

# Chapter 1

## Introduction



Immigration and its economic, political, cultural, and social consequences have recently emerged as increasingly contentious issues in Europe. Although some European countries have long histories of welcoming immigrants, the relative cultural and ethnic homogeneity of many others has thrown recent increases in foreign-born populations into sharp relief. European anxiety over immigrant integration has also increased with the recognition that unauthorized immigration has been a persistent and seemingly intractable challenge for the continent’s immigration policies. While quantifying irregular migration in Europe remains an exercise in “counting the uncountable” (Vogel et al. 2011), recent research estimated the EU’s stock of irregular migrants to be between two and four million<sup>1</sup> (Triandafyllidou 2009; Vogel et al. 2011).

These stocks of irregular migrants have given rise to reactive migration-management policies: between 1973 and 2008, European countries carried out 68 regularization programs, thereby adjusting the status of 4.3 million people (Kraler 2009). The majority (59%) of these regularization programs occurred between 1998 and 2008 (Kraler 2009). Although many European countries—both post-war labor importers (such as France) and more recent countries of immigration in Southern Europe (such as Italy and Spain)—have employed toleration of unauthorized residence and subsequent regularization of status as a *de facto* migration policy to meet the structural demand for immigrant labor (Kraler 2009), the frequency and visibility of regularizations have contributed to public and political perceptions of irregular immigration as a major issue.

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<sup>1</sup>Given the impact of the refugee crisis, the estimates of irregular migrants in the EU are likely quite different today yet the close interaction between asylum and undocumented migration makes it very difficult to conceptually unpack asylum from irregular migration. In practical terms, significant numbers of irregular entrants enter the asylum system and temporarily obtain a (limited) status as asylum seekers, those who are rejected often are known to the authorities and are in a strict sense not undocumented, even if liable to return. Nonetheless, there have been few asylum seekers from Senegal either historically or during the recent European refugee crisis.

Irregular migration from sub-Saharan Africa in particular has provoked fears of an “invasion” of “fortress Europe” (Collier 2013; Connor 2018; de Haas 2008b). Despite this concern, irregular migration in Europe in general and irregularity among African migrants in particular are poorly understood phenomena. Although a voluminous research literature on undocumented migration exists in sociology, economics, and political science, many studies are limited by reliance on limited variation in contexts of reception and a simplified conceptualization of legal status (Bean et al. 1990; Espenshade 1995; Massey and Bartley 2006; Massey and Capoferro 2004; Massey and Singer 1995; Portes 1978, 1979). Most studies of African undocumented migration to Europe are either small-scale or speculative, leading researchers to call for more rigorous examination of this phenomenon (de Haas 2008a; Lessault and Beauchemin 2009a; Vickstrom 2014; Beauchemin and Lamboni 2017; Schoumaker et al. 2018).

This book will examine how immigration policies in Europe create irregularity among Senegalese migrants and how the resulting complex trajectories of legal statuses shape these migrants’ lives. While this research will investigate an understudied but increasingly important emigrant population (Hatton and Williamson 2003), its relevance is not limited to understanding African migration. The findings help inform policy debates surrounding this phenomenon in Europe and contribute to refining sociological theories of irregular migration.

## 1.1 What Is Irregularity?

“Irregular” is often used interchangeably with “undocumented,” “unauthorized,” “clandestine,” or “illegal” to describe both an aggregate process of migration and an individual attribute of migrants (Donato and Armenta 2011). While the terms seem to describe similar phenomena, migration scholars argue that different terms have different underlying historical specificities and political resonances (Düvell 2008). Scholars increasingly avoid the terms “illegal migration” and “illegal migrant” because of their implicit criminalization of migrants; “illegal” is often used as a technical term to describe entering a country in violation of the law or as a description of a condition (e.g., “illegal work”) (Triandafyllidou 2010). “Unauthorized” is often used in the U.S. context (Düvell 2008), but does not necessarily adequately describe the situation of the foreign-born population in a given destination as not all foreigners need explicit authorization to enter, reside, or work in a destination country (Triandafyllidou 2010). “Undocumented” is also limited in its descriptive capacities by the fact that not all migrants who enter, reside, or work without legal permission actually lack documents. “Irregular” is often used in the European context and has broad connotations that can refer to both flows and stocks of migrants and can encompass a variety of legal arrangements (Triandafyllidou 2010). This book thus uses the term “irregular” to describe statuses that arise from migration that occurs outside of the legally defined framework for entry, residence, or work of

foreigners in a destination country, and, by extension, migrants that have engaged in such entry, residence, or work.<sup>2</sup>

## 1.2 Multiple Contexts of Reception, Complex Configurations of Legal Status, and the Consequences of Irregularity

Advancing our understanding of irregular migration in Europe as well as in other settings depends on challenging the limitations of existing research paradigms: existing theories built on limited variation in contexts of reception and a simplified conceptualization of irregularity cannot satisfactorily explain irregular migration and its consequences in Europe. This book will fill these gaps by asking how *multiple contexts of reception* produce distinct pathways into irregular legal statuses and how the resulting *complex configurations of irregular statuses* shape migrants' economic integration into host societies as well as their ongoing participation in the development of their homelands. While this research is vital for understanding irregular migration in Europe, it will also help open new theoretical perspectives valuable for future research on irregular migration in other contexts, including the United States. This book will combine a review of historical immigration-policy texts with analyses of a unique quantitative dataset on Senegalese migrants in Europe to answer these questions. African migration in general and Senegalese migration in particular offer unique opportunities to study the production and consequence of pathways into irregular legal status because of diversity in contexts of reception and exit.

This book is organized into three parts. The first part examines the framework of immigration policy and mechanisms of control across multiple contexts of reception to understand the legal creation of pathways into different kinds of irregular statuses among Senegalese migrants in France, Italy, and Spain. In doing so, it will attempt to understand the variation in policies both within each context over time and across these contexts. The second part is an empirical analysis that will attempt to incorporate insights about the variation of policies developed in the first part and apply them to a conceptual framework that is able to make sense of multiple pathways into irregular status. The third part of the book grapples with the consequences of complex configurations of irregular status for Senegalese migrants. The analyses

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<sup>2</sup>In this book, I use "legal status" to refer to the status that migrants possess vis-à-vis the legal framework that governs their entry, residence, or work in a given country. "Fully regular status" (or "fully regular legal status") denotes possession of all required authorizations to live and work in a given country, while "fully irregular status" (or "fully irregular legal status") denotes the lack of all required authorizations to live and work in a country. This contrasts with other academic work where "legal status" can refer to what this book calls "fully regular status." Thus, "legal" here simply refers to the domain of the status and does not indicate the possession of authorization. An analog would be the term "socioeconomic status," which describes a person's status in the socioeconomic realm; additional qualifiers (such as "high" or "low") would be required to describe an individual's status.

will seek to explore “...when and if—and to the degree to which—the legal reality constrains the relationships and actions” (Cvajner and Sciortino 2010: 397) of migrants with configurations of irregular status.

### **1.3 Variation in Legal Contexts of Reception Is Crucial for Understanding the Pathways into and Consequences of Irregularity**

The first part of the book explores the variation in the legal contexts of reception facing Senegalese migrants over time in France, Italy, and Spain. The legal constraints that migrants face in terms of entry, working, and residing in their chosen destination are an important part of what sociologists call the “context of reception.” Alongside the conditions of the labor market and the characteristics of the immigrant’s ethnic community, Portes and Rumbaut (2006) define the policies of the receiving government the most important aspects of any given context of reception and argue that these contexts can channel immigrants with similar individual endowments into different paths in the destination society.

Portes and Böröcz (1989) consider three ideal-typical illustrations of contexts of reception that different groups of migrants may face. A negative context of reception features low receptivity on the part of the destination society such as governmental attempts to reduce or prohibit inflows, employer discrimination in hiring for only menial jobs, and general societal prejudice. These negative stances lead to precarious settlement, blocked economic mobility, and an imperiled second generation (Portes and Rumbaut 2001, 2006). A neutral context of reception permits but does not encourage immigration and does not stereotype immigrants; migrants adapt to this neutral context through individualistic models of occupational and economic attainment. An advantaged context of reception features active legal and material assistance from governments and a positive public perception; migrants are often able to combine this governmental support with pre-existing skills to adapt favorably to the destination society. These contexts of reception combine with the class origins of immigrants to create the diversity of settlement patterns or modes of incorporation apparent for contemporary immigrants (Portes and Böröcz 1989). Contexts of reception are thus crucial for understanding immigrant incorporation.

While the legal, economic, and social elements of these contexts are interrelated, Portes and Böröcz (1989) point out that it can be useful to separate them for analytical purposes. Governmental and policy stances towards immigrants are of particular importance for two reasons. First, immigration policies create and police the legal categories to which migrants are subject in their entry, settlement, and work in destination countries. Legal contexts of reception thus produce pathways into a variety of regular, semi-compliant, and irregular legal statuses (De Genova 2002, 2005). Second, irregularity of legal status resulting from an exclusionary stance from the

legal context of reception may result in negative consequences for multiple aspects of immigrants' lives.

While research in Europe and the U.S. provides important evidence that contexts of reception, and the legal statuses they define, matter for immigrant integration into host societies, much of the research is limited by reliance on limited variation in contexts of reception. This is clearly the case with research done in the U.S. context. U.S.-focused research has argued that variation in context of reception can help explain resilient differences in integration outcomes among different migrant national-origin groups; but the group-specific contexts are all nested in one national political and socioeconomic context. Similarly, variations in policies—such as the amnesty resulting from the 1986 Immigration Reform and Control Act—are within an overall U.S. context that has a long history of engagement with immigration. Existing research has not sought to understand how *cross-national variations* in policies, labor markets, and communities can shape the production and consequences of migrant irregularity. In effect, much existing research has sought to generalize from the U.S. case by using comparisons between multiple immigrant groups. While the contexts of reception facing these groups vary within the overall American context, additional insight could be gained by comparing multiple destinations.

Research in Europe is more varied in its engagement with multiple legal contexts of reception faced by migrants across a multitude national political and socioeconomic settings, many studies nonetheless remain limited to case studies of unitary contexts and do not engage in comparison across contexts. Two subsets of research in the European context highlight this reliance on unitary contexts of reception. The first subset focuses on single groups in single countries, such as Turks in Germany (Gerdes and Reisenauer 2012), Senegalese in Italy (Riccio 2001), or Ghanaians in the UK (Krause 2008) or the Netherlands (Mazzucato 2008). The second subset includes studies of one or more migrant groups in a single context of reception. Diehl and Schnell (2006) study labor migrants in Germany, with a focus on Turks and emigrants from the former Yugoslavia. Bradatan and Sandu (2012) focus on Spain and compare Moroccans and Romanians. Riccio (2008) examines the experiences of Ghanaians and Senegalese in Italy. While all of these studies contribute valuable findings about single contexts of reception, they cannot help us understand how variation across contexts may shape migrants' experiences.

Theoretical insights derived from studies based on a unitary context of reception cannot readily explain migrant irregularity in a European setting marked by a diversity of contexts of reception. Fortunately, the European context also provides examples of comparative studies that leverage multiple contexts of reception. Ersanilli and Koopmans (2010, 2011) compare Turkish immigrants in the Netherlands, France, and Germany, while Østergaard-Nielsen (2003) studies Turkish political organizations in the Netherlands, Germany, and Denmark. Fokkema and de Haas (2015) compare multiple groups of African migrants in Italy and Spain. The Undocumented Workers' Transitions Project (McKay et al. 2011) examined irregularity across seven countries (Austria, Belgium, Denmark, Italy, Spain, UK and

Bulgaria). Van Meeteren (2012) includes both the Netherlands and Belgium in analyses of irregular migration, and van Nieuwenhuyze (2008) compares Senegambians in Barcelona and Antwerp.

This book will draw inspiration from these comparative approaches by taking advantage of variation across multiple legal contexts of reception. Chapter 2 traces the evolution of immigration policies and the external and internal mechanisms of control that they define (Brochmann 1999) in the main Senegalese European destination countries of France, Italy, and Spain. The chapter examines immigration laws and other legal texts (such as treaties, decrees, and administrative circulars) to outline how these states created the legal parameters that defined pathways (Düvell 2011b) to regular or irregular legal statuses for Senegalese migrants. Variations in contexts of reception have produced a variety of socio-legal configurations that have given rise to different pathways of irregularity. Senegalese in France had *de facto* regular status for much of the 1960s and 1970s in that they did not need explicit authorization to enter or reside in France and were able to take advantage of common post facto regularization procedures. Irregularity became more common among Senegalese in France as this preferential regime crumbled. Irregularity seems to have been a consistent component in contexts of reception in Italy and Spain, as their frequent and massive regularization programs demonstrate. Much of this irregularity seems to stem from the mismatch between restrictive immigration-control measures and structural demands for cheap, low-skilled labor.

#### 1.4 Simplified Operationalizations of Legal Status Hamper Understanding of Irregularity

The second part of the book applies the lessons learned from the first part about variation across legal contexts of reception to an empirical analysis of pathways into multiple configurations of irregular status for Senegalese migrants in Europe. In so doing, it draws on insights into the multidimensionality of legal statuses, especially in the European context. Much research on irregular migration is limited by a simplified conceptualization of legal status. Many studies, especially in the U.S. context, employ a simple dichotomization of legal status, comparing undocumented to documented migrants (or newly legalized migrants to legal migrants—see Borjas and Tienda 1993; Connor and Massey 2010). While this practice may have much to do with data limitations, scholars of immigration have also been calling for a more nuanced approach that is sensitive to transitions between multiple kinds of legal statuses (Massey and Capoferro 2004; Menjívar and Kanstroom 2014). The multitude of contexts of reception in Europe along with frequent recourse to regularization programs mean that migrants may experience multiple legal statuses simultaneously (e.g., legal residence without legal right to work) along with complex trajectories of legal status over time. A reliance on a documented/undocumented dichotomy may thus obscure both the factors producing various forms of

irregularity and the consequences that complexities of legal status have for the lives of migrants.

Research on irregularity in Europe has been more sensitive to the nuances of multiple legal categories. Triandafyllidou (2010) argues that conceptualizations of irregularity depend on the legal domain under consideration (entry, residence, or work). This approach allows for differentiation between different kinds of irregular statuses (e.g. irregularity of entry, residence or work) and for transition between statuses over time. This research shows, in fact, that status-related flows—movement between regular and irregular status—is a more important pathway into irregularity than irregular geographic flows across borders (Triandafyllidou 2009, 2010). Some empirical analyses in the European context have operationalized legal status in a way that accounts for complexities of legal domains and transitions over time. Ruhs and Anderson (2010) highlight the condition of semi-compliance, in which migrants who are legally resident work in violation of restrictions on their employment.

Chapter 3 draws on the European literature on complex conceptualizations of legal status to examine how immigration policies and mechanisms of immigration control are translated into multiple pathways into irregular status. The chapter models three such pathways: entry without a visa, overstaying, and befallen irregularity. Using data from the Migration between Africa and Europe (MAFE) Project, the chapter empirically tests the hypotheses that variation in context of reception—as measured by destination and period—would produce different pathways, and that migrants’ strategies, as measured by access to forms of capital and institutional connects, would also influence their navigation of these pathways. Analyses of the empirical data reveal that pathways that occur early in a migrant’s trip—no-visa entry and overstaying—are more sensitive to both contextual variables and access to forms of capital, indicating that both state control and migrant agency shape these pathways. In contrast, befallen irregularity is less related to contextual variation, perhaps because immigration policies and enforcement resources are not focused on migrant integration. Furthermore, these transitions are rare and migrants who have “legal capital” in the form of regular status are able to avoid this transition.

## **1.5 So What? When, How, and Why Does Irregularity Matter?**

The third part of the book looks at the consequences of configurations of legal status for the economic integration of Senegalese migrants in France, Italy, and Spain as well as their ongoing transnational participation in their homeland. In so doing, it both draws on large body of literature that demonstrates the negative effects of irregular status on various facets of migrants’ lives and problematizes the relationship between irregularity and migrants’ life chances. Some scholars have gone so far as to say that irregularity “forces immigrants into a wholly underground

existence” (Portes and Rumbaut 2006: 93), but this book will attempt to ascertain when, how, and why irregularity matters for migrants.

A voluminous research literature in both Europe and the United States has found that negative legal contexts of reception can not only create irregularity of status among migrants but also puts migrants with irregular legal status and their children at an economic and social disadvantage compared to migrants with regular legal status (Alba and Nee 2003; Borjas and Tienda 1993; Kossoudji and Cobb-Clark 2000; Phillips and Massey 1999; Portes and Rumbaut 2001). Research on a multitude of migrant populations in Europe has shown the importance of the legal facets of the contexts of reception on migrant integration in an array of European countries. Cvajner and Sciortino (2010) theorize the link between precarious legal status and exclusion from formal institutions such as the labor market, and argue that irregularity forces migrants to rely on high-cost survival strategies to negotiate the risky environments, such as informal labor markets, to which they are relegated.

Many empirical studies of irregularity in Europe echo the theoretical link between lack of secure legal status and precarity. Anderson (2010) highlights how immigration-control mechanisms create precarity among immigrant workers in Europe through dependency on employers fear of deportation. Van Nieuwenhuyze’s (2008) study of Senegambians in Barcelona and Antwerp shows that irregularity can force migrants into the shadow economy, where wages are low, working conditions bad, and there is little recourse against abusive employers. Sigona (2012) demonstrates how irregularity leads migrants in the United Kingdom to fear deportation and have difficulty establishing trust, fostering their social isolation. Results from the Undocumented Workers’ Transitions Project show how migrants with irregular status regularly face discrimination, exploitation, and even violence (McKay et al. 2011). The European Union Agency for Fundamental Rights (2011) summarizes many of the negative effects of irregularity: it creates a risk of exploitation in the labor market, leads to precarious and insecure housing situations, and can imperil migrants’ access to healthcare and education.

Research on immigration to the United States echoes many of the negative associations between irregularity and migrants’ life chances demonstrated in the European context. Massey’s (2007) research shows that the category of “undocumented migrant” has become a prime vehicle for inequality in the U.S. by excluding undocumented migrants from effective participation in labor markets and other formal institutions that structure life chances. Immigration policy and border control in the U.S. have created a social category of migrants devoid of regular legal status and the rights it affords. Massey and colleagues (2007; Durand et al. 2016) identify the immigration-control system as the principle institution of stratification for Latinos in general and for Mexicans in particular. Massey (2007) argues that wage discrimination and marginalization from the social safety net in the wake of the Immigration Reform and Control Act (IRCA) in the 1980s led to a decrease in income and an increase in poverty among Latinos. Other literature confirms that legal status has become an axis of stratification in the United States (Menjívar 2009). Psychological research using the stereotype content model has found that undocumented migrants are seen as “barely human” at a neural level, confirming their disadvantaged position

in the American stratification system (Lee and Fiske 2006; Massey 2007). Greenman and Hall (2013) conclude that legal status is an important axis of stratification for Latinos' educational attainment, with undocumented youth less likely to graduate from high school and enroll in college. Marrow (2013) lists the myriad other ways in which immigrants' life chances are adversely affected by the institution of illegality: undocumented migrants suffer disparities in access to health care and education, they are unable to get drivers' licenses and are thus less geographically, economically, and socially mobile; in addition, spillover effects mean that many documented Latino immigrants are caught in the legal, social, and representational webs of illegality in ways that restrict their participation in American society.

Despite this mountain of evidence that irregular legal status is detrimental to migrants, the third part of this book will try to dig deeper to examine when, how, and why configurations of irregularity might matter. As Van Meeteren (2012) points out, policies and the configurations of irregularity that they produce do not necessarily mechanically constrain migrants' actions and it is important to try to understand migrants' reactions to the legal constraints they face. This approach echoes Cvajner and Sciortino's (2010) exhortation to pay attention to how and to what extent legal realities constrain the actions of migrants.

The empirical analyses in the third part of the book will thus examine how configurations of legal status constrain Senegalese migrants' labor-market participation and transnational activities. Chapter 4 focuses on how immigration policy creates gendered channels of access to destination societies' labor markets. The chapter hypothesizes that the effect of legal status on economic incorporation will differ for women and men. Women's legal statuses are more likely to be the product of dependency-inducing family reunification policies that disincentivize work, while men have more options for labor-market access regardless of legal status. Women's labor-market participation is thus structured by their legal status, with those women reunifying with spouses at a destination less likely to work upon arrival than autonomous women or men. At the same time, female migrants entering under family-reunification provisions may also have an easier time making eventual transitions into the labor market. Analyses show that Senegalese women who have configurations of legal status indicative of family reunification are more likely than women with other legal statuses to be economically inactive upon arrival, while there is little association between Senegalese men's legal status and their participation. The data also reveal, however, that family reunification does not preclude labor-market participation, as many of the women with family-reunification profiles eventually transition into economic activity.

Chapter 5 looks at the link between legal status and transnational activities. The literature on transnational activities has not sufficiently grappled with the role of physical mobility in the maintenance of affective ties that underlie non-mobile, long-distance transnational activities nor has it adequately examined the role of the state in constraining this geographical mobility. The legal constraint of irregular status may both physically confine migrants to the destination territory, decreasing homeland visits, and indirectly constrain other non-mobile transnational activities by reducing affective ties with origin communities through limited physical

mobility. The MAFE data show that Senegalese migrants who lack secure legal status are effectively confined to the destination territory, making them unable to make short visits to the homeland. The reduced physical mobility resulting from this confinement short-circuits the entire social infrastructure underlying remitting and investing because the affective ties that underlie long-distance cross-border activities wither when migrants are unable to circulate. Analyses also reveal an important difference between household-based activities—remitting and investing—and the communal activity of hometown association participation, with the former being more responsive to the territorial confinement produced by irregular status.

## 1.6 Senegal as a Strategic Site for Migration Research

Senegal, a country of about 15 million people on the Atlantic coast of West Africa (U.S. Census Bureau 2018), has a long and diverse history of both intra- and inter-continental migration (see Fig. 1.1 for maps of Senegal’s geographic relationship to West Africa and Western Europe). Like other sub-Saharan African countries, much migration from Senegal has been directed towards other African countries, and Senegalese migrants can be found in most regions of Africa (Bredeloup 2007; Flahaux et al. 2010). Senegal has also played a particularly large part in the recent evolution of sub-Saharan migration flows to Europe. While recent population estimates indicate that the former French colony accounts for approximately 4% of the population of West Africa (U.S. Census Bureau 2018), Senegalese made up 18% of West African migrants in the main European receiving countries in the early 2000s (de Haas 2007), a figure that had increased to almost 20% by 2010 (Organisation for



**Fig. 1.1** Geographic position of Senegal in relationship to West Africa and Western Europe. (Notes: Map data © 2013 Basaroft, Google, ORION-ME)

Economic Co-operation and Development 2015). In addition to Senegalese migrants being disproportionately represented in Europe, Senegal stands out as a country that has diversified its migration destinations, with Senegalese increasingly present in Italy, Spain, and the United States as well as their traditional destination of France (de Haas 2007; Schoumaker et al. 2013). Senegal is now considered to be the source of one of the major “new African diasporas” (Koser 2003).

Senegalese migration to Europe offers an ideal opportunity to study the production and consequences of complex trajectories of irregularity in multiple contexts of reception. Although many Senegalese migrants travel to African destinations, most increasingly choose high-income destinations in Europe and North America (Schoumaker et al. 2013). There are especially high concentrations of Senegalese migrants in France, Italy, and Spain. These three countries account for 45% of the Senegalese emigrant population (Beauchemin and González-Ferrer 2011) and 86% of the Senegalese resident in OECD countries in 2010 (Organisation for Economic Co-operation and Development 2015). Senegalese constitute the largest group of sub-Saharan African migrants in Italy and Spain and the second-largest group in France as of 2010 (Organisation for Economic Co-operation and Development 2015). In addition to the evolution of Senegalese migration towards new destinations, Senegalese migrants have faced variation in governmental policies, labor market conditions, and attitudes of the native-born towards immigrants in the main contexts of reception. All three countries have histories of tolerating or even encouraging illegal immigration and subsequent regularization while also stigmatizing and racializing illegal entry, residence, and work.

Although detailed data on irregular migrants by nationality are rare, Senegalese are thought to have high rates of irregularity. The Senegalese Ministry for Senegalese Abroad estimates that there are two undocumented Senegalese migrants for every documented Senegalese migrant (Di Bartolomeo et al. 2010). Recent research finds that almost 30% of Senegalese migrants in Europe lacked a residence permit during their year of arrival in European destinations, with 16% in irregular status at the time of the survey (Schoumaker et al. 2013). Senegalese were estimated to account for 18% of the undocumented sub-Saharan migrants in Spain prior to a regularization campaign in 2005 (de Haas 2008a). They are the largest group of West Africans regularized in Italy (de Haas 2008a) and were overrepresented in France’s most recent regularization effort (Lessault and Beauchemin 2009b). In addition, Willems (2008) estimates that half of the 33,000 sub-Saharan Africans who arrived clandestinely in the Canary Islands in 2006 were Senegalese, with many of the boats leaving from the Senegalese coast. Senegal has thus become a major sender of migrants to Europe and has become linked with the phenomenon of undocumented migration.

In addition to Senegal’s prominence in both intra- and intercontinental migration flows, it is clear that emigration profoundly shapes the demography, economy, and culture of Senegal itself. Daffé (2008) reports that emigrants made up approximately 4% of the 2005 Senegalese population, compared to 2.1% for sub-Saharan Africa as a whole; emigration rates to OECD destinations in 2010 were 3.2% for Senegal compared to 1.1% for all of sub-Saharan Africa (Xenogiani et al. 2015).

The number of Senegalese emigrants increased by 1.8% per year between 2000 and 2005 and approximately one in ten Senegalese households counts at least one emigrant among its members (Daffé 2008). The economic impact of this migration flow is significant: official monetary remittances to Senegal stood at 10% of GDP in 2008 after rising to \$1.2 billion from \$305 million in 2002 (Cisse 2011). Remittances have since increased by 58% to \$2.3 billion in 2017 (World Bank Group 2017). Senegal ranks third in sub-Saharan Africa in the absolute value of remittance flows, behind only Nigeria and Ghana, while it ranks fifth in remittances as a percentage of GDP behind the smaller countries of Liberia, Comoros, the Gambia, and Lesotho (World Bank Group 2016). These flows of cash have reduced poverty in Senegal by 30% and have contributed positively to Senegal's macroeconomic accounting by equaling 40% of export earnings (Cisse 2011).

These demographic and economic impacts have emerged alongside what Massey et al. (1998) call a "culture of migration." Fieldwork in urban areas of Senegal found that fully half of men and 25% of women intended to leave their country, with many respondents arguing that emigration constitutes a rite of passage for young Senegalese (Willems 2008). Recent results from the Gallup World Poll echoed these findings, with 37% of Senegalese responding that they would move permanently to another country if given the opportunity; this share increased to 51% of those aged 15–24 (Xenogiani et al. 2015). Indeed, Tall argues that "the emigrant is perceived by Senegalese as a model of success" (2008: 37). This valorization of emigration takes place under the cloud of poor macroeconomic performance, declining real incomes, low human development, and high rates of poverty, all of which make emigration an attractive option for youth (Daffé 2008; Willems 2008).

While Senegalese emigrants were traditionally mostly of rural origin, Daffé (2008) reports the recent emergence of significant emigration from Senegal's cities: 59% of international migrants now come from urban zones. In contrast to the national average of 11% of households with migrants, almost 20% of households in the urban zones of Dakar and Touba had a member abroad and that 82% of these households received remittances (Daffé 2008). Tall (2008) argues that urban migrants have invested a large proportion of their foreign earnings in real estate, and that these visible (and occasionally ostentatious) signs of success have played a large role in creating the "culture of migration" that have increased emigration pressures in Senegal.

## 1.7 The Migration Between Africa and Europe (MAFE) Project

The main data source of empirical data for the book is the Migration between Africa and Europe (MAFE) project.<sup>3</sup> The MAFE project arose to fill a long-running gap in the availability of quantitative data on African migration (Beauchemin 2012, 2018). In general, the study of migration in many regions of the world has often been hampered by a lack of high-quality data. This is partly due to the myriad difficulties in studying migration, especially when compared to other demographic processes: while birth and death can only take place once for each person and in one place, migration can take place multiple times and, by definition, involves a change in geographic location. While a number of high-profile data-collection efforts have emerged during recent decades to start to fill the migration-data gap, most of these projects have focused on migration systems centered on the United States. The Mexican Migration Project (MMP) and the Latin American Migration Project (LAMP) have pioneered innovative multi-sited data collection techniques and have served as the basis of many of the studies that have defined the contours of our current knowledge on migration processes. Nonetheless, the dearth of individual-level, longitudinal data on African migration has been decried by scholars (Beauchemin 2012; Lucas 2006) and has remained an obstacle to scholarship: it has generally not been possible to test hypotheses developed in the U.S. migration system in an Afro-European context.

This lack of data has important repercussions for the study of legal status. Immigration-policy making and the elaboration of both external and internal immigration controls have rested on dramatic images of death-defying migration attempts or sensationalized portrayals of the living conditions of irregular migrants instead of solid scientific evidence on causes and consequences of African migration flows. These often-unfounded images have provided fodder for political debates on migration that have led to increasingly restrictive immigration policies across Europe (Düvell 2011a). It is widely acknowledged that immigration-control systems are out of sync with the realities of irregular migration. While control focuses on repressive border enforcement, the vast majority of irregular migrants—including irregular African migrants—are thought to enter Europe as tourists and subsequently overstay their visas (Schoumaker et al. 2013). Only reliable and comparative data on

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<sup>3</sup>The MAFE project is coordinated by INED (C. Beauchemin) and is formed additionally by the Université catholique de Louvain (B. Schoumaker), Maastricht University (V. Mazzucato), the Université Cheikh Anta Diop (P. Sakho), the Université de Kinshasa (J. Mangalu), the University of Ghana (P. Quartey), the Universitat Pompeu Fabra (P. Baizán), the Consejo Superior de Investigaciones Científicas (A. González-Ferrer), the Forum Internazionale ed. Europeo di Ricerche sull'Immigrazione (E. Castagnone), and the University of Sussex (R. Black). The MAFE project received funding from the European Community's Seventh Framework Programme under grant agreement 217206. The MAFE-Senegal survey was conducted with the financial support of INED, the Agence Nationale de la Recherche (France), the Région Ile de France and the FSP programme 'International Migrations, territorial reorganizations and development of the countries of the South'. For more details, see: <http://www.mafeproject.com/>

African migration can inform scholarly and policy debates on the scope and scale of forms of irregularity among African migrants.

The MAFE project aspired to collect comparative and representative data on sub-Saharan African migration using a multi-sited data collection methodology, with an emphasis on migration systems (Kritz et al. 1992) linking Africa and Europe in which people, culture, money, and ideas circulate transnationally. The project, in its methodology and scientific objectives, recognized the increasingly complex trajectories of African migrants and thus emphasized that migration is not a unidirectional event (hence the choice of the preposition “between” in the project’s name). Its innovative focus thus explicitly allows for the study of circulation, return migration, and transnational practices.

The project chose to focus on three discrete sub-systems of the Afro-European migration system, focused on the African countries of Senegal, Ghana, and the Democratic Republic of the Congo (DRC). These countries represent three of the four largest populations of sub-Saharan Africans in Europe, thus making them numerically important populations to study (Beauchemin 2012). The countries were also chosen because of the variation they offer: they have different colonial backgrounds and thus different traditional migration destinations and their economic, ecological, and political conditions differ.

The project selected multiple European destinations for each of these African hubs, including the former colonial power and one or more new destinations. For Senegal, France is the former colonial power and Italy and Spain are new destinations; for Ghana, Great Britain is the traditional destination and the Netherlands is the new destination; and for the DRC, Belgium is the former colonial power and Great Britain the new destination. This choice of destinations allows for the examination of changing patterns of migration over time and also creates the variation in contexts of exit and reception necessary for comparative studies (Beauchemin 2012). As this book uses only the data from the Senegalese sub-sample, further discussions of the MAFE project will be limited to the Senegalese case.

### ***1.7.1 Sampling Design of the MAFE Project***

One of the major goals of the MAFE project was to produce representative socio-demographic data for both the sub-Saharan African origin countries and the European destination countries. The MAFE project thus employed a multi-site design, collecting data on both current migrants in European countries and non-migrants and returned migrants in the country of origin. This design overcomes the limitations of surveys only at origin—such as reliance on proxy respondents—or only at destination—such as the exclusion of non-migrants or returned migrants—and thus avoids sample-selection problems that plague much research on migration (Beauchemin 2012, 2018).

The MAFE sample in Senegal was drawn from the region of Dakar, the Senegalese capital city, and its administrative departments of Dakar, Pikine,

Guediawaye, and Rufisque. Approximately 25% of Senegal's population lives in this region, and it accounted for more than a quarter of all of the country's international emigration departures in the 5 years prior to 2002 (Mezger Kveder 2012). The project, which collected its data in 2008, employed a three-stage probabilistic sampling design to construct a sample of households within the region, oversampling those households with migration experience and using the 2002 population census as a sampling frame to select primary sampling units. Census districts served as the primary sampling units and were divided into ten strata of equal size based on migration prevalence. Six census districts were randomly selected from each stratum, and the project enumerated households within each selected district and divided them into migrant and non-migrant strata. The project then randomly selected 11 households from each stratum in each district, or 1320 total households, for participation in the survey. Of the selected households, 1141 completed a household questionnaire (87%), with an 11% refusal rate.

The household questionnaire generated a list of household members, defined as individuals who had lived for at least 6 months in the household at the time of the survey or plan on living there for at least 6 months. This list of household members served as a sampling frame for the individual survey and the project randomly selected at most two returned migrants, two spouses of migrants, and one non-migrant per household for participation. Individuals had to meet the following criteria in order to participate: (1) be between 25 and 75 years old; (2) have been born in Senegal; and (3) currently hold or in the past have held Senegalese citizenship. A total of 1338 individuals were selected and the project completed 1062 interviews. The majority of non-response was due to lack of ability to locate the individual after repeated attempts. The Senegalese sample as thus constructed is representative of households and individuals in the Dakar region.

The main challenge in collecting data on migrants in a destination is the lack of a suitable sampling frame. Migrants, especially those who lack regular legal status, may not be systematically recorded in population registers that, if they are even available, could otherwise serve as sampling frames. Migrants also tend to be a hard-to-reach population (Mezger Kveder 2012). The MAFE project thus used a variety of methods to construct a sample of Senegalese migrants as representative as possible of the population of Senegalese living in each destination country. The main approach in France and Italy was the quota method: using auxiliary data about the population of Senegalese in each destination country, the project set quotas for the number of respondents by different characteristics, including gender, age, region of residence, and socioeconomic status (Beauchemin 2012, 2018). The project also varied the recruitment methods (via Senegalese associations and snowballing techniques) and places (such as metro stations, hairdressers' shops, and public places) so that the selection biases of each method would, in theory, cancel each other out.

In Spain, however, the MAFE project had the advantage of a sampling frame in the *Padrón Municipal*. Inclusion in this municipal population register gives migrants—even those with irregular status—access to a variety of benefits, meaning that most foreigners are on the list. In addition, the project attempted to contact migrants in Europe using information collected from households in Senegal. This

matched sampling strategy met with only limited success, however, and thus accounts for a small proportion of migrants interviewed in Europe (Beauchemin and González-Ferrer 2011).

In all three European countries, sampling was limited to selected regions that incorporated between 64% and 75% of all Senegalese migrants living in the countries. Individuals were eligible for participation if they met the criteria described above for participation in the individual survey; in addition, in an attempt to exclude migrants of the 1.5 generation, individuals had to have migrated to Europe for the first time at age 18 or later. The project successfully collected about 200 interviews each in France, Italy, and Spain. The MAFE project team computed a variety of weights for use in accounting for sampling design (Schoumaker and Mezger 2013).

### 1.7.2 MAFE Questionnaires<sup>4</sup>

The MAFE project administered a household questionnaire to the head of each selected household in Dakar and a biographical questionnaire to each individual selected to participate in the study either in Senegal or in Europe. The household head responded to questions for all individuals currently living in the household, and also for all other children of the household head not physically living in the household, as well as current migrants who were related to the head, the head's spouse, or the spouse of a household member. The proxy data thus collected for each individual included education, occupation, religion, ethnicity, and past and current migrations (including destination and years of departure and return), and links with current migrants. The questionnaire also collected household-level data on housing characteristics and ownership of durable assets.

The biographical questionnaire was administered to individuals in all project countries. Its goal was to permit the reconstruction of the respondent's life history in multiple domains in a coherent fashion. The questionnaire thus consisted of two data-collection tools: (1) a biographical event grid or life-history calendar tied to the age of the respondent and the corresponding calendar year in which the interviewer recorded the respondent's life events; and (2) a questionnaire with both a set of open questions that helped to fill in the basic structure of the calendar and a variety of modules with structured questions. The biographical questionnaire collected a wide array of information on each respondent. Traditional life-history data included family history (relationships and children), residential history (places of residence of a year or more), education, occupation, and asset ownership; these modules were applicable to migrants and non-migrants alike. Family events were recorded early in the interview as they are usually the easiest to recall; this personal history thus then provides a temporal "backbone" that can aid recall for the rest of the questionnaire.

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<sup>4</sup>All MAFE questionnaires are available at <http://mafeproject.site.ined.fr/en/methodo/methodo/>

In keeping with the survey's focus on migration, the questionnaire also included a number of modules about migration events and experiences, including migration attempts; long and short stays outside of Senegal; long and short return trips to Senegal; migration experience of friends and relatives; citizenship history; asylum claims; work and residence permits; money transfers; and participation in migrant associations. All modules asked the respondent to indicate dates for events, allowing the transcription of information into the life-history calendar at annual intervals.

### 1.7.3 Advantages of the MAFE Data

This book will use the data collected by the MAFE biographical questionnaires. These data have a number of advantages for the study of the determinants and consequences of legal statuses of current and former Senegalese migrants in Europe.

#### Inclusion of Regular and Irregular Migrants

First of all, the sampling design purposefully includes both regular and irregular migrants. The *Padrón* in Spain offered the opportunity to include both documented and undocumented Senegalese migrants in the sample, and the project also made effort in France and Italy to include undocumented migrants in the sample in order to avoid the biases that excluding this population would bring about (Beauchemin 2012, 2018). Descriptive statistics in Table 1.1 indicate that the project was successful in including this traditionally hard-to-reach population: across the three European countries, almost 18% of the respondents lacked a residence permit at the time of the survey, while almost 60% had lacked this authorization at some point in the past. The percentages vary by country, with a higher proportion of currently undocumented migrants in the Spanish and Italian samples than in the French sample.

**Table 1.1** Percentage of Senegalese migrants without a residence permit at selected time points, MAFE-Senegal

| Country | Time of survey | Ever |
|---------|----------------|------|
| France  | 10.5           | 32.8 |
| Italy   | 19.4           | 67.7 |
| Spain   | 24.8           | 74.3 |
| Total   | 18.3           | 58.4 |

Source: MAFE-Senegal

Notes: Unweighted percentages of respondents declaring that they did not hold a residence permit

| RESIDENCE AND WORK PERMITS<br>(FOR ALL STAYS OUTSIDE SENEGAL THAT LASTED MORE THAN A YEAR)   | COLUMNS 11 AND 12 |
|--|-------------------|
| <p>EXPLAIN: Opportunities for living or working in a country may depend on the type of document you have. Therefore I would like to retrace together with you the different types of documents and residence permits that you may have had or not when you left Senegal and while you lived abroad. Could we try to retrace this together? The questions concern all countries where you lived. If some countries don't require any residence permits, don't hesitate to let me know.</p>  |                   |
| <ul style="list-style-type: none"> <li>• 1st PERIOD OF LIFE OUTSIDE SENEGAL</li> </ul>   |                   |
| <p><b>RESIDENCE PERMITS</b> (column 11)</p>  |                   |
| <ul style="list-style-type: none"> <li>○ 1st status: <b>When you arrived in "Name of the country", did you :</b> <ul style="list-style-type: none"> <li>"NNRP" - Not Need any Residence Permit in this country</li> <li>"V" - have a Visa</li> <li>"RP" - have a Residence Permit (permit of stay, residence permit, refugee status...)</li> <li>"NP" - Not have a permit</li> <li>Other - Specify</li> </ul> </li> </ul>  |                   |
| <p><i>GRID: Note NNRP, V, RP, NP or Other (and specify) at start year</i><br/> <i>NB: in the start year, Ego may have a simple visa, then obtain another form of permit (NNRP, RP, NP, Other). Note: V+RP</i></p>  |                   |
| <ul style="list-style-type: none"> <li>○ 2nd status: <b>And then? Did your situation change?</b><br/> <i>GRID: Draw an arrow to the new situation and note the new status at the year of change. Explore all status changes over this period.</i></li> </ul>   |                   |
| <p><b>WORK PERMITS</b> (column 12)</p>   |                   |
| <ul style="list-style-type: none"> <li>○ 1st status: <b>And with regard to the sphere of work: when you arrived in "name of the country" did you:</b> <ul style="list-style-type: none"> <li>"NNWP" - Not need any work permit (you had the right to work without ever requesting a legal authorisation)</li> <li>"WP" - have a work permit (you had a permit allowing you to work in whatever company, in whatever type of occupation)</li> <li>"SWP" - a selective work permit, on request or limited to a specific activity (for every new employment you had to request and obtain a new permit)</li> <li>"NWP" - No work permit (in principle, you didn't have the right to work in this country)</li> <li>Other - Specify</li> </ul> </li> </ul> |                   |
| <p><i>GRID: Note NNWP, WP, SWP, NWP, Other (and specify) at the start year.</i></p>  |                   |
| <ul style="list-style-type: none"> <li>○ 2nd status: <b>And then? Did your situation change?</b></li> </ul>  |                   |
| <ul style="list-style-type: none"> <li>• 2nd PERIOD OF LIFE OUTSIDE SENEGAL: <i>CONTINUE in this way for each period outside Senegal</i></li> </ul>  |                   |

Fig. 1.2 MAFE-Senegal biographical questionnaire module on legal statuses

## Longitudinal Measurement of Legal Status

In addition to making efforts to include migrants with irregular experience in the sample, the MAFE project also included a module in the biographical questionnaire that allowed for the collection of longitudinal, comparable data on legal statuses. Figure 1.2 displays the questions<sup>5</sup> the interviewer used to elicit information about legal statuses over time from the respondent. Starting with the first period of residence outside of Senegal, the interviewer asked that respondent to indicate the combination of visa, residence permits, and work permits that the individual had upon arrival. The interviewer recorded this information, including any combinations of permits specified by the individual, in the life-history calendar at the year corresponding the migrant's arrival in the destination. The interviewer then asked if the individual's situation with regard to both residence and work authorizations changed during the first period of residence outside of Senegal and recorded any changes in the life-history calendar. The interviewer repeated this cycle of questions for each period of residence outside of Senegal. The MAFE data thus include data on Senegalese migrants' legal statuses in the domains of entry, residence, and work for each year of residence in each of the foreign countries in which they lived.

<sup>5</sup>The English-language version of these questions appeared in the Ghana biographical survey, adapted here for Senegal for the convenience of Anglophone readers. The questions in the Senegal biographical survey were identical and were posed in French, Italian, or Spanish.

These kinds of longitudinal data on legal statuses are both rare and important. Very few data sources on migrants in Europe include information on legal status, either because the data are pulled from population registers that include only legal migrants or because the sampling scheme includes potentially undocumented migrants but the questionnaire does not ask about legal status (Amuedo-Dorantes et al. 2013). Given the debate about undocumented migrants in both the US and in Europe (Düvell 2011a; Massey et al. 2002), however, collecting data on legal status is important. Migration scholars have started calling for longitudinal data on legal statuses in particular, which are necessary to answer questions about transitions over time between various legal statuses (Donato and Armenta 2011; Massey and Capoferro 2004) and combinations between different kinds of authorizations. Time-varying indicators of legal statuses are also necessary as predictor variables of time-varying outcomes, such as employment and remitting, that may be linked to entry, residence, and work authorization. The MAFE-Senegal data provide such longitudinal data on a rich array of variables measuring legal statuses.

### Comparability of Legal Statuses

The data on legal statuses collected by the MAFE project are also comparable both across countries and over time. While MAFE ensured basic comparability by using the same carefully translated questionnaire in all survey locations, the multi-sited survey design combined with a retrospective questionnaire required a deeper level of conceptual comparability. Concepts measured by the questionnaire had to be understandable and relevant in multiple contexts over different geographic locations, time periods, languages, and personal histories. As Beauchemin (2012, 2018) points out, some concepts lent themselves easily to this kind of comparability, either because they are universal or because standard solutions exist (such as the International Standard Classification of Occupations or ISCO, which MAFE used to code occupations). Measuring legal statuses was a case in which contextual specificities required the invention of a standardized framework.

Each country has its own set of laws regulating the entry, residence, and work of foreigners, and the authorizations are rarely comparable. The alphabet soup of visas for entering and residing in the United States, for example, does not have an exact analog in Europe. Even European countries differ greatly in their external and internal mechanisms of immigration control (Brochmann and Hammar 1999) despite the attempts of the European Union to harmonize migration policies. Indeed, immigration-policy making is a fiercely guarded realm of national sovereignty in Europe. Laws and regulations defining legal statuses can also vary over time within the same country, thus making comparability over time difficult and complicating retrospective data collection (Beauchemin 2012, 2018).

The MAFE project thus adopted a flexible strategy to capture all of the legal situations of Senegalese migrants at all times and places: the project assumed that visas, residence permits, and work permits were the basic mechanisms of immigration control to which migrants are subject. The questionnaire did not differentiate

between different kinds of visas, residence, or work permits that may be specific to a time period or destination. By asking about visas, residence, and work permits separately and encouraging migrants to list all authorizations and changes in authorizations, the questionnaire was as exhaustive and comprehensive as possible. In addition, migrants had the possibility of answering that they did not need a permit, reflecting the complicated evolution of immigration-control legislation vis-à-vis Senegalese in France.

### ***1.7.4 Limitations of the MAFE Data***

While the MAFE project has generated rich, longitudinal, multi-sited and comparable data that can be used to study the determinants and consequences of the legal-status trajectories of Senegalese migrants in Europe, the data also have a number of limitations stemming from compromises in the survey design.

#### **Sample Size**

Because of cost considerations, the inherent difficulty in sampling a hard-to-reach population, and the lack of availability of a sampling frame, the MAFE project set a goal of interviewing 200 Senegalese migrants in each of the three destination countries (Beauchemin 2012, 2018). The sample is of a reasonable size when pooled, especially if non-migrants interviewed in Senegal are included in the analysis, which would give a sample size of 1668 individuals and almost 70,000 person-years. The relatively small sample sizes in each country, however, limit the ability to conduct destination-specific analyses.

#### **Recall Bias**

The second compromise was the retrospective nature of the data collection, which leads to the potential limitation of recall bias. Collecting longitudinal and time-specific information on migration-related events that would allow analyses of determinants of migration was an important objective for the project, and a retrospective design was more cost-effective than a prospective panel for doing so (Beauchemin 2012, 2018). In addition, the retrospective survey could ensure a representative sample at the time of the data collection, while a panel survey loses representativeness through attrition over time (Mezger Kveder 2012). Nonetheless, retrospective data collection does open the door to the possibility of recall bias in the reporting of past events. Respondents had an average age of 40 years at the time of data collection, meaning that there was likely a considerable effort involved in remembering life histories.

Mezger Kveder (2012) argues that this effort can result in measurement error through the misreporting of the timing of events or the complete omission of events. Research has shown that this recall bias depends, in part, on the kind of event being recalled. Respondents tend to remember rare events readily because of their relative salience (Eisenhower et al. 2004), which means that events like births and marriages should be subject to less recall bias (Poulain et al. 1992). Residential histories tend to present more difficulty in recall especially if the exact timing is of interest (Poulain et al. 1992), but respondents seem to have less difficulty in accurately reporting migration events, especially if the move is long-distance (Smith and Thomas 2003). Recall bias in other areas seems to be more problematic: unemployment spells, for example, tend to be underreported, even in shorter reference intervals (Horvath 1982; Manzoni et al. 2011).

In addition to these substantive variations in recall bias, research has shown that time since the event seems to have a non-linear relationship to recall accuracy, with a deterioration in recall stabilizing over time (Mayer 2007); overall age also seems to be associated with decreased recall accuracy (Haaga 1988). The MAFE project sought to limit recall biases by using salient events—such as birth or marriage—to anchor the life history calendar and encouraged respondents to think about event timing in relation to these anchor events (Beauchemin 2012, 2018). The interviewers also had an array of dated local, national, and world events that could also serve as recall anchors.

The effect of recall bias on the reporting and measurement of legal statuses has not been examined, most likely because there is no source of prospective data on legal statuses to compare with retrospective sources. The main concern is that reporting of legal status may be prone to measurement error through misreporting of timing or omission of changes in legal status. The existing research on recall bias suggests, though, that legal status might be a domain where there is little recall bias. Given the widespread knowledge throughout Senegal of the external immigration controls in the form of visa requirements of most European countries (Willems 2008), it is reasonable to assume that legal vs. unlawful status upon entry would be a salient feature that migrants would recall with accuracy. Still, this may not be true in respect to those who still enjoyed visa-free travel to France or Italy (see Chap. 2) or in respect to persons who were only marginally involved in the organization of travel, such as children but perhaps also reunified spouses.

First residence and work authorizations, which are linked in time to the year of arrival at a given destination, may also be a salient feature in migrants' memories. Recall may become more difficult for some subsequent changes in legal status. Transitions from regular to irregular states via the expiration of a permit for which the migrant does not need to take concrete action may be associated with fuzzier recall. Renewals of permits or acquisition of regular status, on the other hand, are likely to be salient events if only because of the bureaucratic paperwork often involved in these processes (Spire 2005). In addition, the MAFE data show transitions between different legal statuses once in a destination to be somewhat rare: the average Senegalese migrant reports 1.73 legal-status spells, or 0.73 transitions; more than half never experience a change in legal status. Thus, most migrants do

not face great challenges in their recall of their legal statuses, which are also most likely salient.

### **Time Resolution**

The third compromise stemming from the survey design was the choice of retrospective time resolution. The project decided on yearly intervals for recording events as a way to both simplify data collection and limit response burden (Beauchemin 2012, 2018). While this produces life histories of adequate length for analysis, the time interval may obscure events and changes of state that happen during that year. The questionnaire allows for some recording of multiple events at the same time but does not necessarily allow for the recording of the precise ordering of events. Even if only one event of interest happened during the year, the time resolution does not allow the establishment of temporal precedence vis-à-vis other events that occurred in the same year. These issues may be particularly relevant for legal statuses, as migrants may experience multiple status transitions in a given year, especially if they have short-term permits. Thus, the survey may conceal some instability in migrants' legal trajectories (Beauchemin 2012, 2018). The time resolution issue also affects other variables under study in this book: migrants may engage in transnational activities, such as remitting, multiple times during a year; migrants may also experience multiple spells of employment and unemployment during the same year.

### **Standardization of Heterogeneous Legal Statuses**

The fourth compromise arising from the design of the survey was the necessary standardization of questionnaire items, including those asking about legal status. While this standardization is an advantage in that it allows comparison across time and between countries, it also creates a gap between the data collected and the legal reality in each time period and destination. For example, residence and work permits are often differentiated by length of validity and conditions for renewal, distinctions which often correspond to "temporary" and "permanent" permits with different connotations for the stability and longevity of residence. Spire (2005) argues that these kinds of distinctions were used to create a hierarchy of more- and less-desirable immigrants in France. The former were granted permanent residence with long periods of authorization and few occupational or geographic restrictions, while the latter obtained only short, precarious authorizations. Italy and Spain have also recently introduced longer-term "permanent" residence permits (see Chap. 2), access to which is often difficult and dependent on continuous prior regular status.

There is thus clearly important heterogeneity even within the category of "regular" migrants: those with temporary authorizations are more precarious than those with permanent authorizations. The MAFE project only collected standardized data on the possession of residence and work permits and did not allow for the

differentiation of different kinds of permits. The survey recorded the length of different spells of authorization, so some indication of the precarity of statuses is possible, but there is no straightforward way to match spell length with different kinds of authorization. As a result, there is a degree of unobserved heterogeneity that is unavoidable.

In addition to the lack of information about the kind of entry, residence, and work authorizations, the study's standardized approach did not permit the collection of information about the mechanisms by which migrants acquired or lost their legal statuses. Senegalese migrants may have entered the destination country on a tourist, work, or family-reunification visa, and residence and work permits may have come from regularization programs or marriage. While auxiliary data on the timing of other life or national events could help construct indicators of different types of mechanisms of access to regular statuses, the lack of direct observation of these mechanisms is a limitation. Standardization also limited the ability to collect data on more convoluted legal arrangements, such common Senegalese strategy of using false documents (either counterfeit or belonging to someone else) (Spire 2005).

### **The Murkiness of Legal Status**

Finally, there are some potential sources of bias in data on legal statuses that stem not so much from the design of the MAFE survey as from the very nature of legal statuses themselves. Immigration policies and the mechanisms of control they define are complex and multifaceted, and the bureaucracies that administer them are equally complex. It is possible that migrants may not fully understand the details of their past and/or current legal statuses. While the standardization of the legal-status instruments in the MAFE survey may help overcome this issue, it is still possible that there is some misreporting of legal status due to simple misunderstanding.

For example, Senegalese migrants in France in the 1960s needed neither a visa for legal entry nor a residence permit for legal residence, but technically needed a work permit and a contract for work-related migration; many Senegalese thus entered and resided legally without any authorization and subsequently found work and were often regularized post facto. A migrant recalling this situation might declare not needing a visa or a residence permit but not having a work permit (and then having one); s/he could also declare not having any form of authorization or, on the contrary, having all of the forms of authorization. There is thus probably some degree of a gap between legal statuses as they exist in the law and legal statuses as they exist in migrants' comprehension of them.

Bias could also arise from migrants underreporting irregular status because of the fear of deportation if the data were revealed to public authorities. The MAFE project made great efforts to assure respondents of the confidentiality of their personal data, though, and the prevalence of migrants who reported current or past irregular status (see Table 1.1) indicates that this fear did not prevent reporting of irregularity. In any event, even if underreporting occurred, the estimates in this book could then be considered conservative lower bounds.

Despite these limitations, most assessments of the MAFE project's approach (Beauchemin 2012, 2018; Center for Global Development 2009; Mezger Kveder 2012; Toma 2012) conclude that it is furnished a unique dataset which takes a step towards filling the gap in the availability of quantitative data on African migration. Not only is it, like other migration datasets, certainly “better than nothing” (Beauchemin 2012: 36), but it offers information on a rich array of topics that permit investigation of a large number of questions in migration research. The data are especially valuable for studying legal statuses, the contexts of reception that produce them, and the impacts that they have on Senegalese migrants' lives.

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