



**Centre on Migration, Policy and Society**

**Working Paper No. 101  
University of Oxford, 2012**

**‘And they lived happily ever after’?  
Ecuadorian’s re-socialisation in the  
Spanish labour market through  
regularisation of immigration status**

Charlotte Fiala

WP-12-101

COMPAS does not have a centre view and does not aim to present one. The views expressed in this document are only those of its independent author

## **Abstract**

This paper analyses how the immigration state re-socialises persons or workers into migrant beings within the framework of regularisation programmes, under theoretical approaches of structure-agency. This analysis builds on fieldwork with Ecuadorian migrants conducted during the 2005 regularisation programme in Spain. Despite their political relevance, regularisation programmes have undergone little theorisation, but rather are presented as technical procedures outlining requirements and success rates. At the same time, theoretically grounded literature on illegality often concludes its accounts with the granting of legal status by the state, reminiscent of ‘and they lived happily after’; that is, the official end of a story. Legalisation is one way that states position migrants within society, which is on a continuum with illegality. The attainment of legal status by migrants is seen as a benchmark of progress and quality of life, but this is not necessarily, in fact, the case. A theoretically grounded approach of regularisation programmes and migrants’ re-socialisation provides an understanding of a puzzling empirical result: despite the assumption that legal migrants are spared from exploitation, vulnerability and precariousness, they often experience continuity and sometimes even worsening in their labour market position. Interestingly, much of migrants’ re-socialisation happens at the interface with employers and other migrants, and only occasionally with state officials.

**Key words:** illegal migration, regularisation programme, amnesty, labour market, agency, re-socialisation, Ecuadorian migrants in Spain.

**Author** Charlotte Fiala is Research Associate at the Centre on Migration, Policy and Society (Compas), at the University of Oxford.

*But first the endgames.* Because it seems no matter what you think of them, they must be played, even if, like the independence of India or Jamaica, like the signing of peace treaties or the docking of passenger boats, the end is simply the beginning of an even longer story.  
- Zadie Smith (2010): *White Teeth*. London: Penguin Books

[M]an hat Arbeitskräfte gerufen, und es kommen Menschen.  
([W]e called for manpower, but it is people who come.)  
- Max Frisch (1965), on Italian migration to Switzerland

## Introduction

Yari is a young woman who used to sell *Alpargatas*, straw shoes with a black cotton band worn by indigenous men and women in Otavalo, two hours drive north of Quito.<sup>1</sup> In 2000, the Ecuadorian economy was going through a deep economic and political crisis. Yari heard in her home town that many Ecuadorians had left for Spain. She had gone to Colombia previously to trade merchandise with her brother. 'I also want to know Spain. How people are there, how it is, whether it is beautiful.' Yari has many skills, acquired through a long time of trading shoes and interacting with clients. She speaks Spanish as her mother tongue. In the airplane on her way to Spain, she begins a conversation with the Ecuadorian woman next to her. The two of them pass the Spanish border without any problems. The woman gives her a temporary place to stay and Yari is employed as a domestic worker. Yari is familiar with domestic work, as it is a common source of income for many indigenous or mixed-race women in Ecuador. Initially, she experiences some economic hardship, but eventually gets more stable work as a domestic worker. By that time, her brother has arrived from Ecuador and she is much in love with her boyfriend, who is also from Otavalo. She has to work long hours, but she is able to send some money home. She feels proud that she sends remittances. She does not romanticise her stay in Spain, but nevertheless, she says: 'I have fulfilled a dream.'

However, a few months later, her brother and her boyfriend are deported to Ecuador; having been caught repeatedly selling pirated DVDs. Yari is very sad and lonely. She needs new contacts with other Ecuadorians. Searching for contacts on the streets of Madrid, she realises that an invisible border exists in Spain, one that she has never known in Ecuador: 'In Spain, people who have legal status, they look down on those who are still illegal. They do not want to hang out with them, because they fear that they could ask for something. They do not return greetings when you see them on the street. When I receive legal status, I will also not return greetings, this is just how it will be.'

Yari begins to pursue legalisation and, through the regularisation programme in 2005, she receives legal status, considered a major change in migrants' living and working conditions by both NGOs and much of the academic literature. Surprisingly, though, the living and working conditions of Yari and her new boyfriend do not change very much. My fieldwork reveals that such continuity beyond legal status is a rather common experience for several Ecuadorian migrants.

---

<sup>1</sup> Names of migrant interviewees are changed.

Yari's story is an example of how migrants arrive in a new country as workers, and how they become re-socialised as immigrants. This paper examines how this re-socialisation happens and with whom migrants interact which makes their position as immigrants one of – if not the single most – important conditions of their stay in Spain. This process starts upon arrival and or, more specifically, when they fall into illegality after expiration of their tourist visas. However, contrary to the notion that legalisation of status is the end of the story, that is, the end of vulnerability and exploitation, regularisation programmes reassert control over migrants. Persons and workers are re-constituted as migrants, which makes it much more difficult to demand better working conditions. This paper challenges the body of literature that presents regularisation programmes as merely technical procedures and complements the literature on theorisation of illegality. Moreover, it contradicts the binary picture of horrendous precariousness during illegality and happily-ever-after upon receipt of legal status. Interestingly, using Norman Long's concept of the 'interface' (2001) for this re-socialisation process, migrants' change in perception happens mostly in interaction with employers and other migrants, and only occasionally with state officials. This re-socialisation process provides some explanation to the puzzling empirical question of why migrants do not get better jobs after leaving illegality behind.

To explore migrants' change at the interface with employers and migrants' networks, Ecuadorian immigration to Spain serves as a case study. Spain introduced a regularisation programme in 2005 which affected several hundred thousand recently immigrated Ecuadorians. Material from fieldwork in Spain and Ecuador before, during, and after the regularisation programme offers a unique opportunity to scrutinise the particularly interesting period of transition from illegal to legal status: that is, of living with initial residency and work permits in Spain.<sup>2</sup>

This paper draws on over 110 semi-structured interviews and participant observation, voluntary work with an NGO and interaction with individuals. Fieldwork was conducted between winter January 2005 and summer 2007, mostly in Spain, but also, for nearly half a year, in Ecuador. Of the 110 semi-structured interviews, a subset of in-depths and sometimes repeated interviews of 30 Ecuadorian migrants in Spain and nine NGO employees are particularly informative and give a very detailed picture of migrants' interactions with the state. Interviewees were selected in a non-random way, since establishing trust and a good rapport were key in talking about sensitive issues. They were contacted through various entry points: through Ecuadorian housemates, by approaching migrants in queues in front of authorities, in call shops, parks, markets, sports fields, the street and through the NGO. Consequently, I could build on these initial contacts for 'snowballing' (Cornelius 1982).

---

<sup>2</sup> Where necessary, brief updates relating to the Spanish economic crisis are given. Nevertheless, the fieldwork was carried out nearly exclusively before that period. The aim of this article is to give a general understanding of the workings of regularisation programmes, therefore, the economic crisis is not the focus of this article. In many European countries, requirements such as work offers form part of regularisation processes.

Interviewees were male and female and came from a wide range of backgrounds and ages from 18 to 65. Some had only gone to primary school, while others held university degrees. Prior to migration, some had been employed or owned businesses; a few had been students or unemployed. They came mostly from the Highlands and the Coast, but some also from the rainforest areas and one from Galápagos. All had migrated to Spain between April 1999 and July 2003 (just before visa introduction in August 2003). In Spain, they worked in labour market sectors where migrants are typically employed, i.e. domestic services, construction, carpentry shops, agriculture and publicity distribution. Migrants often changed work throughout their stay.

### **Ecuadorian immigration to Spain**

Compared to Northern Europe, Spain is a recent immigration country. In 1999, Spain still had one of the lowest percentages of legal immigrants (less than 2% of the total population, i.e. 800,000 legal foreign residents), but this changed to nearly 9% by 2007 (nearly four million foreigners) (INE, 2012a; INE, 2012b; and author's calculations). Prior to 2003, Ecuadorians received tourist visas upon entry to Spain or another Schengen country. This changed in 2003, when Ecuadorians had to obtain visas while still in Ecuador. In 2002, nearly 90,000 Ecuadorians arrived in Spain; after the visa introduction, less than 12,000 entered in 2004 (Flacso, 2008, 65).

In the European context, Spain is classified in a group with several other Southern European countries, namely Italy and Greece, which tend frequently towards mass regularisations, as a consequence of (unskilled) labour demand (Regine, 2007, 39f.). The most recent Spanish mass regularisation was carried out in 2005 (Arango and Finotelli, 2009; Arango and Jachimowicz, 2005; Finotelli, 2007). The application had to be filed by the employer between 7 February and 7 May 2005 and included, most importantly, the following documents (MTAS, 2005; RD 2393, 2004), among others: proof of City Council Registration (*empadronamiento*) stating that migrants lived in Spain before 8 August 2004; a clean police record; a provisional National Insurance (NI) account for their future employee and a provisional contract for work (briefly, a 'job offer'), of at least six months' duration, or three months for agricultural workers, or a contract showing thirty hours of work per week in various households for domestic services.

Slightly over 690,000 migrants (all nationalities) applied for the programme, and nearly 580,000 migrants were granted legal status (Arango and Finotelli, 2009). After the regularisation of 2005, Ecuadorians, with nearly 340,000 legal residents, were the second-largest legal immigrant group after Moroccans (slightly over 500,000), a far-longer established immigration stream. Statistics of the following years show a steady increase in legal Ecuadorian residents, reaching over 440,000 in 2009 (INE, 2012c), suggesting that most Ecuadorians could secure their legal status beyond the first residency card.

As a result of the regularisation programme, in January 2006, 25% of legally resident Ecuadorians worked in domestic services, 9% in agriculture, 1% as self-employed, and 65% in the general regime, that is, in the remaining employment sectors, including construction, retail, industry, and restaurant or hotel services (Gómez Ciriano et al., 2007; MTAS, 2007, Tex9; Veira et al, 2011).

### **Conceptual challenges of agency, interface, illegality and regularisation programmes**

The literature on regularisation often lacks theorisation, and is often published as policy recommendations or reports rather than in peer-reviewed journals. Policy briefs tend to represent regularisation programmes as merely technical procedures listing regularisation programmes of several countries or over time, describing requirements for application and numbers of regularised immigrants (Cornelius et al., 2004; Ferrero and Pinyol, 2008; GCIM, 2005; Kostova Karaboytcheva, 2006; Levinson, 2005a and 2005b; Regine, 2007; Sunderhaus, 2007). Regularisation programmes are presented as a favour to the deserving migrants, compared to the harsher solution return policies (GCIM 2005). The idea that regularisation programmes have the betterment of migrants' conditions as an objective is recurrent (Papademetriou, 2005, 6). At the same time, the economic contribution of migrants, proven by, for instance, job offers and employment record, is considered of outstanding importance (Papademetriou, 2005, 8f.). NGOs and churches lobby for regularisation programmes on humanitarian grounds; nevertheless, some campaigns also link them to economic reasons (Ivereigh, 2009). Such accounts present migrants' regularisation as a win-win situation, or even a triple win, for migrants, the state and employers (Mármora, 2002). This literature is silent on the fact that these actors may have differing interests, e.g. avoiding precarious working conditions may contradict employers' desire for cheap labour.

The more academic literature, often in political science, investigates states' reasons for carrying out regularisation programmes (Finotelli, 2009; Kraler, 2011; Fassin, 2001; Solano-Garcia, 2009; Karlson and Katz, 2010). Consequences are mostly described in economic terms, namely the programmes' impact on migrants' wages (Kossoudji and Cobb-Clark, 2000; Massey, 1987, Phillips and Massey, 1999; Powers et al, 1998) or on remittance levels (Amuedo-Dorantes and Mazzolari, 2010). Rarely, literature on regularisation programmes refers to critical literature on illegality, detention and deportation (De Genova, 2002; Ellermann, 2010; Griffiths, 2012; Khosravi, 2009). This critical literature, in turn, neglects investigating regularisation programmes as a main focus, with the exception of Coutin (1998; 2002 and 2005).

Legalisation is presented as the way for illegal migrants to escape precarious illegal status. Therefore, the literature on regularisation programmes is tightly linked to portrayals of illegality as precariousness and vulnerability to exploitation, an image evoked equally by international organisations such as the UN (Al Khalifa, 2006, 970), pro-migrant organisations (Amnistía

Internacional, 2005) and academic literature (Gibney, 2009, 11; Massey and Bartley, 2005, 471; Wills, 2009) alike. Happy-ever-after is the post-legalisation tale for a migrant whose life is divided into before and after legal status. Attached to this comes the normative judgement that illegal status is bad and legal status good. This mirrors the positions of states that claim that illegal migrants have no right to be on sovereign territory, and human rights groups that depict illegal migrants as victims (Anderson, 2010).

Very few articles highlight the fact that legal status may contravene better working conditions because of increased dependency on employers or higher costs for national insurance (Fakiolas, 2003; Killias, 2010; Glytsos, 2005). Ruhs and Anderson (2010), as well as Kubal (2009 and 2012), contradict binary views of illegal and legal status. An intermediate state of semi-compliance with immigration and labour market regulations may be perceived as beneficial by both employers and employees (Anderson, 2010).

To address the shortcomings of the existing literature on regularisation programmes, and to complement the critical literature on illegality, this article uses structure-agency approaches, which is novel in migration studies, with few exceptions (Bakewell, 2010; Goss and Lindquist, 1995; Korać, 2003; Richmond, 1993). Re-socialisation processes regarding immigration policies have not been examined sufficiently. One important exception is Berger (2009). Although she does not use the term re-socialisation, her findings, based on theories of Foucault and Ong, reveal that laws against domestic violence, combined with immigration regulations, discipline migrants into becoming neoliberal subjects.

To conceptualise re-socialisation and the change in perception from person or worker to migrant, a theoretical understanding of agency is needed. Structure-agency approaches do not conceive of agents' judgment and consciousness as voluntaristic. Instead, agency is influenced by the 'social embeddedness' of actors and incorporated structures (Long, 2001, 25, 240). Structure-agency theorists emphasise the influence of past experiences and wider social structures on individuals and the current behaviour of agents (Giddens, 1984). Incorporated structures also include the notion of re-socialisation at different times in life, as conceptualised by Lahire building on Bourdieu:

[S]ocial agents have developed a broad array of dispositions, each of which owes its availability, composition, and force to the socialization process in which it was acquired ... the intensity with which dispositions affect behavior [sic] depends also on the specific context in which social agents interact with one another (Lahire, 2003, 329).

Long's concept of the 'interface' (2001, 69-72) offers means to analyse 'the ongoing processes of negotiations, adaptation and transformation of meaning that takes place between specific actors' (Long, 2001, 72). State structures become visible and negotiable through the actions and negotiations of specific actors, with front line personnel, intermediaries or brokers (Long, 2001, 70, 73).

Structure-agency theory does not constitute actors as "cultural dopes" whose actions are 'merely a re-enactment of social norm' either (Kabeer, 2001, 33). Instead, they engage in 'reflexive

monitoring', and have individual motivations (Giddens, 1984, 5f.). They are knowledgeable and capable actors (Long, 2001, 240) who can 'innovate upon received cultural categories and conditions of action in accordance with their personal and collective ideals, interests, and commitments' (Emirbayer and Goodwin, 1994, 1442f.). Personal characteristics also influence actors' engagement: 'a bit of gumption, a sense of grudge or grievance, an eye to the main chance, a touch of adventurism and so on' (Archer, 1996, 17). Different individuals, migrants, employers, and state officials show varying responses to opportunities and constraints offered. One instance where the agency of migrants becomes particularly visible is when they use (or decline to use) the resources and opportunities offered by legal status, such as finding better paid employment. Different individuals may use these opportunities to varying degrees.

### **Reasons for continuity in the labour market beyond illegal/legal**

This section highlights four aspects of how persons become re-socialised into the social construction of 'a migrant'. Of course, when Ecuadorians are still in Ecuador, they are not migrants and not subject to the rulings of an immigration state; therefore, they do not perceive themselves as migrants. Many interviewees state that in Ecuador, bringing yourself to the attention of the state is to be avoided, as the state, the government, political parties and NGOs are often viewed as corrupt. When the interviewed Ecuadorians arrived in Spain, they first tried to find work and were usually successful within days or a few weeks.

At the beginning of their stay in Spain, in keeping with their attitude toward the Ecuadorian state while at home, most Ecuadorians continue with a similar strategy towards the Spanish state, including the immigration state. However, after some time in Spain, most Ecuadorians realise that it does not suffice to be a worker, but that other people and the Spanish state categorise them as migrants. Being a migrant entails many consequences, such as having to find ways of living with illegality and deportability (De Genova, 2002). Ecuadorians therefore begin to perceive themselves as migrants who have to comply with the rulings of the immigration state. Ecuadorians change their perception about their positioning within Spain and accordingly, they change their behaviour. Complying with the immigration state, aspiring legal status becomes more important, than the salary level.

This process of re-socialisation starts upon arrival, but most importantly, continues or becomes even more important through the process of legalisation.<sup>3</sup> Two concepts of structure-agency approaches guide the analysis. Long's concept of the interface demonstrates the importance

---

<sup>3</sup> The figure of 'the migrant' or the concept 'illegal migration' are social constructions (Gonzalez Camara 2010, De Genova 2002), any definition falls short. In this article, I use the term 'illegal migrant' to describe persons on a territory of a state who are *il-legal*, that is, in breach of existing law regarding immigration. This is not to assert the legitimacy of such laws, therefore, I sometimes interchange the term with 'illegalised migrant' to demonstrate how states construct categories of people, forcing this concept on persons, i.e. she or he is 'Made illegal' (Wiktionary 2012).



of looking at the intersections between two life-worlds, examining closely the role of front-line personnel. The transition period from illegality to legality around the regularisation programme of 2005 offers a particularly interesting period for examining Ecuadorians' re-socialisation process in Spain.

In examining how Ecuadorians are re-socialised to attach such high importance to obtaining and retaining legal status, this article provides an understanding of the often experienced continuity in employment conditions beyond attaining legal status. Precarious labour is characterised by employment instability, limitations in individual or collective negotiation power, vulnerability in the work relationship, salary levels, social benefits and labour rights (Porte et al, 2009). This paper focuses on income levels and work conditions such as individual negotiation power vis-à-vis employers, employment stability and prospects of labour market mobility within and outside particular economic sectors, as well as working hours.

The next subsection begins by outlining some legal restrictions that favour the retention of workers in particular sectors, namely economic and geographical restrictions. The following subsection focuses on national insurance (NI). The need for NI contributions for renewal of legal status makes employees hyper-dependent on employers. Fear and uncertainty about the renewal process lead workers to stay with their employers or retain workers in particular sectors beyond the legal requirements. The third subsection analyses patron-client relationships, or *maternalismo*, particularly present in domestic services. In this case, feelings of debt and gratitude tie workers to individual employers beyond legal requirements. The fourth subsection demonstrates that Ecuadorians themselves begin to divide people into categories of the immigration state, that is, illegal or legal migrants. Together, the following sections demonstrate that persons go through an intense re-socialisation process from persons or workers to immigrants.

### ***Economic and geographical restrictions on labour market mobility***

There are some practical and legal reasons for continuity in salary levels and labour market immobility. These are imposed by the legal, or more precisely, administrative, restrictions that come with the first legal residency card and work permit. Through the regularisation programme of 2005, previously illegalised migrants could obtain residency cards and work permits restricted to one economic sector and geographical area (MTAS, 2005; RD 2393, 2004). These sector restrictions were informally lifted about one year after the regularisation programme, but knowledge about this change was not widespread.<sup>4</sup> Moreover, economic sectors were defined very narrowly. The second and subsequent residency and work permits no longer carry such restrictions.

---

<sup>4</sup> An 'Informative note' revised this policy in February 2006, stating that migrants who had worked for six months (or three in agriculture) with the employer who gave them the contract for regularisation were free to change employer, economic sector or province, when formalising their new contract and national insurance (Administración General del Estado 2006). However, the existence of this note does not automatically result in concerned migrants knowing of this change, in particular because it does not seem to be available online.

This regulation is experienced by migrants through the interface with employers, i.e. employers accept or reject migrants according to their legal cards. Thus immigration laws mould labour market relations (Anderson, 2010). Through the requirement of the work offer, the Spanish immigration state explicitly connects transitions from illegalised to legal status to economic considerations. Contrary to the statement that illegal immigrants are 'the most severely constrained of all groups', with limitations on their geographic, social and economic mobility (Massey and Bartley, 2005, 471), it is precisely the first *legal* work permit that limits migrants to one economic sector and one geographical area. These restrictions take away the opportunity to find a job in a different sector, leading to migrants' retention within one economic sector and geographical area, constraints that migrants often wish to escape. Jobs such as live-in or harvesting have many disadvantageous working conditions, which is one reason why it is mainly irregular migrants who working in these areas. By regularising migrants who work in disadvantageous sectors such as live-in or agriculture, employers benefit from immigration regulations stipulating that migrant workers may not look for work in a different sector or geographical area for at least six to twelve months. In this sense, employers have an incentive to regularise their workers, while for migrants this means that working conditions and salaries are unlikely to improve.

Rather than legal status, working in particular sectors, such as construction, may be correlated with higher wages. The sector restrictions result in a serious impediment to labour market mobility and prevent income increases following attainment of legal status. In agriculture, salaries are lower than in construction. For example, interviewed migrants report salaries of about €700 per month in agriculture ('whether you have papers or not', quote by Hugo, who moved from agriculture to construction), while in construction, several men earn between €1,000 and €1,300 and some say that, including night shifts, their salary could reach over €2,000.

Most migrants interviewed consider work in the agricultural sector less desirable than in other sectors. Pressure for work performance is very high, working hours long, the work physically demanding and migrants complain of health problems such as back pain. Having to follow the harvest throughout the year, involving moving several hundreds of kilometres every few weeks or months, as well as having difficulties finding work in the winter, contribute to the disadvantages in this sector felt by migrants. The regularisation programme, with its economic and geographical restrictions, gives employers a useful way to find workers willing to endure difficult working conditions. As a consequence of the regularisation programme, many migrants continue working in or even move into the agricultural sector because this is the only sector in which they are able to find employers prepared to make a job offers.

Female interviewees report that an economic niche comparable to construction, that offers higher salaries, does not exist for women. Nevertheless, many domestic workers express interest in moving from live-in to hourly work, considered a significant improvement in living and working conditions. Unfortunately, this change was not legally possible for migrants who received their first

residency cards as live-in. The tasks performed by live-ins or hourly domestic workers may be the same (cleaning, looking after children or elderly people), but immigration law did not allow a switch from live-in to hourly work, or vice-versa. Thus, many women saw their expectations of improved living conditions after receiving legal status vanish.

Interestingly, despite occasional dissatisfaction with the outcome of legal status, most migrants comply with this system. Their strategy is one of muddling through and waiting to receive their second residency cards, enabling a move to a different city or economic sector. David's housemate (female, studied pharmacy in Ecuador, domestic servant in Spain) summarises: 'Sometimes they give you cards, and they are of no value for work. But well, you have to continue the struggle.' This demonstrates how migrants comply with a system that does not make sense to them.

To sum up, migrants experience immigration regulations at the interface with employers. Migrants who comply with immigration regulations often find themselves locked into sectors that they wish to escape. Many migrants can only find employers willing to give them work offers (one important requirement for applying for legal status) in agriculture or as a live-ins. Some migrants even have to move these sectors, even if they were employed in construction while still illegal. Once legalised, if they try to apply with a new employer in a different sector, their application is regularly turned down based on the ineligibility of the economic sector. Several migrants are therefore disappointed by the initial outcome of legal status. They do not feel that they gain much more autonomy in their labour market decisions and feel constrained by the answers of current and potential employers. Nevertheless, they comply with the system and work in the sector to which they are designated because they see it as a temporary state of transition, and hope that the second residency and work permit will not be restricted to an economic sector or geographic area.

### ***National insurance and retention of workers***

National insurance (NI) accounts for three other reasons behind migrants' retention in their current economic sector. First, NI registration was necessary in order to ultimately obtain the first legal residency and work permit. The requirement of NI registration was a new development in the regularisation process in 2005, intended to prevent employers from issuing false job offers, as had occurred in previous regularisations. NI contributions usually have to be paid by the employer, which increases employers' power *vis-à-vis* migrants. Several migrants report that their employers blackmailed them, asking for money, and threatening them with not registering them with NI, preventing receipt of the first residency and work permits.

The degree of variability in the implementation of foreigners' legislation has been previously described (Ellermann, 2006; Van der Leun, 2006). The process of obtaining residency cards is an example of immigration state implementation practices effectively binding migrants to particular employers, tipping negotiating power further to the side of employers. Following NI registration, migrants have to wait ten days, after which they can leave fingerprints. After another notification,

they can pick up their actual cards, i.e. the residency and work permits for one year (Aja, 2006; El Mundo, 2005a and 2005b; MTAS, 2005; Order 140, 2005; RD 2393, 2004). An important feature in this process is that several interviewed migrants receive the results of their applications only several months after their submission, leaving them waiting in uncertainty, with irregular status. This also binds them to stay with the same employers. Beyond the first residency card, each time migrants renew their residency and work permit, they become heavily dependent on an employer again, for a work offer and NI registration.

The second way that NI retains workers within one sector or even with one employer is to require proof of minimum NI payments prior to applying for the second and subsequent residency and work permits. The first card can be renewed after one year if the worker is registered with NI for at least six months. The second card is valid for two years and at least six months of NI registration per year are necessary for its renewal. A peculiarity of NI payments during the first card is that the employers can only pay into NI if they employ migrants in the sector indicated on the first card, which entails a retention similar to the economic sector restrictions described in the previous section. The state's narrow definition of employment sectors and the accompanying NI registration puts more pressure on migrants.

David receives his first card in furniture making. He is sacked after only five months of NI contributions because his employer claims that the NI payments for workers in furniture making are very high due to health risks. David cannot find another job in the same sector. He is not accepted in construction because of economic sector restrictions. Furniture making may require skills similar to carpentry construction work, but the immigration state separates these activities neatly. At the time of the interview, David is at risk of falling back into irregularity due to this restriction. David is very dissatisfied with the outcome of his legal status:

I would like to say: without papers is better than with papers! Because before, when I did not have papers, they took me, they took me to work in whatever [job].

The contradictions in the labour market related to legal status are also expressed by Josefina:

Now that we have papers, they do not want to give us work, because then, they have to pay NI [...]. Before, we did not have papers, but work was abundant. In other places, they do not give us work, because we do not have papers (Josefina, female, 47, vendor at a market stall).

In domestic services, the narrow definition of employment sectors for NI contributions has very special consequences, often giving employers another instrument to control their workers. The monthly NI contribution for domestic servants, €130, is lower than in other sectors, because NI for domestic servants does not include unemployment benefits.<sup>5</sup> According to immigration regulations, there are important differences between live-ins and domestic workers paid by the hour. Live-ins are dependent on their employers both for registration with NI to obtain residency permits and for the

---

<sup>5</sup> For the new regulations for the domestic service sector passed in 2012, see Martínez 2009 forthcoming.

monthly NI contributions required for renewal. Theoretically, employers have to pay NI contributions for live-ins and indeed, they have to be transferred from employers' accounts. However, many employers simply deducted this money from their workers' monthly salaries. Live-ins depend on their employers for the transfer of NI payments.

By contrast, hourly domestic workers pay their NI themselves. Although this sounds like a heavier financial burden, in reality it gives domestic servants more freedom to look for better paid work or be unemployed for a while as long as they could continue the NI payments, which are comparably low. Through these continuous payments, they can ensure fulfilling a sufficient number of months of NI contributions to be able to renew their cards. Both kinds of domestic servants perform very similar or even identical tasks such as caring for an elderly person and cleaning. However, immigration regulations separate these activities in a very clear-cut manner, making live-ins much more dependent on their employers. In terms of working conditions, most women prefer working by the hour. Working and living with an employers for 24 hours per day, six days a week, puts a great deal of strain on their personal lives and they may wish to escape from such intense relationships.

For Spanish employers, immigration rules are an effective measure to drive workers into this working sector. Live-ins have to endure this work relationship during their first residency cards, limiting their personal freedom because they depend on their employer's payments into NI. Crucially, the decreased mobility in the first few months following attainment of legal status is particularly problematic when migrants' strategies for dealing with conflicts with their employers are analysed. For nearly 80% of Ecuadorian domestic workers, the most important strategy for dealing with conflict with employers is to avoid confrontation by enduring the negative conditions or by leaving that job (Colectivo IOÉ, 2001, 337f.). Nelly worked in domestic services, looking after and living with an elderly woman who did not give her food, abused and insulted her. When asked about her reactions to this, she states: 'I cried. It was the only thing I could do. In my room... After one month, I quit.' She then finds work by the hour. The strategy of quitting a particular job is easier for illegal migrants than for legal migrants concerned with NI payments.

Thirdly, apart from the practical requirement of minimum NI payments spelled out in legal documents, fieldwork reveals that NI payments also result in more subtle effects of workers' retention. Migrants are often uncertain about the decisions and workings of the immigration state. They feel that as immigrants, they are subject to various forms of arbitrary decisions and selections by the immigration state, especially those who have a long record of trying to obtain legal status without being able to do so. This uncertainty is coupled with feelings of fear of not being able to renew status and falling back into illegality.

Both this uncertainty and fear result in migrants' willingness to overfulfil immigration requirements. As they have been re-socialised to attribute great importance to the distinction between illegal and legal status, they want to be sure to fulfil the requirements put into place by the immigration state. Overly fulfilling requirements leads to not taking advantage of all the rights offered

by legal status. Theoretically, migrants could change to a different employer after the indicated minimum monthly contribution to NI or could change to a different employer within the same economic sector, who could continue their NI payments. If the category of 'worker' was the most important category, seeking maximum income or better living conditions would have been the primary aim. However, many migrants did not even try to change economic sector or even employer, leading to continuity in working conditions beyond legal status. Staying with one employer means being in a safer place *vis-à-vis* the immigration state, although this safety may result in other uncertainties such as low pay or health problems related to agricultural work. Overly fulfilling NI meant, in practice, that migrants cannot easily choose to be unemployed for a while, for instance, to look for a better job. Unemployment will not only result in a loss of income, but also, potentially, in the loss of legal status. Migrants cannot work in breach of immigration laws in sectors different from the one indicated on their residency permits. Therefore, complying with the immigration state and behaving in accordance with what the state expects of immigrants; essentially, being a migrant, has become more important than being a worker.

Restricting migrants' employment to named employers can have negative consequences for both native-born employees and migrants themselves (Ruhs, 2008, 413). This section has demonstrated that NI puts some regulatory or practical restrictions on migrants' labour market mobility and binds them further to particular employers. Compared to illegal status, legal migrants in all sectors often have more to fear than irregular migrants when it comes to the consequences of job loss. Discontinuing NI payments may result in not being able to renew legal status. As a consequence, migrants often become more vulnerable to exploitation by the employer than when they were still illegalised, contradicting much of the existing literature. It is precisely legal status that renders migrants more vulnerable to exploitation. This does not mean that individual Spanish employers take advantage of the situation in all cases. Nevertheless, the personal relationship between the employer and employee is embedded in immigration structures that favour the dependence of the migrant on the employer. Migrants interaction with employers within the setting of immigration regulations leads to a slow and continuous re-socialisation, a process that begins in illegality but often intensifies when obtaining the first residency and work permit.

### ***Patron-client relationships binding workers to one specific employer***

Concepts of agency that entail incorporated structures can give an understanding of continuity in the labour market despite the transition to legal status. In domestic service in particular and sometimes in the agricultural sector, patron-client relationships, or maternalism (Anderson, 2000; Colectivo IOÉ, 2001; Kim, 2012; Romero, 1992) are very common features of the relationship between employers and employees.<sup>6</sup> One example of this is given by Paula, an Ecuadorian woman in her forties, looking after a child and doing housework for one Spanish family, although not living with this

---

<sup>6</sup> See previous footnote.

family. In terms of earnings and hours, Paula's job does not seem to be the best option possible. She works between eight to fourteen hours per day, and on Saturday until two o'clock, for a salary of €700-800 plus NI payments of around €130, which do not even allow for unemployment benefits. The work is emotionally demanding, sometimes physically as well. What makes migrants in such situations remain with their employers?

In patron-client relationships, influences of past structures in Ecuador as they are incorporated in the migrant, as well as the more recent re-socialisation into the Spanish immigration state, play out together. Spain and Ecuador have some similarities in social structures, for instance, in following a Catholic rather than Protestant work ethic and in the degree of informality. Both countries have a long history of various forms of patron-client relationships and the mixture between public and personal relationships (Ibarra, 2002; Milton, 2007; Anderson, 2000; Colectivo IOÉ, 2001). Therefore, Ecuadorians may easily integrate into patron-client relationships in Spain where a work relationship may be perceived more in terms of exchanging favours than a capitalist exchange of labour demand and offer.

Patron-client relationships, or *maternalismo*, are particularly prevalent in domestic services, where the public and private spheres are blurred and very privatised relationships exist (Colectivo IOÉ, 2001; Martínez, 2012 (forthcoming); Martínez, 2009). Compared to more formal work relationships, which are based on clearly set out standards spelled out in a formal work contract, patron-client relationships may also offer some advantages to workers. Spanish employers sometimes give their domestic workers special gifts, for instance, to support their families in Ecuador. The comparison to more formal work relationships lies in the role of feelings, gratitude, gifts and counter-gifts and the increased level of dependency beyond formally spelled out rights and obligations of an (oral) work contract, while the room for open negotiation on formal conditions may be reduced.

Interestingly, legal provisions on immigration tend to increase the workings of patron-client relationships, tipping the power balance further towards the employer. This process begins already during illegality. Many Ecuadorians have heard stories from friends, in which Ecuadorians were not treated nicely by their employers, especially while still illegalised. While illegal, migrants feel they do not have any legal recourse if treated unjustly. Since fair treatment is not considered normal as long as migrants are illegalised, migrants appreciate kind treatment by their employers (for instance, not being shouted at). This perception creates a moral obligation towards employers that extends beyond the transition towards legal status.

In several cases and in various economic sectors, migrants present it as normal or even fair behaviour by the employer to deduct NI payments from their salaries. They say that they asked their employers to help them with attaining legal status. According to them, employers were willing to help them, using 'help' to designate a favour, similar to the government's proclamation that the regularisation programme gives employers an opportunity to regularise the employment situation of

their employees. Employers tell them that they would not be able to afford them when NI payments would be added to the wages they received with illegal status. Nevertheless, they are willing to help, resulting in deduction of the NI payments from the net salary of employees. In such cases, migrants have already internalised the subjugation to immigration regulations so much that they interpret employers' behaviour as normal or even beneficial to them, although this puts them at a disadvantage as employees. Such a view is similar to the discourse of governments and NGOs that regularisation programmes are measures to save victims from exploitation. What it does in reality is to increase, at least temporarily, the dependence on specific employers.

Having been treated nicely during illegality or having been helped to attain legal status makes several migrants feel grateful to their employers. While legal requirements of regularisation may temporarily tie migrants to employers, some feel further bound by a sense of indebtedness and obligation. Gaining legal status is often interpreted by migrants as a mutual project between employer and employee or a gift from the employer, rather than a bureaucratic process of engagement with the immigration state, or a process that makes an existing working relationship legal and formal.

This perception in turn reduces labour market mobility following attainment of legal status. For instance, Roxano (24), a man who works as a live-in caring for an elderly man, knows that he could earn a higher salary by changing his employer. Also, only six months of NI contributions are necessary for the renewal of his work permit. Nevertheless, he does not look for another job. He judges it fair to stay with his boss for one year and says that after that year, he would feel free to take advantage of labour market opportunities. Such feelings of indebtedness often have origins in workers' experiences of employment as patron-client relationships, rather than employer-employee relations. Paula's reasons for staying with the same family also becomes a bit more understandable in light of patron-client relationships: 'My bosses treat me well, I feel as if I'm part of the family' (Paula, female, 46, domestic servant). Thus, the emotional sense of being well treated makes her endure substandard working conditions in terms of pay and working hours. When she is offered better paid work elsewhere, she refuses: 'As the family has not been bad to me, I cannot do this. They have valued me a lot. I do not want to be disgraceful. I cannot do this.' She expresses appreciation for her employers' assistance in obtaining and then renewing legal status.

Staying with the same employer also ensures an easier way to guarantee a job offer for application for subsequent cards. Everyone involved is familiar with the process and employers do not fear losing their workers after assisting them with renewal, as they have already proven to continue in the same job despite having switched to legal status. This trust makes employers willing to assist migrants in attaining renewal. Some Ecuadorians working in rural areas, say that sometimes employers are not willing to make work offers for legal status because they had 'a bad experience' previously, in that migrants left after attaining legal status. Thus, employers expect their workers to stay not because of good salary and employment conditions, but simply in exchange for having once assisted them with obtaining legal status. Interestingly, this also demonstrates that migrants have



already incorporated the logic of the immigration state: instead of denouncing employers for their unwillingness to facilitate legal status to workers, they view it as the fault of the migrants to be ungrateful and to exercise their legal right to look for better job opportunities.

Unlike these migrants working in domestic services, Demian, a dynamic waiter, changes quickly after receiving his first card several years before the 2005 regularisation programme, when migrants still received their first permits without NI registration. His employer requires him to pay his own NI. Instead of agreeing, he actively looks for jobs that offer higher pay including NI payments, fewer working hours, yearly extra payment and paid holiday. He continues to change employers later, even after receiving his second card, in an effort to improve the conditions further. Demian, unlike for example. Roxano, has no qualms in taking advantage of greater employment mobility facilitated by legal status. He negotiates actively with his current and future employers. He does not mention receiving gifts from his employers, such as supporting his family in Ecuador. His behaviour may be understood in view of several factors: immigration regulations were less restrictive before 2005, i.e. he did not need NI registration to obtain his card. Additionally, he works in cafés and bars, a sector that is less characterised by patron-client relationships than domestic services or agriculture. Finally, Demian has a different sense of agency.

This section demonstrates well that immigration regulations go far beyond the logic outlined by the state. Legal regulations impact on human relations between employers and employees, between (mostly) Spanish employers, and immigrants. Especially where employment relationships are already influenced by a higher degree of patron-client relationships, such as domestic service and agriculture, immigration regulations increase re-socialisation of Ecuadorians into immigrants who have to be grateful to their employers for helping them with immigration procedures, therefore debilitating their negotiating power as workers. These examples demonstrate that migrants' agency varies; some are more hesitant and prefer to stay with the same employer, while others are more adventurous and audacious to try to find better salary elsewhere as Archer put it: 'an eye to the main chance, a touch of adventurism' (Archer, 1996, 17). This affects their re-socialisation process, or to what extent they internalise structures encountered in Spain, comparing well to Lahire's statement that the 'the intensity with which dispositions affect behavior [sic] depends also on the specific context in which social agents interact with one another' (Lahire, 2003, 329).

### ***Re-socialisation at the interface with migrants***

The previous subsections have explored migrants' change and incorporation of structures redefining them as migrants at the interface with employers. This subsection will in turn demonstrate that several migrants have incorporated the views of the immigration state to such an extent that they begin perceiving their relationships with other migrants in that way, influencing their interactions with other migrants. Such behaviour may be understood as a consequence of the time and intensity that

these migrants have been exposed to hyperdependency from employers described in the previous sections.

Migrants' networks are thought to function as facilitators of information and support; members of these networks are thought to be based mainly on kinship, ethnicity or nationality (Herman, 2006; Koser and Pinkerton, 2002; Massey et al, 1998; Palloni et al, 2001; Pedone, 2003; Ramírez Gallegos and Ramírez, 2005). Such presentations of networks risk reifying migrants' networks in terms of memberships and independence from external influences. Instead, my fieldwork hints at an important insight: the composition and functioning of the network is influenced by state structures and specifically, the immigration regime.

Migrants' networks become moulded by immigration regulations, in particular, the stark distinction between illegal and legal migrants. The state does not need to interact continuously face-to-face with immigrants. It is specifically at the interface with other migrants that Ecuadorians become re-socialised. The immigration state succeeds so well in reconstituting Ecuadorians as immigration subjects that they themselves become active agents of this change. Immigrants themselves become the interface of the immigration state; they differentiate according to their legal status. My question of which Ecuadorians are well-off in Spain is regularly answered by pointing to the divide between those who have legal status and those who lack it. Legal status becomes an important category. The legal structure influences migrants' networks with regard to the nature of contacts or membership in networks.

I observe that when Ecuadorians meet up with other Ecuadorians, they usually ask early in the conversation whether the other migrant has legal status or at what stage their regularisation procedure is. Migrants also know who of their acquaintances has not been able to obtain legal status during the 2005 regularisation programme. Such conversations demonstrate the importance of legal immigration issues in migrants' daily lives.

Significantly, migrants tell me that other migrants, as soon as they are regularised, try to avoid contact with irregular migrants. They move out of shared housing, and do not return greetings or calls when irregular migrants seek contact. The following statement also suggests that legal migrants are less dependent on networks, and therefore can afford to cut ties with illegalised migrants.

Ecuadorians change in the moment that they get papers, they disregard those who do not have papers, they lose their friendship bit by bit. [...] They feel immediately stronger with their papers. [...] They want more respect, that you greet them. When a person has papers, and later you also get them, you do the same to this person. You do not return greetings, because you already do not need the help of this person. But when they have papers, and you need their help, they do not give you a hand, those who have papers. Yes, I know a person that does not do you the favour, s/he treats us as less, as if we were of little account. (Yari, female, 20, domestic servant)

Sergio also expresses this separation between those holding legal status and those who are still illegalised.

There are differences in professions. But here, it does not serve them, they cannot exercise it. [...] And among Ecuadorians, there is also a difference. Those who came earlier, they think that they have more rights, more something. Worse when they have papers! The first or second card. They just do not take into account the Ecuadorians who do not have papers. (Sergio, male, 65, decorator)

This differentiation may be understood by analysing some of the consequences of immigration regulations. Spanish legal structures are abstract and seem far removed and unchangeable. However, experiences of discrimination, exploitation and poverty call for an explanation. Rather than holding Spanish laws and illegal status accountable for these situations, some illegalised migrants seem to become very judgemental of other Ecuadorians, and in particular, their flat mates. Having passed through a period most often described by Ecuadorian migrants as suffering, legal migrants may try to get as far away from this part of their lives as they can, which includes avoiding contact with those currently still in such a situation. Legal residents may also avoid contact with irregular migrants for practical reasons, in order to avoid envy or being asked for favours that only migrants with legal status can help out with. In dividing Ecuadorians into the categories of illegal and legal and avoiding contact with those of the other category, Ecuadorians in Spain, especially those with legal status, become active agents of the re-socialisation process triggered by regulations of the immigration state.

## **Conclusion**

The quotation by writer Zadie Smith at the beginning of this paper reminds us that events presented as endings are also beginnings of new stories. The happy-ever-after tale of the saved illegal migrant finally attaining legal status hides what happens next in migrants' lives and how their lives continue to be structured by immigration legislation and their consequences. Max Frisch advocates not reducing human beings to a mere labour force. This article has revealed that reducing persons to immigrants takes away much of their negotiating power as workers.

This paper has combined literature on structure-agency, in particular Long's concept of the interface, and Lahire's work on re-socialisation taking place through different intensities at different times throughout agents' lives, with the literature in migration studies and sociology on illegality and regularisation programmes. It argues that immigration regulations re-socialise Ecuadorian workers into immigrants. Requirements for regularisation restrict migrants to a particular economic sector and geographical location. National insurance (NI) payments favour migrants' retention within a work sector they may wish to escape. Beyond official requirements, migrants' fear and uncertainty about renewing status leads them to overfulfil requirements. Dependency is further increased in work posts characterised by patron-client relationships, in particular in domestic services, through feelings of obligation and gratitude. While the migrant experiences immigration regulations in these instances mainly at the interface with employers, migrants' re-socialisation also happens at the interface with other migrants. Legal migrants become active agents of the division that the immigration state draws between legal and illegal residency. By avoiding friendship with illegal migrants, newcomers are re-

socialised into attaching great importance to the categories created by the immigration state. The theoretical approach of how Ecuadorians become re-socialised as immigrants gives an understanding of the empirical finding that salary levels and working conditions do not necessarily improve upon receiving legal status, and that migrants are retained in specific sectors of the economy.

The re-socialisation process has political implications beyond the level of individual immigrants. Much of the literature on regularisation programmes presents them as a win-win situation, or even a triple-win: good for migrants, good for the employers and good for the state (GCIM, 2005; Mármora, 2002). This resembles patron-client relationships: the poor migrant is helped by the immigration state and the employer, saved from illegality, a relationship in harmony. What if employers' desire for cheap labour contradicts migrants' desire for a decent livelihood? The fact that workers are presented as vulnerable illegal migrants reduces their negotiating power *vis-à-vis* employers. The negative effects of victimisation, also in relation to trafficking, have been pointed out by feminist literature (Andrijasevic and Walters, 2010; Andrijasevic and Anderson, 2009). Migrants' legal status changes through a regularisation programme, nevertheless, much of their employment situation continues to be moulded by immigration laws, in some cases their economic situation worsens at least temporarily by restricting their labour market mobility and therefore limiting even more their negotiating power. This helps employers who shift the cost of NI to the migrant, and it helps fiscal accounts by migrants' contribution to NI.

It must be acknowledged that one reason why Ecuadorians do not get better jobs after attaining legal status is that there are many jobs with low pay or unfavourable working conditions in Spain, not only for immigrants, but also for Spaniards themselves. Even more so since the economic crisis, Spaniards are also struggling with high rates of unemployment and precarious work conditions. Although citizenship is supposed to be the culmination of the migrants' journey, there are many citizens suffering from unfavourable working conditions. This is part of what lurks beneath the fantasy of citizenship, or the fairy tale of the happy ending of legal status (Anderson, 2013). This article has demonstrated that the re-socialisation of workers as immigrants is so strong that even immigrants begin dividing themselves into these categories. An avenue for future research could scrutinise whether this process also makes Spanish workers or trade unions more reluctant to interact with migrants, thereby impeding a common strategy for collective bargaining for better pay and working conditions.

**Acknowledgements** I am immensely grateful to Dr Bridget Anderson and Dr María Villares Varela for their comments on earlier versions of this paper. Also, I would like to thank Dr Nicholas Van Hear, Dr Khalid Koser, Dr Martin Ruhs, Prof. Joaquín Arango and Prof. Gioconda Herrera for their support and comments on my DPhil thesis, which served as the basis to this article. Of course, any shortcomings of this article are my sole responsibility.

## References

- Administración General del Estado. 2006. "Normalización 2005. Cambios de empleador, actividad y/o Provincia." vol. Febrero de 2006, edited by A. G. d. Estado: Delegació del Govern a Catalunya.
- Aja, Eliseo. 2006. "La evolución de la normativa sobre inmigración." Pp. 17-44 in *Veinte Años de Inmigración en España. Perspectivas jurídica y sociológica [1985-2004]*, edited by E. Aja and J. Arango. Barcelona: Fundació Cidob.
- Al Khalifa, H.E. Sheikha Haya Rashed, President of the United Nations General Assembly. 2006. "Chairperson's summary of the United Nations General Assembly High-Level Dialogue on International Migration and Development." *International Migration Review* 40 (4):966-972.
- Amnistía Internacional, Sección Española. 2005. "Inmigrantes indocumentadas? Hasta cuándo sin protección frente a la violencia de género?" Amnistía Internacional, Secretariado Estatal, [www.es.amnesty.org](http://www.es.amnesty.org), Madrid.
- Amuedo-Dorantes, Catalina and Francesca Mazzolari. 2010. "Remittances to Latin America from migrants in the United States: Assessing the impact of amnesty programs." *Journal Of Development Economics* 91 (2):323-335.
- Anderson, Bridget. 2000. *Doing the Dirty Work? The Global Politics of Domestic Labour*. London: Zed Books.
- . 2010. "Migration, immigration controls and the fashioning of precarious workers." *Work Employment And Society* 24 (2):300-317.
- . 2013. *Us and Them? The dangerous politics of immigration control*. Oxford: Oxford University Press.
- Andrijasevic, Rutvica. 2007. "Beautiful dead bodies: gender, migration and representation in anti-trafficking campaigns." *Feminist Review* (86):24-44.
- Andrijasevic, Rutvica and Bridget Anderson. 2009. "anti-trafficking campaigns: decent? honest? truthful?" *Feminist Review* (92):151-155.
- Andrijasevic, Rutvica and William Walters. 2010. "The International Organization for Migration and the international government of borders." *Environment And Planning D-Society & Space* 28 (6):977-999.
- Arango, Joaquín and Claudia Finotelli. 2009. "Spain." Pp. 1-128 in *REGINE. Regularisations in Europe. Study on practices in the area of regularisation of illegally staying third-country nationals in the Member States of the EU*, edited by M. Baldwin-Edwards and A. Kraler. Vienna: International Centre for Migration Policy Development.
- Arango, Joaquín and Maia Jachimowicz. 2005, "Regularizing Immigrants in Spain: A New Approach", Retrieved (<http://www.migrationinformation.org/Feature/display.cfm?id=331>, 23.01.06).
- Archer, Margaret S. 1996. *Culture and Agency. The place of culture in social theory*. Cambridge: Cambridge University Press.
- Bakewell, O. 2010. "Some reflections on structure and agency in migration theory." *Journal of Ethnic and Migration Studies* 36 (10):1689-1708.
- Berger, S. (Un)Worthy: Latina battered immigrants under VAWA and the construction of neoliberal subjects, in *Citizenship Studies* 13:3, 201-217.

- Colectivo IOÉ. 2001. *Mujer, Inmigración y Trabajo*. Madrid: Imserso, Ministerio de Trabajo y Asuntos Sociales.
- Cornelius, Wayne A. 1982. "Interviewing undocumented immigrants: Methodological reflections based on fieldwork in Mexico and the U.S." *International Migration Review* 16 (2):378-411.
- Cornelius, Wayne A., Takeyuki Tsuda, Philip L. Martin, and James F. Hollifield. 2004. *Controlling Immigration: The limits of government intervention*. Stanford: Stanford University Press.
- Coutin, Susan Bibler. 1998. "From refugees to immigrants: The legalization strategies of Salvadoran immigrants and activists." *International Migration Review* 32 (4):901-925.
- . 2002. "Questionable transactions as grounds for legalization: Immigration, illegality, and law." *Crime, Law & Social Change* 37:19-36.
- . 2005. "Contesting criminality. Illegal immigration and the spatialization of legality." *Theoretical Criminology* 9 (1):1362-4806.
- De Genova, Nicholas. 2002. "Migrant "Illegality" and Deportability in Everyday Life." *Annual Review of Anthropology* 31:419-447.
- El Mundo. 2005a, "Cómo conseguir los papeles, por Sonia Aparicio", Retrieved 17.04.07, (<http://www.elmundo.es/especiales/2005/02/sociedad/inmigracion/regularizacion.html>).
- . 2005b, "Lo que hay que hacer para solicitar los papeles, por Sonia Aparicio", Retrieved 17.04.07, (<http://www.elmundo.es/especiales/2005/02/sociedad/inmigracion/regularizacion.html>).
- Ellermann, A. 2010. "Undocumented Migrants and Resistance in the Liberal State." *Politics & Society* 38 (3):408-429.
- Ellermann, Antje. 2006. "Street-level democracy: How immigration bureaucrats manage public opposition." *West European Politics* 29 (2):293-309.
- Emirbayer, Mustafa and Jeff Goodwin. 1994. "Network Analysis, Culture, and the Problem of Agency." *The American Journal of Sociology* 99 (6):1411-1454.
- Fakiolas, R. 2003. "Legalising Undocumented Immigrants in Greece: Procedures and Effects." *Journal of Ethnic and Migration Studies* 29 (3):535-561.
- Fassin, D. 2001. "When the body is law. Humanitarian rationale in legalization procedures for undocumented foreigners." *Sciences Sociales Et Sante* 19 (4):5-34.
- Ferrero, Ruth and Gemma Pinyol. 2008. "How can irregular immigration be managed? The regularisation processes in the construction of a European immigration policies." *Revista De Estudios Politicos* (142):139-170.
- Finotelli, Claudia. 2007. *Illegale Einwanderung, Flüchtlingsmigration und das Ende des Nord-Süd-Mythos: zur funktionalen Äquivalenz des deutschen und des italienischen Einwanderungsregimes*. Berlin: LIT.
- . 2009. "The North-South Myth Revised: A Comparison of the Italian and German Migration Regimes." *West European Politics* 32 (5):886-903.
- Flasco. 2008. "Ecuador: La migración internacional en cifras." Flasco/UNFPA (Fondo de Población de las Naciones Unidas - Ecuador), Quito.

GCIM, The Global Commission on International Migration. 2005. *Migration in an interconnected world: New directions for action. Report of the Global Commission on International Migration*. Geneva: GCIM.

Gibney, Matthew. 2009. "Precarious residents: Migration control, membership and the rights of non-citizens." *Human Development Research Paper (UNDP) 2009/10*.

Giddens, Anthony. 1984. *The constitution of society: outline of the theory of structuration*. Cambridge: Polity.

Glytsos, N. P. 2005. "Stepping from illegality to legality and advancing towards integration: The case of immigrants in Greece." *International Migration Review* 39 (4):819-840.

Gómez Ciriano, Emilio José and Andrés Tornos Cubillo. 2007. *Ecuadorianos en España. Una aproximación sociológica*. Madrid: Observatorio Permanente de la Inmigración.

Gonzalez Camara, Noelia. 2010. "From Undesirables To Illegals: An Approach To Migrant Irregularity." *Arbor-Ciencia Pensamiento Y Cultura* 186 (744):671-687.

Goss, Jon and Bruce Lindquist. 1995. "Conceptualizing International Labor Migration: A Structuration Perspective." *International Migration Review* 29 (2):317-351.

Griffiths, Melanie. 2012. "Anonymous aliens? Questions of identification in the detention and deportation of failed asylum seekers." *Population Space And Place*.

Herman, Emma. 2006. "Migration as a family business: the role of personal networks in the mobility phase of migration." *International Migration* 44 (4):191-230.

Ibarra, Hernán. 2002. "Gamonalismo y dominación en los Andes." *Íconos* 14:137-149.

INE, Instituto Nacional de Estadística. 2012a. "Autorizaciones de residencia, estancia por estudios, concesiones de nacionalidad, visados y protección internacional a extranjeros. Resumen por provincias. Poblaciones por princiias y sexo." Madrid.

—. 2012b. "Series de población desde 1996. Cifras oficiales de la Revisión anual del Padrón municipal a 1 de enero de cada año. Resumen por provincias." Madrid.

—. 2012c. "Autorizaciones de residencia, estancia por estudios, concesiones de nacionalidad, visados y protección internacional a extranjeros. Extranjeros con certificado de registro o tarjeta de residencia en vigor. Serie 1998-2009. Ecuador." Madrid.

Ivereigh, Austen. 2009. "New development: Faith, community organizing and migration-the case of 'regularization'." *Public Money & Management* 29 (6):351-354.

Kabeer, Naila. 2001. *Bangladeshi Women Workers and labour Market Decisions. The Power to Choose*. Dhaka: The University Press Limited.

Karlson, Stephen H. and Eliakim Katz. 2010. "Immigration amnesties." *Applied Economics* 42 (18):2299-2315.

Khosravi, Sharam. 2009. "Sweden: detention and deportation of asylum seekers." *Race & Class* 50 (38):38-56.

Killias, Olivia. 2010. "'Illegal' Migration as Resistance: Legality, Morality and Coercion in Indonesian Domestic Worker Migration to Malaysia." *Asian Journal Of Social Science* 38 (6):897-914.

- Kim, E. C. 2012. "'Call Me Mama': An Ethnographic Portrait of an Employer of Undocumented Workers." *Annals Of The American Academy Of Political And Social Science* 642:170-185.
- Korać, Maja. 2003. "The Lack of Integration Policy and Experiences of Settlement: A Case Study of Refugees in Rome." *Journal of Refugee Studies* 16 (4):398-421.
- Koser, Khalid and Charles Pinkerton. 2002. "The social networks of asylum seekers and the dissemination of information about countries of asylum." Home Office, London.
- Kossoudji, Sherrie A. and Deborah A. Cobb-Clark. 2000. "IRCA's impact on the occupational concentration and mobility of newly-legalized Mexican men." *Journal of Population Economics* (13):81-98.
- Kostova Karaboytcheva, Miroslava. 2006. "Una evaluación del último proceso de regularización de trabajadores extranjeros en España." Instituto Elcano, Documento de Trabajo 15/2006. 14.08.2006.
- Kraler, Albert. 2011. "Fixing, Adjusting, Regulating, Protecting Human Rights - The Shifting Uses of Regularisations in the European Union." *European Journal of Migration and Law* 13 (3):297-316.
- Kubal, Agnieszka. 2009. "Why semi-legal? Polish post-2004 EU Enlargement migrants in the UK." *Immigration, Asylum and Nationality Law* 23 (2):148-164.
- . 2012. "Conceptualizing semi-legality in migration research." *IMI Working papers* 58:1-26.
- Lahire, Bernard. 2003. "From the habitus to an individual heritage of dispositions. Towards a sociology at the level of the individual." *Poetics* 31:329-355.
- Levinson, Amanda. 2005a, "The Regularisation of Unauthorized Migrants: Literature Survey and Country Case Studies", Retrieved 31.03.05, (<http://www.compas.ox.ac.uk/publications/papers/Regularisation%20Report.pdf>).
- . 2005b, "Why Countries Continue to Consider Regularization", Retrieved (<http://www.migrationinformation.org/Feature/display.cfm?id=330>, 23.01.06).
- Long, Norman. 2001. *Development sociology: actor perspectives*. London: Routledge.
- Mármora, Lelio. 2002. *Las políticas de migraciones internacionales*. Buenos Aires: Organización Internacional para las Migraciones (IOM) y Paidós.
- Martínez Buján, Raquel. 2008. "Bienestar y Cuidados: El Oficio del Cariño. Mujeres inmigrantes y mayores nativos. Tesis doctoral." Sociología, Universidad de A Coruña, Coruña.
- . 2009. "'The entry of female immigrants into personal home care services in Spain.'" Pp. 161-187 in *Migration and People on Movement in Europe*, edited by H. FASSMAN, M. HALLER, D. LANE. Cheltenham: Edward Elgar Publishing.
- . 2012 (forthcoming). "'¿El trabajo doméstico cuenta! Características y transformaciones del servicio doméstico en España'." *Migraciones*.
- Massey, Douglas. 1987. "Do Undocumented Migrants Earn Lower Wages than Legal Immigrants? New Evidence from Mexico." *International Migration Review* 21 (2):236-274.
- Massey, Douglas, Joaquín Arango, Graeme Hugo, Ali Kouaouci, Adela Pellegrino, and J. Edward Taylor. 1998. *Worlds in Motion. Understanding International Migration at the End of the Millennium*. Oxford: Oxford University Press.



Massey, Douglas and Katherine Bartley. 2005. "The Changing Legal Status Distribution of Immigrants: A Caution." *International Migration Review* 39 (2):469-484.

Milton, Cynthia E. 2007. *The Many Meanings of Poverty: Colonialism, Social Compacts, and Assistance in Eighteenth-Century Ecuador*. Palo Alto: Stanford University Press.

MTAS, Ministerio de Trabajo y Asuntos Sociales. 2005. "Proceso de Normalización de Trabajadores Extranjeros 2005." Ministerio de Trabajo y Asuntos Sociales, Madrid.

—. 2007. "Anuario de Estadísticas Laborales y de Asuntos Sociales 2006." Ministerio de Trabajo y Asuntos Sociales, Madrid.

Order 140/2005, Ministry of the Presidency. 2005. "Order 140/2005 of 2 February."

Palloni, Alberto, Douglas Massey, Miguel Ceballos, Kristin Espinosa, and Michael Spittel. 2001. "Social Capital and International Migration: A Test Using Information on Family Networks." *The American Journal of Sociology* 106 (5):1262-1298.

Papademetriou, Demetrios G. 2005. "The "Regularization" option in managing illegal migration more effectively: A comparative perspective." MPI (Migration Policy Institute), Washington DC.

Pedone, Claudia. 2003. *Tú siempre jalas a los tuyos. Cadenas y redes migratorias de las familias ecuatorianas hacia España*, Edited by D. Thesis. Barcelona: Universitat Autònoma de Barcelona.

Phillips, J. A. and D. S. Massey. 1999. "The new labor market: Immigrants and wages after IRCA." *Demography* 36 (2):233-246.

Porthe, Victoria, Fernando G. Benavides, M. Luisa Vazquez, Carlos Ruiz-Frutos, Ana M. Garcia, Emily Ahonen, Andres A. Agudelo-Suarez, and Joan Benach. 2009. "Precarious employment in undocumented immigrants in Spain and its relationship with health." *Gaceta sanitaria / S.E.S.P.A.S* 23 Suppl 1:107-14.

Powers, M. G., W. Seltzer, and J. Shi. 1998. "Gender differences in the occupational status of undocumented immigrants in the United States: Experience before and after legalization." *International Migration Review* 32 (4):1015-1046.

Ramírez Gallegos, Franklin and Jacques Paul Ramírez. 2005. "Redes transnacionales y repertorios de acción migratoria: de Quito y Guayaquil para las ciudades del Primer Mundo." in *La migración ecuatoriana: transnacionalismo, redes e identidades*, edited by G. Herrera, M. C. Carrillo, and A. Torres. Quito: Flacso.

RD 2393. 2004. "Nuevo Reglamento de Extranjería, 30 December 2004, published in the BOE, 7 January 2005." Pp. 485-539 in REAL DECRETO 2393/2004, vol. 6: BOE.

Regine. 2007. "Regularisations in Europe. Study on practices in the area of regularisation of illegally staying third-country nationals in the Member States of the EU." ICMPD (International Centre for Migration Policy Development), Vienna.

Reyneri, Emilio. 2003. "Immigration and the Underground Economy in New Receiving South European Countries: Manifold Negative Effects, Manifold Deep-rooted Causes." *International Review of Sociology* 13 (1):117-143.

Richmond, Anthony H. 1993. "Reactive Migration: Sociological Perspectives on Refugee Movements." *Journal of Refugee Studies* 6 (1):7-24.

Romero, Mary. 1992. *Maid in the USA*. London: Routledge, Chapman and Hall.

Ruhs, Martin. 2008. "Economic research and labour immigration policy." *Oxford Review of Economic Policy* 24 (3):403-426.

Ruhs, Martin and Bridget Anderson. 2010. "Semi-Compliance and Illegality in Migrant Labour Markets: An Analysis of Migrants, Employers and the State in the UK." *Population Space And Place* 16 (3):195-211.

Solano-Garcia, Angel. 2009. "Legal or illegal? Preferences on immigration." *International Journal Of Social Welfare* 18 (4):395-406.

Sunderhaus, Sebastian. 2007. "Survey/Data. Regularization programs for undocumented migrants." *Migration Letters* 4 (1):65-76.

Van der Leun, Joanne. 2006. "Excluding illegal migrants in The Netherlands: Between national policies and local implementation." *West European Politics* 29 (2):310-326.

Veira, Alberto, Mikolaj Stanek, and Lorenzo Cachón. 2011. "Los determinantes de la concentración étnica en el mercado laboral español." *Revista Internacional de Sociología (RIS) Monográfico nº 1. La inmigración en España: perspectivas innovadoras*:219-242.

Wiktionary. 2012, "illegalised", Retrieved (<http://en.wiktionary.org/wiki/illegalised>, 22/03/2012).

Wills, Jane. 2009. "London's migrant division of labour." *European Urban and Regional Studies* 16 (3):257-271.