, also pay taxes. Not only do they have a 'dual consciousness' but they continually attempt to find ways to 'regularize' themselves. If this is not possible through legal means, *irregular formality* is the next best strategy.

### **State surveillance and immigrant resistance**

Fortress Europe has fast gained the reputation of creating a 'hierarchy of statuses' among its citizens and new arrivals, while also creating a system of 'hierarchical citizenship' for 'deserving' and 'non-deserving' people of the world. That the high standards of living in wealthy countries are closely linked to low incomes and impoverishment in developing countries has not yet been

absorbed by most people in the developed north. The key indicator of globalization, that is, the cross-border flows of finance and trade, media and culture, the transnational networks of multinational corporations are all seen as fundamental to the well-being of the developed nations. The cross-border flows of people, however, are severely restricted, depending on the needs of the developed countries. According to some authors, globalization has become a new form of imperialism designed to reinforce the power of the neo-liberal northern states (Hardt and Negri 2000; Harvey 2005; Petras and Veltmayer 2000).

As a result, European states exclude certain groups, particularly those from certain poorer countries that are perceived as a threat. In her study of 'who is entitled to move', Guild reveals the emergence of what reads like a 'white' list and a 'black' list of countries whose nationals do and do not have the right to apply for visas to the EU. The white list contains 'almost exclusively countries which are rich'. On the other hand, the list of countries requiring visas, despite their wealth, mainly consist of countries whose populations are mainly black or Muslim (Guild 2005: 19). Furthermore, Guild shows how many non-EU nationals, in particular, are trapped in a cycle of poverty even if they do have some money to buy their way into rich Europe. Indeed, she states that obtaining visas is dependant on having a job and being able to support their family. If they lose their employment or simply have too little money their right of residence or their right to bring out their family is at risk - 'unless they are well off they will have no chance of getting short stay visas, work or residence permits' (Guild 2005: 41).

European states have responded with increased surveillance, used for 'social sorting' as a precursor for the differential classification and treatment of people (Broeders 2007: 77). In Britain, as elsewhere in Europe, both visible and invisible forms of surveillance have increased dramatically over the past ten years. Bigo suggests that borders, control and the state go hand in hand where the surveillance of individuals has moved from a reliance 'on face to face relationship[s] on a narrow local basis, and more on technologies of identification which mediate the relationship: identity papers, travel authorizations, visas and so forth' (Bigo 2005: 55). And some of the state control has been delegated to private military companies (Bigo 2005). Entrusting repressive control to the private sphere operates as a form of disciplinary power, 'a type of power...comprising a whole set of instruments, techniques, procedures, levels of application, targets...' (Foucault 1979: 215). These techniques, to name a few, are procedures for 'requalifying individuals as juridical subjects'. They include techniques of coercion, the use of signs as coded sets of representation, techniques of subjection (Foucault 1979: 187). One very visible example of the coded sign of subjection is the recent deportation of a very sick and dying

Ghanaian woman, an overstayer, interviewed on her return to Accra. 'I wish I was still in Cardiff, she says quietly. Why could they not have kept me there? Why could they not have treated me and then sent me back?' (Oliver and Davies 2008). Her death was announced on March 20, 2008.<sup>5</sup>

Side by side with the observable mechanism of state power come the more invisible state controls, moving beyond borders and outside the state to what Zolberg calls 'remote control' (in Broeders and Engbersen 2007, 1593). Through EU data bases recording finger prints and visa information systems, this 'remote control' border has become the new 'digital border' to which the state diverts funds, technology and power (Broeders and Engbersen 2007: 1603). The new 'digital border' reveals how state power has also become more subtle and indiscernible, another mechanism through which disciplinary power operates (Foucault 1979). This form of governmentality, Bigo argues, should be called a 'ban optican' instead of the Foucauldian 'panopticon', claiming the latter it is 'too expensive in means, in missions, in social legitimacy' (Bigo 2005: 86).

Nevertheless, the increase in surveillance of immigrants creates problems for the society as whole. The new digital surveillance lends itself to surveillance of the whole population. One of the main reasons for the British state's desire to introduce identity cards<sup>6</sup> is so that irregular immigrants in particular can be electronically detected and deported. Thus, the state becomes more controlling not only of all its workers, regular and irregular, but it becomes evermore controlling of its citizens.

It is worth noting the emergence of policy ambiguities which result from 'competing economic, political, professional and humanitarian interests' (Broeders and Engbersen 2007: 1606).<sup>7</sup> One poignant ambiguity in the UK is the recent example provided above of the dying Ghanaian woman who was removed from her sick bed and sent back to Ghana. The UK government is aware that London's economy is strongly galvanised by the informal sector. Nevertheless, the British government, through such acts of deportation, periodically needs to show that it is trying to deter irregular immigrants and that it is in control. Clearly, this example was a display of force, acted as a deterrent and was a way of reproducing insecurity among irregulars. It was also used to alleviate public opinion concerned that the government might not be dealing adequately with irregular immigrants. Yet, the state's leniency on employers who do not report irregular workers is also well known (Broeders and Engbersen 2007). Another recent example is of the 6,653 irregular immigrants in the UK, with national insurance numbers,

who were licensed to work in the security industry by the Home Secretary in December 2007 (Radnofsky December 13, 2007; Woodward and Hencke January 16, 2008).

What may appear as policy ambiguities can be simply a lack of co-ordination between departments that have different administrative, political and social agendas from each other. For example, the Department of Work and Pensions issue National Insurance Numbers while the Home Office issues passports. In the UK, these ambiguities, or the competing and inconsistent practices of the state, undermine the idea that the state is completely monolithic or totally controlling. Nevertheless, that five people might be using the same NI number also raises the issue of ambiguity or lack of co-ordination. Although there are claims that the national insurance data base has been beset by flaws, it is difficult to say whether this is a case of sheer incompetence, whether it is another example of the state's ambivalence or whether there is a level of subversion among workers operating in the Home Office or in the Security Industry Authority.

There is a certain level of toleration of irregularity it seems, particularly in the UK. The British government is well aware that the London economy is fuelled by irregular immigrant labour (May, et al. 2006). Toleration of irregularity works well for the state, but can operate as another technology of power on irregular immigrants, in that many are kept in a state of insecurity. Here the 'panopticon' helps as an explanation of how disciplinary power works. Within the panoptic prison the inmates never know whether or not they are being watched. Thus, it is as if they are always being watched. In other words, they become the bearers of their own surveillance - they are compelled to discipline themselves. The coded message to the insecure immigrant worker is 'keep working, but don't become too comfortable or secure'.

### **Buying, renting and borrowing identities**

The construction of identities is a productive process, embedded in change and transformation that entails 'an interchange between the self and structure' (Rutherford, 1990, 14). Buying, renting and borrowing documents provides irregular immigrants with the opportunity to construct innovative identities. By constructing these identities, it means that many can work, can save, can help family back home, some can improve their own life chances, they can help compatriots, and they can integrate into their new neighbourhoods.

Alongside the insecurity promoted by the state, irregular immigrants construct workable identities and they integrate despite the barriers experienced. They integrate economically and socially into the local areas that have become dependant on their labour. As McNevin reminds us (McNevin 2006: 141):

Under these conditions, irregular migrants are incorporated into the political community as economic participants but denied the status of insiders...The strategies and technologies which define them (their containment within informal economies; the random policing which maintains them in a position of vulnerability) are also implicated in the constitution of insider-citizens, whose relative privilege now reflects the specific practices made possible in and through the spaces of the global political economy.

An interesting result of this project was how immigrants themselves define the process of integration and solidarity. We found that immigrants differentiate between 'integration' and 'sense of belonging'. Among all the immigrant groups interviewed, 'integration' has to do with settlement issues – work and equal access to rights. In that sense, many feel *integrated* because they work. This is how the reserve army of labour becomes integrated into its local area. For many, having 'a good job is a motor for integration because it helps to create links with a foreign place', and 'I think if one is well treated, if one's work is honest and well paid...Yes, I feel at home here - because of my work'. This woman did not speak a word of English and socialized only with her compatriots. Thus, through their work, irregular immigrants feel incorporated into the London labour market.

However, many claimed that developing a *sense of belonging* is much more difficult to achieve, especially when racism becomes a major barrier. Racism, especially against blacks, was a recurring feature. In this quote, this woman has experienced discrimination because her qualifications are not accepted and due to wage exploitation:

Some times it depends, when you are somewhere and you are happy with yourself, you can describe the place as your home but the way things are going there's no way I can describe this place as home. Sometimes if you're able to use your certificate to work, you get better pay, live in a good area that's where you can describe here as home.

Once immigrants become overstayers, by renting, borrowing or buying documents, and hence identities, they continue, despite the racism and exploitation, with a form of 'everyday resistance'. Many find a middle ground, 'in which conformity is often a self conscious strategy and resistance is a carefully hedged affair that avoids all-or-nothing confrontations' (Scott 1985: 285). As Foucault reminds us, there are no relations of power without resistance (Foucault 1980: 142). But resistance does not always mean power over the state. Resistance might mean 'buying time' or 'hiding within the community'. In our research, we found that immigrant

networks and communities mediate between the individual and broader structural, social and cultural contexts. We found that immigrant networks were frequently concerned with the actual movement of people, family units and chain migrations. The networks could also be conceived of as relationships where social capital or solidarity circulated among immigrants in their new place of settlement. While European states are finding it difficult to contain the 'illegal' movement of people and are involved in developing ever greater digital nets to contain immigrants, the one process they will find difficult to control is the flow of social capital between people 'because of its *legitimate* character' (Broeders and Engbersen 2007: 1597).

## **Conclusion**

The state creates the contradiction of integration and fragmentation; of promoting security for some groups and intimidation and threat for others; it regulates through laws and disorganises through incompetencies. The paper market is directly related to the uneven power relations between developed and developing countries, between wanted and unwanted, and deserving and undeserving immigrants. It is reflected in the circulation of misleading and inadequate information to the citizens of Europe. The paper market, the borrowing, buying and renting of documents, is also directly related to the ambivalent state, to the ambiguities between the new digital nets and the need for a reserve army of labour. Similarly, the paper market is directly related to the rights of immigrants to work. It is a specific work strategy of those forced into irregularity. Furthermore, the process of *irregular formality* is also a strategy that irregular migrants develop as their way to construct and manage new identities and to integrate into a society that excludes them at every turn. Their drive to irregular formality is an attempt to pay taxes, to contribute, to be 'legal' and to become part of the local community of workers.

However, with the enhancement of biometric techniques and efficient data bases and finger printing, migrants will be compelled to find ways around the new barriers. Fingerprinting and iris detection shifts surveillance to a high technology level. As the digital nets become more high-tech, the importance of the paper market may slowly die. Migrant resistance and migrant identities will then be compelled to become more high-tech too. The 'weapons of the weak', however, are not as strong as those of the western democratic state, where irregular immigrants are still facing deportation, exploitative work and pay conditions. Irregular immigrants will always remain insecure. The state creates complex and contradictory modes of regulation and exclusion and immigrants are frequently compelled to reconstruct or circumvent

them. As irregular immigrants prop up the London labour market and economy, the insider state and many of its 'insider citizens' remain privileged and continue to benefit at their expense.

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## Endnotes:

<sup>1</sup> The data used in this paper (only a small part of the overall data is used here) come from a project which aimed to investigate how immigrant work strategies (both formal and informal employment) are shaped or mediated by their social networks in the process of settlement and integration in London. It was conducted among recent arrivals, particularly of the past 10-15 years. Groups interviewed included Africans, EU citizens, a sample from a soon-to-be EU accession country, a group from the Middle East, and a sample of British-born people in order to provide us with a control group that could provide a point of comparison where relevant (though these data do not appear in this paper). Qualitative research methods were used surveying approx. 30 in each group (equal gender split) and later selecting 10 respondents to conduct in-depth interviews in each group. People that had both regular and irregular immigration and labour market status were interviewed between 2004 and 2006. About a third of our sample of 155 had irregular status of some sort. Please note: the groups have not been specifically mentioned in order to protect their identity.

<sup>2</sup> Just as the two sectors are intimately linked to form a local or national economy, so too are documented and undocumented workers. The latter make up a 'reserve army of labour' because they are fully integrated into a stratified labour market. Even worse than the unemployed, they have no benefits, social security or health care.

<sup>3</sup> Everybody in paid work in the UK must pay National Insurance contributions towards the National Health Service and the retirement pension. Each person is issued with a National Insurance number to keep track of contributions.

<sup>4</sup> For a more in-depth analysis of recent experiences of immigrants in the London labour market, see **May, J., Wills, J., Datta, K., Evans, Y., Herbert, J. and McIlwaine, C.** 2006 'The British State and London's Migrant Division of Labour': Department of Geography, Queen Mary, University of London. **Datta, K., McIlwaine, C., Evans, Y., Herbert, J., May, J. and Wills, J.** 2006 'Work and survival strategies among low-paid migrants in London': Department of Geography, Queen Mary, University of London.

<sup>5</sup> See full story in <http://news.bbc.co.uk/1/hi/wales/7305963.stm>

<sup>6</sup> Unlike other European countries, the UK does not have a national and centralised ID system, yet.

<sup>7</sup> Elsewhere, Engbersen also discuss the unintended consequences of such policies of exclusion. *First*, they generate their own crimes that in turn generate their own systems of control; *secondly*, restrictive policies have negative effects on the self-regulating and enabling aspects of immigrant communities and networks. It has become increasingly difficult for immigrant communities and networks to provide formal and informal help to those with illegal status, driving some into further illegal and criminal practice; *thirdly*, due to the policing of undocumented immigrant workers, many are denied the rights they do have - such as legal rights and educational rights of children. **Engbersen, G.** 2001 'The unanticipated consequences of panopticon Europe: residence strategies of illegal immigrants', in V. Guiraudon and C. Joppke (eds) *Controlling a New Migration World*, London, New York: Routledge.