

# Integration against the state: Irregular migrants' agency between deportation and regularisation in the United Kingdom

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## Abstract

Reducing the number of foreigners residing unlawfully within the borders of a state requires either their removal or the legalisation of their presence within the territory. Increasingly, governments also employ measures of internal control and limit irregular migrants' access to rights and services in order to encourage them to leave autonomously. This article aims to contribute to current debates on how to conceptualise and account for the agency that irregular migrants themselves exercise in such contexts. Within critical migration and citizenship studies, many of their everyday actions have been described as 'acts of citizenship' but also as instances of 'becoming imperceptible', neither of which captures the whole range of strategies irregular migrants employ to strengthen their fragile position vis-à-vis the state. I argue that conceptualising their agency in terms of (self-) integration allows us to account for both: practices through which they actively become political subjects as well as those that precisely constitute a deliberate refusal to do so. Empirically, this is underpinned by an analysis of recent policy developments in the United Kingdom and a series of semi-structured interviews I conducted during 8 months of fieldwork in London with migrants experiencing different kinds and degrees of irregularity.

## Keywords

deportation, everyday integration, irregular migrants, migrant agency, regularisation

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## Introduction

At the very foundation of receiving states' efforts to effectively manage the entry and stay of foreigners who want to settle within their territories lies the seemingly clear-cut and binary distinction between 'legal' or 'regular' migrants and those whose immigration or residence is deemed 'illegal' or 'irregular'.<sup>1</sup> While integration, however defined, is

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expected only of the former, it is the latter that in recent years have increasingly dominated the public and political discourse and spurred many of the regulatory measures taken in the field of immigration, both at the level of the European Union (EU) and individual Member States. Despite intensifying control and surveillance of its external borders, between 1.9 and 3.8 million people were estimated to be residing 'illegally' within the EU by 2008 (CLANDESTINO, 2009), often after entering lawfully but subsequently overstaying their tourist visa or temporary residence permit.

A state that faces sizeable (although always uncertain) numbers of immigrants living irregularly within its borders can tacitly *accept* their unlawful stay (together with the weakening of its sovereignty that entails), *legalise* their presence or physically *remove* them from both its territory and jurisdiction.<sup>2</sup> Available policy measures to *reduce* the number of irregular residents can thus be thought of as a continuum ranging from regularisation to deportation. For receiving states, they both serve pragmatic as well as symbolic functions and have been described as constitutive elements of citizenship (De Genova, 2002; Walters, 2002) and nation-building (McDonald, 2009). From the migrant perspective, 'being irregular' can thus be defined as an in-between state framed by the very *possibility* of being either regularised or deported (Garcés-Masareñas, 2010). Irregularity itself, as many critical migration scholars have argued, should primarily be seen as deliberately produced by certain state authorities and laws, rather than being the consequence of individual migrants' actions in neglect or violation of immigration restrictions (De Genova, 2002; Düvell, 2011; Goldring et al., 2009). At the same time, much academic work has highlighted irregular migrants' agency in contesting, undermining or overcoming the legal restrictions, administrative barriers and everyday risks they face as a result of their status (Black et al., 2006; Bloch et al., 2011; Broeders and Engbersen, 2007; Ellermann, 2010; Inda, 2011; Sigona, 2012; Vasta, 2011). One aspect that potentially links these different strands of literature but until now has received comparatively little scholarly attention is irregular migrants' integration within host societies and its interference with immigration enforcement (notable exceptions are Chauvin and Garcés-Masareñas, 2014; Kraler, 2011; Leerkes et al., 2007; Leerkes et al., 2012; Palidda, 1998; Sandoval, 2014; Vasta, 2011). This is surprising given the fact that the so-called 'fight against illegal immigration' increasingly targets various kinds of social and economic relations (Walsh, 2014) and intersects with other strands of (mainstream) public policy, most notably the welfare regime (Broeders and Engbersen, 2007; Lahav and Guiraudon, 2006). This policy trend towards the prevention of unlawful residents' *integration* rather than *entry* is particularly explicit in the United Kingdom, where the government is officially trying to 'create here in Britain a really hostile environment for illegal migration'.<sup>3</sup>

In this context, this article seeks to contribute to current debates on how to conceptualise and account for the agency of irregular migrants by exploring the dialectical relationship between the evolving policy frameworks for their regularisation, deportation and internal control, and migrants' own practices and strategies to consolidate their situation in the United Kingdom. More specifically, my analysis suggests that one of the most effective ways for them to achieve this is by integrating into various spheres of local everyday life. Given their official exclusion from formal integration routes, this often requires deliberate acts of self-integration, but also a careful management of the visibility that they are thereby likely to gain. It also depends on the inclusiveness of institutions and the benevolence and support of other members of society, who in turn are increasingly targeted by (or enlisted for) immigration law enforcement. In the following three sections, I will situate these *acts of integration against the state* first theoretically – within academic

debates around migrant irregularity and agency – and then empirically – both from a policy perspective and through some original accounts of irregular migrants themselves.

### **Migrant irregularity and irregular migrants' integration as a form of agency**

Migrant irregularity is always linked to particular (national) frameworks of immigration regulation and restriction. These automatically render 'illegal' the presence of any foreigner who does not (or does not any longer) fulfil the requirements established for legal entry, stay and/or employment in the country so that 'the contours of illegality mirror those of legality' (Garcés-Mascreñas, 2010: 80). On one hand, this relates the growth of irregular migration to the increasing restrictiveness of immigration policies, comprising the dispersal and stricter policing of external as well as internal borders, the ever more restricted access to asylum and more demanding requirements for labour as well as family-related admission. On the other hand, the ever-increasing complexity and diversification of these various policy regimes explain some of the conceptual difficulties surrounding contemporary migrant irregularity, which a growing number of scholars are trying to overcome by questioning the strict dichotomy between 'legal' and 'illegal' migratory status. While some have suggested alternative concepts that capture a more fluid range of in-between statuses (Goldring et al., 2009; Kubal, 2013; Ruhs and Anderson, 2010), others emphasise the increasing diversity of potential paths into and out of irregularity (Black et al., 2006; Calavita, 2003; Cvajner and Sciortino, 2010a; Düvell, 2011), as well as a certain hierarchy among different kinds of irregular status (Chauvin and Garcés-Mascreñas, 2012; Cvajner and Sciortino, 2010a). It has also been shown that irregular migrants are often incorporated into some spheres of society (whether formally or informally) but simultaneously excluded from others (Castles, 1995; Chauvin and Garcés-Mascreñas, 2014; Cvajner and Sciortino, 2010b; Mezzadra, 2011; Ruhs and Anderson, 2010). De Genova (2013) therefore speaks of 'inclusion through exclusion', while Mezzadra and Neilson (2013: 159) employ the notion of 'differential inclusion' to describe how some migrants' inclusion 'can be subject to varying degrees of subordination, rule, discrimination, and segmentation', thereby implying a certain function and intentionality that underlie the production of migrant irregularity. Empirical studies that have scrutinised the condition of irregular migrants living in different European countries not only highlight their vulnerability, frequent exploitation, lack of rights and exclusion from many public institutions and services (Bloch et al., 2009; Spencer and Hughes, 2015; Van Der Leun, 2006) but also emphasise various instances and forms of agency through which they often successfully challenge internal bordering practices and resist in-country immigration enforcement (Ellermann, 2010; Inda, 2011; Sigona, 2012; Vasta, 2011).

It is precisely the diffuse condition under which irregular migrants are present in the host country and become implicated in various spheres of life and politics which renders difficult the conceptualisation of their agency. What I want to stress here is that much of this agency resembles popular understandings and expectations of 'integration', that is, of how newcomers in general can and should become part of, and accepted by, the receiving society, whether through participation, incorporation or assimilation.<sup>4</sup> Based on the everyday experiences of irregular migrants living in the United Kingdom, Sigona (2012: 51) identifies their agency in 'the ways they shape and adapt daily routines and mundane social interactions to changing circumstances, precarious livelihoods, and the protracted and concrete possibility of being deported'. Others have highlighted the crucial role of

'informal' integration strategies (Leerkes et al., 2007; Palidda, 1998; Sandoval, 2014) and argued that differentiating 'marginal' from 'incorporated' irregular migrants helps 'to understand practices of in-country migration policing' (Leerkes et al., 2012: 450). However, their agency must not just be seen as a reaction to the exclusionary thrust of legal-political frameworks and structures but also as a strategic employment of potentially inclusive aspects of the law, such as formal pathways to regularisation or fundamental rights legislation. Chauvin and Garcés-Mascreñas (2014: 423) have shown that it is through 'both the legal and illegal integration [...] into the formal institutions of their societies of residence' that they can effectively become 'less illegal'.

On one hand, then, irregular migrants can undermine their ascribed 'illegality' not only by actively participating in social and economic life, or by claiming rights but also by building interpersonal links and networks of solidarity. Many of their everyday (inter)actions, claims and decisions – from making friends to accessing public services – are premised on, as well as reflect, their being (at least partially) recognised not only as *de facto* members of society but often also as subjects of politics. It is in this sense that at least some of these instances must be seen as 'acts of citizenship', which Isin (2008: 16) has defined as 'practices of becoming claim-making subjects in and through various sites and scales'. What characterises such acts is precisely that they lack explicit authorisation and 'break away from the expected, routine and habitual ways of performing a script that is already instituted' (Isin, 2013: 24). Arguably, irregular migrants' claims for a right to remain on the basis of 'being integrated' in a place where they reside unlawfully represent such a break.

On the other hand, however, not every instance of irregular migrants' agency (and integration) necessarily implies making a claim, or becoming visible (or known) to other citizens or (state) institutions. Instead, their self-integration can also have the opposite aim of becoming (or remaining) *invisible*, thereby reflecting an assimilationist understanding of integration as 'blending into society' in order *not* to be identified as 'foreign' or, in this case, 'irregular'. Particularly in contexts where access to formal employment, mainstream services and other rights is made strictly contingent on legal residence status, the renting or buying of false identity documents becomes an alternative 'route to local integration' and thus 'one way in which immigrants deprived of rights and power can develop agency' (Vasta, 2011: 188). Other empirical studies have shown that migrants can successfully resist (or at least delay) deportation by hiding or destroying their passport or other documents (Ellermann, 2010). For Papadopoulos and Tsianos (2007: 229), such instances indicate 'a new form of politics and a new formation of active political subjects whose aim is not to find a different way to become or to be a political subject, but to refuse to become a subject at all'. They maintain that while irregular migrants do 'become stronger when they become visible by obtaining rights', they sometimes rather want 'to become everybody by refusing to become integrated and assimilated in the logic of border administration' (Papadopoulos and Tsianos, 2007: 229–230). By 'becoming imperceptible', they thus manage to escape from what the authors call the 'double-R axiom', that is, the normalised (although highly unequal) allocation of representation and rights, through which different categories of people are assigned particular positions within (or outside of) the nation-state order (Papadopoulos et al., 2008; Papadopoulos and Tsianos, 2007). From this perspective, irregular migrants can best avoid effective exclusion by 'living a normal life', even though often under someone else's name. Rather than making visible claims for more inclusion or specific rights, they simply refuse to take their designated place at the margins of society. In the following sections I will show that irregular migrants' self-integration into British

society necessarily involves both ‘acts of citizenship’ and instances of ‘becoming imperceptible’ and that it is through both that they routinely interact with exclusionary as well as inclusionary state policies.

### **The UK policy approach to irregular migration and residence: Between regularisation, deportation and the prevention of ‘illegal’ integration**

Offering opportunities for regularisation to foreigners in irregular situations is a widespread practice throughout the EU (Apap et al., 2000; Levinson, 2005), where between 1973 and 2008 more than 4.3 million people have been regularised through a total of 68 national programmes (Kraler, 2009). In the United Kingdom, regularisation has historically played a minor role and various governments have officially rejected the idea of granting an ‘amnesty’ to those ‘breaking the rules’, often arguing that this would attract even more irregular migrants (Papademetriou and Somerville, 2008). But given the fact that ‘[s]ome form of regularisation is unavoidable if a growing underclass of people [...] is not to be created’, as the House of Lords Committee on the EU declared in 2002 (cited in Levinson, 2005: 31), an estimated number of 60,000–100,000 irregular residents have been granted some form of legal status between 1997 and 2008 (Papademetriou and Somerville, 2008). Several small-scale one-off regularisations became necessary as the result of a tightening of immigration rules – like the sudden extension of the concept of ‘illegal entry’ to Commonwealth citizens in 1971 (Levinson, 2005) – and in order to reduce the pressure on the asylum system, particularly between the mid-1990s and early 2000s. In addition, the British immigration regime also relies on permanent mechanisms of regularisation: the so-called *long residence rule* allows foreigners who have continuously lived in the country for 20 years and regardless of their immigration status to make an application for Leave to Remain (LTR), while a similar regulation is in place for family cases involving minor children who have lived in the United Kingdom for at least 7 years. During this time, the Home Office (2012: 6) argues, ‘a child will generally establish a sufficient level of integration for family and private life to exist such that removal would normally not be in the best interests of the child’. Since December 2012, however, applicants who fulfil these requirements also need to prove a lack of social, cultural or family ties to their country of citizenship. In addition, the Immigration Act of 2014 stipulated that in considering any applications under Art. 8 of the *European Convention on Human Rights* (ECHR), ‘little weight should be given to [private and family life] that is established by a person at a time when the person is in the United Kingdom unlawfully’ or even while ‘the person’s immigration status is precarious’ (United Kingdom, 2002). This formally *illegalises* any integration efforts by irregular migrants in order to reduce their legal force as grounds for regularisation and/or barriers to deportation.

Deportation represents the opposite, explicitly exclusionary end of the spectrum of available measures to reduce the number of unlawful residents. In practice, only a relatively small fraction of all individuals who are theoretically eligible for deportation is actually deported (Gibney, 2008), while many of them may (eventually) also qualify for regularisation unless they have committed a crime. It is thus not so much the act of deportation itself that is decisive, but most immigrants’ inherent ‘deportability’ (De Genova, 2002), a condition that ranges from facing immediate expulsion to being under very little threat of actually being deported ever. Both the real and perceived degree of deportability

can depend significantly – as do chances for regularisation – on the person's length of stay, level of social attachment, cultural adaptation and criminal record. In the United Kingdom, the steady growth in deportations since the end of the 1980s initially coincided with a sharp increase in asylum applications and the number of persons removed following negative asylum decisions rose from 1820 in 1993 to 13,500 in 2003 (Gibney, 2008), after which it continuously declined to reach just over 5000 in 2014. Overall, the number of removals and so-called 'voluntary departures' of individuals facing a removal order, however, continued to steadily increase to over 40,000 in 2014, according to Home Office statistics. This development was accompanied by an unprecedented politicisation of the issue of deportation as an indispensable means to regain control over unwanted immigration and several governments have introduced policy innovations that were 'highly successful in enabling officials to bypass legal and social constraints to boost the rate of removals' (Gibney, 2008: 158–159). These include measures to speed up the asylum procedure itself, the increased use of (potentially indefinite) detention in order to prevent prospective deportees from absconding, as well as severe cuts to legal aid for people facing deportation.

Reflecting the legal framework for regularisation, most judicial appeals against deportation orders are based on either the strong social and cultural ties a person has established within the United Kingdom and/or the complete lack of such links to his or her country of citizenship. Also, and unlike during most of the 2000s, the vast majority of those more recently deported from the United Kingdom had never claimed asylum and are thus not automatically known to the immigration authorities.<sup>5</sup> Under these conditions, the effectiveness of the deportation regime increasingly hinges on a series of accompanying measures of in-country immigration control and enforcement as well as legal and practical barriers to the integration of unlawful residents. In October 2013, then home secretary Theresa May publicly defended the government's 'hostile environment' approach, saying that:

it can't be fair for people who have no right to be here in the UK to continue to exist as everybody else does with bank accounts, with driving licences and with access to rented accommodation. [...] What we don't want is a situation where people think that they can come here and overstay because they're able to access everything they need.<sup>6</sup>

Accordingly, the three main objectives of the 2014 Immigration Act were 'to make it (i) easier to identify illegal immigrants [...], (ii) easier to remove and deport illegal immigrants [...] and] (iii) more difficult for illegal immigrants to live in the UK' (Home Office, 2013). The latter in particular is to be achieved by introducing an obligation for private landlords and certain National Health Service staff to check the immigration status of their tenants and patients, a prohibition on banks opening accounts for irregular migrants and new powers to check driving licence applicants' immigration status and revoke the licences of those who have overstayed. Despite widespread criticism from civil society organisations, the government intends to further extend some of these measures and create a new criminal offence of illegal working that will allow the authorities to seize irregular migrants' earnings (Home Office, 2015).

These policies not only shift part of the state's responsibility for immigration control from public agencies to private actors and institutions but specifically aim to combat irregular migration through the control and sanctioning of unlawful residents' social and economic relations with others (Walsh, 2014). Together with increasing restrictions and control placed on their access to social rights and basic welfare services, as well as stiffer

sanctions imposed on anyone willing to employ them, these measures will make irregular migrants' everyday lives, housing and working conditions even more precarious. While usually justified as a way to thereby stimulate their 'voluntary' return, such approaches have been shown to be pushing irregular migrants even further 'underground' (Broeders and Engbersen, 2007) and to put a disproportional burden on several 'key social transactions' (Cvajner and Sciortino, 2010b). This increases not only their dependence on friends and family members but also their exploitability by unscrupulous employers and criminal networks. The line between support and exploitation is thereby often blurred (Engbersen et al., 2006), and the increasing criminalisation of various dealings with persons whose presence in the country is unlawful generates uncertainty among public servants and furthers discrimination against non-European (looking) immigrants and even citizens (Migrants' Rights Network (MRN), 2015; Spencer and Hughes, 2015).

The following section explores the everyday effects of these legal frameworks and policies through the accounts of those who are their primary target. The data come from a series of semi-structured interviews conducted mostly between July 2014 and February 2015, with a total of 12 people (6 males, 6 females) from various non-EU countries, aged between 20 and 50, who had been living in London for between 1.5 and 20 years. None of them had an immigration status at the time of the interview although some had previously had a visa while others were awaiting the outcome of outstanding applications for LTR. Contact was mostly made via non-governmental organisations (NGOs), one of which I volunteered with during the whole period. All names are synonyms chosen by the respondents unless they insisted on their real names being used.

### **The migrant perspective: 'I established my life here, but the basis is not solid'**

Almost all my respondents describe the lack of a legal immigration status as the one thing that holds them back, the reason for 'being stuck' and unable to progress, earn and save money and 'build a future' for themselves or their families. But at the same time, they are well aware that although excluded in many respects, they are still integrated in others, as described by Carlos, a 32-year-old Bolivian citizen who has been living in London for more than 10 years:

Even though one is 'illegal' in the country, *automatically* you are integrated. The only difference is that one cannot do certain things, like to vote or voice a political opinion, and you cannot travel to another country or go on holidays. [...] The only difference is that *they* put certain barriers so that *we* cannot integrate more. But I think that all the 'illegals' are automatically integrated in the country. [...] The fact, for example, that we go to the gym, we work, we normally live our lives – because *we live our life the same way all the other people do*, just that for us it's a little bit harder than for a person that lives normally, I think. Or that we may have a certain dream but we cannot fulfil it because *they* don't allow us to study or something like that. But apart from that, if you speak of integration ... that's what we automatically do. We are talking to other people ... and *nobody is forbidding us that*. And so ... I think that *society* accepts us. But ... how should I say this? I think that something in *the system* does not want to permit that we really enter, or I don't know, but I think that they are afraid that if that happens more people will want to come.

Carlos arrived in April 2004 on a student visa, which he annually renewed for 4 years while studying (English and information technology (IT)) and working (first as a window

cleaner, later in construction) under his real name and National Insurance Number (NINo). He also completed training under the *Construction Skills Certification Scheme* (CSCS), which gives access to more qualified jobs in the sector. But in 2008 he lost his job, could not pay the fees for the renewal of his visa and thus became irregular. He is aware that his only chance for regularisation is 'to wait nine and a half more years' in order to qualify under the *long residence rule*. Talking about his integration in the United Kingdom, he differentiates, on one hand, between everyday activities and interactions as opposed to the things that 'they' don't allow him to do, like to vote or pursue his education, and on the other hand, between 'society', by which he feels quite accepted, and 'the system' that tries to reject him. But even in relation to the latter, he does not describe his situation as one of complete exclusion: 'can you imagine that until now I continue to apply for my CSCS card and all those things, being "illegal"? All I have to do is to order it online and they send it to me ... as long as my [NINo] is OK and I am paying taxes and all that'. Because he has a NINo, a bank account and is registered with a local health centre – all of which he obtained when he was still 'regular' – it also feels quite safe for him to continue working (as a self-employed construction worker). But since a friend of his 'got caught' (and later deported) while waiting at the entrance of a 'Latino concert', he tries to avoid such social events and stays away from his 'own community', which he feels has recently become the focus of immigration raids. He thus constantly weighs the potential risk of detection against the benefits of deepening his social and economic ties, as Sigona (2012) has indicated. On one hand, he has thereby managed to *become everybody* by living (much of) his everyday life in 'the same way all the other people do', which is exactly what the Immigration Act 2014 seeks to inhibit. On the other, he enacts at least certain aspects of his citizenship by working and paying taxes in his own name and even renewing his CSCS card – as a way of claiming the right to a better job and pay – despite 'being illegal'.

While Carlos only became irregular after several years of lawful residence in the United Kingdom, during which he 'legally' integrated into both society *and* 'the system', Dora (32, from Colombia) and her partner entered the country in 2001 with false Spanish passports and identities after her application for a student visa had been denied. She nonetheless studied for a couple of months until she realised that graduating 'as somebody else' would never formally benefit her own career. So she dropped the course and instead started working as a cleaner, while her partner found cash-in-hand jobs in construction. Their first attempt to 'become legal' was by paying £5000 each to a Colombian man they barely knew, who offered to organise forged residence permits for them, but soon after disappeared with their money. A couple of months later, their first son was born, and after another 2 years of working under false identities and living together in one room of an apartment they shared with Dora's brother (who is a UK citizen), they sought legal advice from various immigration solicitors, who told them to wait until their child turned 7. At the time of my first interview with her, in September 2014, her son was already 8 years old but their situation still unresolved. 'In order to win time', as her lawyer had called it, they had repeatedly submitted applications for LTR on the grounds of their private and family life in the United Kingdom, all of which have been refused with no right of appeal. In the meantime, Dora was working as a housekeeper and babysitter for several people she was referred to by friends, learned English and obtained an official qualification (in her own name) in *Teaching English as a Foreign Language*. With the help of the head teacher of her son's primary school (who knew her situation), she also took courses to become a Teaching Assistant and volunteered as a Reading Assistant, all of which is recognised in several court decisions. In November 2014, the family was



notified of the Home Office's decision to deport them and – as a vivid reminder of their deportability – ordered to report to an immigration officer every 2 weeks. In June 2015, their application for permission to appeal against the removal decision was also dismissed. Despite this Dora says she is not anymore afraid of being deported because:

if they wanted to kick us out, they would have come already, since they know our address and everything. [...] *At least I know that I am in the system, and they know that I am here.* I am not doing anything wrong at this moment. [...] So this gives me a lot of security.

Given her legal standing, she does *not* (anymore) want to be 'imperceptible' but instead appreciates being 'in the system' and thus – in Papadopoulos and Tsianos' (2007: 230) terms – 'integrated [...] in the logic of border administration'. Although she is also aware that 'being caught working illegally' may jeopardise their immigration case, the imminent risk of deportation as a result of becoming visible or being known to the immigration authorities is (at least temporarily) suspended under the protection of human rights law. This allows her and her family to enact themselves as political subjects by openly claiming the right to stay.

Unlike Dora, respondents without children in the United Kingdom have never even tried to officially *become themselves* by making a legal claim for regularisation or other rights 'because I am 100 per cent sure that they would bring me back, that's the problem ...', says Florian (24) from Albania. Instead, they prefer to 'stay under the radar' and accept exploitative working conditions, low wages and excessive housing costs, as well as being denied all access to rights and services including those – like primary health care – that they are formally entitled to. It is for them in particular that 'the possibility of removal [...] casts a long, dark shadow over their daily lives, threatening at any moment to take away from them the little they have gained by residence in the host country' (Gibney, 2011: 43). Pimi, a 30-year-old from Albania, has left and re-entered the country four times since he first arrived in the United Kingdom in 2000 'on the back of a lorry'. Over almost 15 years, he has worked for several employers under three different names, and thus been 'paying the taxes of *somebody else*', as he notes, while recurring deportations have fragmented his stay and professional trajectory:

It sounds like a game. But [...] I have done it for real. It's my fifth time of coming to the country. Three times deported, once after the prison [in 2014 he was sentenced to one year in prison for entering with forged documents], and once I went by myself.

But after all, he says it was still worth it, even though his *becoming everybody* through the use of multiple identities has not only been a risky but also very costly strategy: 'I had to pay lots of money to travel back and forth and all that buying my [false] driving license and papers and everything ... but I worked it out. I spent more than [£30,000] only for that'. His account also reflects what Vasta (2011: 199) calls 'irregular formality': the attempt by irregular migrants 'to "regularize" themselves [where] this is not possible through legal means'. It has allowed Pimi, despite the discontinuity of his stay, to progress professionally (to the position of a 'construction manager') and to save money for an uncertain future:

I am working six days a week just to make the most out of my life while I am still in the country; to try and make sure that one day when I will be stopped, at least I will have my savings.

He thereby clearly anticipates the government's latest plans to make it impossible for irregular migrants to open a bank account:

I have paid someone to open an account in the name which I use for the paperwork and all that; so I [have] an account, but I can't really keep my money there, [...] because if I get stopped, or if the bank finds out ... they could close my account or freeze my money [...]. And as I said, there is always this chance.

He was not the only one telling me that his best option is to rely on friends or work colleagues to keep his savings in their accounts, although he is aware that they could quite easily claim the money was theirs: 'What could I do? I don't think that I can do anything about it, but I have trusted him now, so hopefully that won't happen'. Besides the sensation that their futures and livelihoods are not in their own hands but contingent on others as well as 'the system in this country', several of my respondents also expressed the feeling that trying to follow the rules of this system is more difficult than breaking or bending them, as Carlos tried to explain:

Sometimes this country closes all the doors to becoming [regular]. It pushes you to continue to commit mistakes. It's like ... you try to get out by doing the right thing, but you cannot. *The very system pushes you to try and do the wrong thing.*

Both Carlos and Pimi told me that they would have had the opportunity to marry their former girlfriends, but did not do it because to them it felt 'wrong' (and probably too risky) to marry 'just for the papers'. Other respondents at some point felt pushed towards the asylum route. While Dora rejected this possibility when suggested by a lawyer – 'because I came here for economic reasons, not because I was in danger of anything' – for Pimi it had led straight to his first deportation. Salim (36), on the other hand, who had fled Algeria in 2004 but only decided to claim asylum after several years of living and working in the United Kingdom irregularly, now finds himself 'stuck' after the Home Office rejected his claim but has not (yet) been able to deport him:

At the beginning my situation was OK, better than now. Before was OK, well, OK and not OK. I was working illegally, under a false name, with fake documents [...]. But I enjoyed my life, I received my salary, I lived in a nice house, had a good job, ate good food, I did sports ... I had a good life. But I wanted to be a legal person, *like everybody else*; work in my own name, to *be myself*. That's why I wanted to change my situation. I thought that everything would become better, but everything got worse. Now I don't have anything. No place to stay, no work, no house, no ... money, no nothing. I am stuck.

Unlike Dora, he would now rather prefer *not* to 'be in the system', but after disclosing his real identity and having his fingerprints taken as part of the asylum procedure, he cannot (anymore) *become imperceptible*. In various ways, the people I spoke to thus conveyed a feeling that they were not only being punished for their irregularity but also for trying to *become themselves*, in order to obtain rights or to regularise their situation. Looking back, Dora notes that:

it was much easier to do things the wrong way, much easier to enter [Spain], get a false passport, enter [the UK] with this false passport; even to find work illegally was much easier than now that I want to do things right.

When I met her in October 2015, she gave me a copy of the final (negative) decision of the court regarding the appeal against her and her family's removal, which concluded that:

there would be no significant obstacles to [their] integration into the country to which they would have to go if required to leave the UK, namely Colombia. [...] [While they] have been motivated to work and keep themselves without the need to claim welfare benefits and to build a life in the UK notwithstanding the precarious nature of their stay [...] [they] and their children maintain an association with Colombian society through socialising with members of the Colombian community living in the UK [...] and [Dora's] employment prospects in particular are likely to have been enhanced by the English language and teaching skills she has acquired since she came to the UK.

To her honest surprise, her very efforts to integrate in the United Kingdom were being used against her. But she also knew that in January of the following year, her son – being born in the United Kingdom and having lived there continuously for the first 10 years of his life – would qualify for registration as a British citizen, which opens another route for the family to lawfully settle in the country, unless the rules are tightened once again.

## Conclusion

Migrant irregularity is the relationship between the legal-political framework through which the state seeks to manage immigration and the strategies of those who are excluded from this increasingly blurred picture. Irregular migrants' agency essentially takes place between two poles: the threat of deportation and the prospect of regularisation. It must thus be understood not just in terms of resistance against exclusion but also as an initiative towards inclusion. The chances for both are structured by state laws and effectuated through a set of policies, which together function as 'carrots and sticks', incentivising irregular migrants to become visible in *some* contexts (and under certain conditions) but invisible in others. I have looked at a case where formal paths to regularisation are both narrow and few, while the risk of deportation is relatively high and more and more instances of their becoming part of, and accepted by society, are explicitly being illegalised. The aim was to highlight the various ways in which irregular migrants manage to self-integrate even in a comparatively 'hostile environment', and not only against but also within existing legal frameworks.

Both Isin's conceptualisation of 'acts of citizenship' and Papadopoulos and Tsianos' notion of 'becoming everybody' and thereby 'imperceptible' help to understand crucial aspects of irregular migrants' agency. But as my empirical data and analysis suggest, neither of them does justice to the full range of practices they employ and combine in order to strengthen their position vis-à-vis the state. A crucial aspect of their agency seems to consist precisely in identifying the right moment(s) for actively constituting themselves as political subjects or deliberately refusing to do so, whereby they constantly interact with evolving regimes of rights and control.

As a possible way of combining the two theoretical frameworks, I therefore suggest that it makes sense – both empirically and conceptually – to look at irregular migrants' agency in terms of integration: On one hand, it is through deliberate 'acts' of self-integration into 'the system' that they enact themselves as citizens of the very state that explicitly tries to exclude them. They thereby 'break away' from the official script of integration as

a set of practices that exclusively belong to the realm of legal settlement and formal citizenship. On the other hand, it is by ‘blending into society’ and trying to live a life ‘like everybody else’ that they can effectively escape not only from immigration enforcement but also from their normalised representation as ‘illegally present’ and thus necessarily marginalised, isolated and deprived of rights, power and opportunities. ‘We are talking to other people ... and *nobody is forbidding us that*’ is how Carlos hints at a very basic yet essential kind of social capital that ‘is hard to control because of its legitimate character’, as Broeders and Engbersen (2007: 1597) have shown for those informal support networks that often help migrants in irregular situations to sustain their livelihoods and prolong their stay in the country. This, in turn, explains why the government reacts by implementing policies that increasingly target *everybody*, as a way of trying to induce hostility into these relationships. The broader and long-term consequences that this approach will have for social cohesion, race relations and local communities are, at best, uncertain.

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### Notes

- 1 Here, I generally use the term ‘irregular migrants/residents’ for persons who do not have a formal right of residence in the country where they live. I prefer ‘irregular’ over ‘undocumented’ – which tends to hide the fact that many of them *are* ‘documented’ in the sense of possessing official documents that certify their identity – as well as ‘illegalised’, which might (falsely) be understood as suggesting that every aspect of their being in the country is made *unlawful*, whereas in fact at least some of their claims and entitlements are always safeguarded by national or international law.
- 2 It is important to note that ‘the state’ which is responsible for these decisions is not a unified and monolithic entity, but a fragmented aggregation of various administrative levels and bodies driven by different and often contradictory interests and functional imperatives, as is reflected in the notion of an ‘assemblage’ of governance (Walters, 2015) or state power (Allen and Cochrane, 2010).
- 3 T. May, cited in *The Telegraph*, 25 May 2012: <http://www.telegraph.co.uk/news/uknews/immigration/9291483/Theresa-May-interview-Were-going-to-give-illegal-migrants-a-really-hostile-reception.html>
- 4 See Penninx and Garcés-Masareñas (2015) for a recent review and discussion of the concept(s) of integration.
- 5 According to official statistics, their share has continuously increased from 40% in 2004 to 82.5% in 2014.
- 6 T. May, speaking on BBC Radio 4’s ‘Today’ programme, cited in *The Guardian*, 10 October 2013: <http://www.theguardian.com/politics/2013/oct/10/immigration-bill-theresa-may-hostile-environment>

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