Time and again politicians find that the goals of their migration policies are only partially achieved or not at all. Scientists have already been observing this phenomenon for three decades and call this the “policy gap” hypothesis: inadequate implementation of political measures or the difficulties of controlling migratory movements result in migration policy, which relates particularly to poorly-qualified migrant workers, having unintended consequences. The reasons are to be found in political, economic and, ever-increasingly, as of late, in social factors determined by migration networks.

Thus, in the Federal Republic of Germany (FRG), for example, the 1973 ban on recruiting so-called guest workers almost completely missed its mark. Instead of reducing the number of migrants in the FRG this political measure increased migrants’ concern that opportunities for entering the country in future would be blocked to such an extent that they chose to prolong their stay. Furthermore, the humanitarian orientation of the laws in the FRG meant that migrants could also invite their family members to join them, thereby bringing still more migrants into the FRG.

The USA’s attempt to put a stop to irregular immigration with the 1986 Immigration Reform and Control Act (IRCA) also fell wide of the mark. The Act made it a punishable offence to recruit workers staying in the USA without lawful work authorisation. At the same time it legalised about 2.7 million undocumented migrants by granting an amnesty to those who were able to prove that they had already been working in the USA for a specified time. Nonetheless, in order to satisfy companies, in particular those involved in agriculture that were reliant on cheap labour, a guest worker programme was set up for agricultural workers (the so-called H-2A visa). The renewed strong increase in irregular migratory movements after the introduction of the IRCA showed, however, that the sanctions levied against employers were too insignificant and possibilities for employing regular migrants too complicated to prevent employers continuing to employ irregular migrants.

Meanwhile, however, the gulf between policy goals and outcomes has reached new heights, since migration networks today function better than ever, thanks to new opportunities for international tourism and easier international communication. As this phenomenon mostly concerns migration in economic sectors that are reliant on poorly qualified workers, one reason for the divergence certainly lies in the still large income differentials between the world’s rich and poor countries. In the above examples, it was primarily political and economic factors that unintentionally changed the outcome of migration policy. Meanwhile, it is increasingly social forces in the form of transnational and international migration networks that contribute to the non-attainment of policy goals. These networks can undermine the effectiveness of migration policy by facilitating irregular migration flows and employment, promoting chain migration, or enabling people to prolong their temporary foreign residence.

This policy brief aims to show the efficacy of these migration networks through the example of Romanian migration to Spain, and demonstrates how various features of these networks undermine the intended migration policy goals. During the last ten years, Romanian citizens have become

Figure 1: Romanian Immigrants in Spain, 1998-2007

Note: The figures state the number of registered Romanians (in the Padrones municipales).
one of the strongest migrant groups in Spain, although to date there are still no opportunities for longer-term residence or employment, officially. The number of Romanian migrants in Spain with residence permits\(^6\) rose from just under 11,000 in the year 2000 to more than 83,000 in 2004. They therefore represented more than four percent of all foreigners in Spain compared with only 0.17 percent in 1992.\(^6\) In March 2008 there were already just under 665,000 registered Romanians, corresponding to eleven percent of the foreign population. This makes them the second biggest group of foreigners after Moroccan migrants.\(^7\) The most recent available estimates from 2006 assumed, moreover, that there were more than three times as many irregular migrants staying in Spain as there were registered migrants.\(^8\)

**Migrant networks**

Migration is always a highly interactive social process. Starting from considerations as to whether one really wants to move one’s place of residence permanently or temporarily, to the actual decision concerning the manner of migration, the destination and the route to take, right through to opportunities to become integrated in all sorts of areas at the destination; other people’s knowledge and the possibilities they offer for making contacts always play a large part. Would-be migrants try to use their existing and newly-formed contacts with other people who have knowledge and material resources relevant to migration to further their own plans for migration. Altogether, all of a migrant’s social connections with migration-relevant knowledge is then called the migrant’s social network or migrant network. This not only encompasses family members and friends, but also acquaintances, persons in organisations or useful strangers. Helping people to migrate has meanwhile given rise to a complete “migration industry”\(^9\) incorporating offers of services in the place of origin for finding a job (e.g. employment agencies), travel offers (from bus companies to illegal people smugglers) through to businesses and services at the destination (e.g. food stores offering goods “from home”).

**The nature of migration networks**

In order to analyse how networks work in the context of migration in their own right, it is necessary to step aside from the individual level of the migrants themselves and sum up their migrant networks. On this aggregated level it then becomes possible to speak of migration networks – in general or with emphasis on certain groups (e.g. from a place of origin, a region or an ethnic group).\(^10\) Migration networks of particular groups build on the reciprocal cohesion of the group members who are then able to utilise the social capital accumulated within the network. Social capital is the available material and non-material resources of the network members to which other members have access through their connections in the network. Access becomes possible via various mechanisms:\(^11\) there may be altruistic values prevailing in the group that morally oblige each group member to provide the other members with resources; there may be group-bounded solidarity in operation that demands that each help the other; reciprocity considerations, or in other words, the exchange of resources in expectation of a service in return, may exist within the group; or there may even be sanction mechanisms in groups that punish the withholding of resources. With the exception of this last point, all mechanisms ensure that group members receive access to network resources. The more contacts a person can incorporate in their network and the more resources such contacts have, the stronger the person’s network becomes. This also applies in exactly the same way to the migration network as a whole. The longer it exists, in other words the longer the relevant group’s experience of migration, the stronger a migration network will be. Thus, for example, the inhabitants of a village in which there is a high degree of solidarity can obtain information from members of their community who have already migrated abroad about which places in the destination country have a particularly large number of jobs available. They can probably also draw on the knowledge of previous migrants as to which is the cheapest travel option and where to find accommodation at the place of destination, assuming other migrants do not offer them interim accommodation.

**How migration networks work**

Scientific studies on how social networks work in the migration process have primarily determined forces promoting migration, but also some that hinder it.\(^12\) The facilitating hypothesis states that the social network contacts at the target destination help the (potential) migrant in many ways, e.g. with local knowledge about jobs, interim funding or helpful contacts. The encouraging hypothesis points to the fact that network members invite the (potential) migrant to migrate in the short or long term in order to achieve specific goals, for example as a strategy to secure the household income. According to the affinity hypothesis, finally, networks prevent migration because they, or the social ties resulting from them at the place of origin, for example to friends and kin, are so strong that potential migrants refrain from moving. In this respect it is said that migration networks reduce the costs (whether economic or social costs) and risks inherent in the migration process; this cannot be said, as indicated in the affinity hypothesis, of social networks per se. It can generally be determined that people who have connections with others with current or previous experience of migration are themselves more likely to migrate.\(^13\) People with migration experience who have returned to their country of origin are also significantly more likely to move (again) than people without migration experience, since the former have already built up a migration network. And finally, scientific studies have ascertained that the more political, institutional and economic obstacles there are to oppose plans to migrate, the more important migration networks become. Thus network contacts facilitate a more or less flexible life in more than one national context. This has meanwhile come to be termed a transnational lifestyle.

Migration networks have their greatest quantitative effect where the international migration of poorly-qualified and unskilled workers is concerned, since there has always been high demand for labour in the relevant economic segments that could frequently not be satisfied through the internal labour market. In particular, economic incentives in the form of income
differentials between the country of origin and destination contribute to the triggering of chain migration assisted by these networks, thereby perpetuating migration flows.

**What is a migration network?**
People who intend to transfer their place of residence on a temporary or permanent basis frequently make use of the assistance of other people in order to implement their plan. The aggregate of all the social connections that assist a person’s migration make up his or her migrant network, in other words, the social network of this (potential) migrant. This migrant network can include family members, friends and acquaintances, but also contacts to institutions or even just useful strangers. The aggregate of all migrant networks for one particular group is called a migration network. This group is frequently derived from geographic, ethnic or national connections (e.g. the migration network of a city, region or country).

**Migration networks and migration policy**
So what influence do migration networks have on migration policy? Migration policy in this case is understood to mean the policies of individual states or confederations of states (such as the EU) to control immigration and emigration. These measures comprise the control of actual immigration and emigration as well as the regulation of residence in the destination country. Networks can have various impacts on newly-introduced migration policies: they can support, neutralise or thwart the policy goals. A policy that promotes migration, such as when there is a shortage of cheap workers in an economic sector, is supported by migration networks if an established network already exists between certain regions of origin and the destination country. In this case network contacts can additionally facilitate migration, leading to increased migration activity, sometimes greater than the policy decision-makers had intended. However, if strong migration networks already exist between a region of origin and destination country A, and destination country B decides to introduce a policy encouraging immigration, then it is possible that, despite economic and political-institutional incentives, immigration flows will not be diverted from A to B. The advantages of contacts in the existing migration network are greater, thereby partially neutralising the migration policy of destination country B. And finally, the existence of strong migration networks can even run directly counter to the policy goals. If the income differentials between the place of origin and destination are big enough, migrants will utilise their networks to circumvent any obstacles opposing them. The fact that in so doing migrants circumvent not only policies, but also regulations and laws, may be regarded on the one hand as an expression of their (above all, economic) need. It can, however, also be deemed a sign that some of the main countries of origin of unskilled migrant workers are regarded by their citizens as being inefficient and corrupt. As a consequence, inhabitants of these states have fundamentally fewer scruples about circumventing any state directives and laws that come between them and achieving their goals.14

**Effects of networks on selected policy measures**
We now go on to demonstrate how migration networks work by examining some selected migration policies, taking the example of Romanian migrants in Spain, whose networks were only recently examined in detail in a research project.15 Following the end of the communist era in Romania in 1989 and during the early stages of their country’s transformation, increasing numbers of people used their newfound freedom to travel in order to earn or augment their income abroad. Once the first pioneer migrants had gained a foothold in western EU countries (in particular Germany, Italy and Spain), migration networks gradually developed between various Romanian communities and individual towns in the respective destination countries. Due to their language and cultural proximity, Italy and Spain were of special interest and at the same time offered a wealth of job opportunities, especially in the low-pay sectors of agriculture, construction and some domestic services (domestic help and nursing services).16

Romania is an important emigration country and yet to date it has adopted only a few specific migration policy measures that might have affected emigration. Until now only one body has been set up to deal with bilateral agreements.17 Indirectly, of course, the issuing of passports from 1990 contributed to facilitating leaving the country and thus to boosting migration flows.18 By contrast, Spain, a country that until recently was regarded more as a country of emigration, has developed a migration policy over the past 20 years that enables it to regulate the increasing immigration of foreign workers.19 Of the many policy measures, two that have had a particularly extensive impact are presented here, namely the legalisation of undocumented migrants and the bilateral agreements on labour migration between Spain and individual countries of migrant origin such as Romania. In addition, two further policies are examined that, due to the supranational regulation of individual policy areas in the European Union, affect migration flows to Spain.

**Regularisation campaigns in Spain**
After joining the European Community (EC) in 1986, Spain has experienced a sustained economic upswing that makes it increasingly attractive to migrant workers. Since, until then, the country had had very little experience of immigration, the new laws and guidelines on immigration were strongly oriented towards the strict EC accession criteria, which aimed at seeing immigration significantly restricted. Since, however, Spain offered considerable economic incentives to migrant workers, ever-increasing numbers of undocumented job-seekers moved there. Spain’s migration politicians were bound by the regulations that they, as junior member of the EC, sought to adhere to without fail. Owing to the experience of emigration that they and the Spanish population had themselves had for decades, however, they looked favourably upon the newcomers.20
theless, in order to be able to control unrestricted immigration, so-called regularisation campaigns were repeatedly carried out. Regularisation campaigns enable foreigners staying in the country illegally under certain circumstances to obtain a residence permit. This then protects them against deportation and simultaneously guarantees certain fundamental social rights. Since Spain joined the EC, these regularisation campaigns have been carried out five times, namely in 1986, 1991, 1996, 2000/01 and 2005. Each time the criteria have varied for successful acceptance to a regularisation programme and thereby for receiving a temporary residence permit which could, under certain circumstances, be extended again afterwards. In 1986 the criteria were still very unclear, leaving their interpretation to the discretion of the individual executive authorities.\textsuperscript{21} In later regularisation campaigns they were more specifically formulated, making them more assessable for migrants. In addition to furnishing proof of a certain minimum stay in Spain, migrants were also regularly required to prove that they were already in employment. This condition was, however, relaxed in the 2000/01 regularisation campaign to the effect that proof of an employment contract indicating that the migrant was about to take up work was also deemed sufficient.\textsuperscript{22} Through the voluntary official registration of undocumented workers staying in the country, these regularisation campaigns give the Spanish government a good overview of the magnitude of irregular migrant flows into their country.

Workers from Transylvania and Moldavia were among the first migrants from Romania to head for Spain after receiving a passport from 1990. Due to the economic situation in their own regions before the collapse of communism in Romania they had already gathered a great deal of internal migration experience. Especially in communities of origin with strong social cohesion, powerful migration networks were quickly established in which the migrants helped one another to utilise the job opportunities in Spain. Very large numbers of migrants were therefore able to profit from the 1996 regularisation campaign, which did not grant the usual residence visa of just one year, but rather a six-year visa that could later be converted into an unlimited stay.\textsuperscript{23} As usual with regularisation campaigns it was announced that this was the last opportunity for foreigners residing in the country illegally to remain without facing prosecution – a measure to stop the further immigration of irregular migrant workers. However, in the case of Romanian migrants this resulted in their making all the more use of their migration networks. It is reported\textsuperscript{24} that even remigrants, in other words people who had previously worked in Spain and were now living again in Romania, profited from the regularisation campaigns. Informed by their network contacts, they travelled back to Spain so as not to miss the opportunity to obtain a longer-term residence permit. In some cases, their network contacts provided these remigrants with the necessary documents to apply successfully for a residence permit.

The regularisation campaign in 2000/01 had a still-greater influence on the number of Romanian migrants in Spain since firstly this offered opportunities for family reunification and secondly it was already being discussed years previously. The latter had the effect that the information about the high probability or a renewed regularisation campaign disseminated via the Romanian migration networks led to increased irregular migration to Spain from origin communities in the years before 2000. Even during this regularisation campaign, the regulations for obtaining a residence permit were tightened up significantly by the newly-elected conservative party (\textit{partido popular}).\textsuperscript{25} The opportunities for family reunification that were heavily utilised by Romanian migrants, however, largely counteracted this change in policy.

This indicates that the established Romanian migration networks not only supported the policy measures of regularisation that were positive for migrants, but significantly reduced the effectiveness of, if not rendering ineffectual, the measures directed against immigration.

**Bilateral Spanish-Romanian agreements**

Inter-governmental agreements between Romania and several countries with economic-specific worker shortages (such as Germany, Portugal or indeed Spain)\textsuperscript{26} also permit Romanian workers without strong migration networks to seek an income abroad. In this case, government placement agencies assume responsibility for the selection of potential employees in the country of origin and allocate them to relevant employers in the destination country. This generates a certain amount of security for the migrants both in economic and social terms, since the governmental bodies seek to prevent employees being put at risk or exploited. Currently, bilateral agreements between Romania and Spain exist only in agriculture in the south of the country.

Migration networks have only limited impact on this policy measure, since international network contacts are not necessary to take up an occupation under the terms of these treaties. On the contrary, it is sufficient to apply for a job in Spain while still residing in Romania. However, this requires copies of certain documents translated into Spanish and attested by a notary, a service that is only offered in major cities in Romania and involving considerable costs for the poorer rural population. This makes labour migration by this route less interesting to people with access to strong migration networks. The conditions of employment in jobs in Spain negotiated through the agreements intensify this effect still further: the work may only be taken up for a limited period of three to nine months; after that the workers must return to Romania. To guarantee this, they have to personally report back to a public body in Romania if they wish to take up employment in Spain again under the terms of the bilateral treaties. Moreover, the fact that the places of work are located far away in the south of Spain, thereby increasing travel costs, is also unattractive.

Nonetheless, under certain circumstances networks help migrants to utilise these somewhat restrictive policy measures to their advantage. While working under the terms of the bilateral treaties, workers can make contact with potential employers via connections from their networks. After returning to Romania and registering with the authorities, they travel back to Spain to work for better wages and under better conditions. Such migrants can then, as pioneer migrants from their places of origin, act as starting points for building new migration networks.
Visa-free Schengen area

Called into being in 1985 by five EU states, the Schengen Agreement\(^2\) is ultimately an example of a policy measure not primarily aimed at migration, but which had a considerable influence on migration flows (in this case, within the Schengen area) and for which migration networks played a decisive role. The Schengen Convention came into effect in 1990 and aims to abolish border controls for international traffic. Currently, all EU states (with the exception of Ireland, the United Kingdom, Bulgaria, Romania and Cyprus) plus non-EU members Norway and Iceland have signed up to the Agreement. Since then, third-country citizens have only needed a single visa for the entire so-called “Schengen area”, in other words all the countries that have acceded to the Convention.

Before 2002, Romanians required a visa in order to enter EU countries or the Schengen area. This was mostly granted only for tourism purposes for a maximum of three months, and even then only if the applicant could provide evidence of being invited to the destination country. For this reason it was necessary either to have good network contacts abroad in order to obtain the relevant invitation or else the considerable financial means to buy a visa on the black market, not to mention the connections necessary in order to ascertain where such a visa could be purchased. The time limits led to circular migration patterns, in other words, movements back and forth between the country of origin and the destination country, with migrants repeatedly obtaining new visas and making maximum use of the time allowed.\(^2\)

The abolition in 2002 of the visa restrictions imposed on Romanian travellers was shown to have a major impact on the intensity of migration between Romania and the Schengen area. The only conditions for entering the Schengen area since then consist of proof of sufficient finances for the stay or evidence of an invitation from one of the participating countries. The traveller was then entitled to stay for up to three months anywhere in the Schengen area, but was forbidden to take up work.

Both before and after the entry requirements were amended for Romanians entering the Schengen area, migrant Romanian workers often used their stay abroad in order to work illegally, and it was usually their migrant networks that helped them find a job. Often they stayed longer than the maximum permitted three months – so-called overstaying. In order to be able to return to Romania unscathed, information was exchanged within the migration network as to which was the best and least controlled route or at which borders the officials were most likely to accept bribes.

Both entering the country and the practice of overstaying were, of course, made considerably easier once the visa requirements were abolished. This led to an increase in migration and, consequently, also to a growth in migration networks, which were then able to support more potential migrants.

EU expansion in 2007

Romania has been a member of the EU since 2007 and its citizens enjoy the freedom to travel to all EU countries. This also dispenses with the need for visas for stays longer than three months. Taking up paid employment, however, is initially prohibited, by restrictive clauses in the EU accession treaty with Romania, in all EU countries apart from Bulgaria, the Czech Republic, Cyprus, Estonia, Finland, Latvia, Lithuania, Poland, Slovakia, Slovenia and Sweden.\(^2\) This policy was also applied in 2004 to the accession of the eight central and eastern European countries of Estonia, Latvia, Lithuania, Hungary, Poland, the Czech Republic, Slovakia and Slovenia, as well as Cyprus and Malta. Most of the existing EU member countries were concerned about the possibility of strong increases in the number of migrant workers in the low-pay sector with whom their own population would then have to compete.\(^2\)

Most EU states, that have exempted themselves from the work prohibition, offer few economic incentives. Therefore few Romanian migrants move there for this reason alone. On the other hand in there, is a high level of income even among the less well-qualified a comparatively large increase in Romanian migrants is indeed seen for the year 2007 when compared with the previous year (2006: 348, 2007: 2,457 registered migrants),\(^3\) but these are primarily pioneer migrants – whether Romanian migration networks will become established in Sweden depends, among other things, on the institutional framework there. The reaction of the Swedish trade unions to opening the country to migrant workers from the EU accession countries following the 2004 expansion, plus a lack of knowledge of the Swedish language, deterred many international

Effect of Romanian migration networks on immigration in Spain

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job seekers from the ten expansion countries from settling there.

The labour markets in Ireland and in the United Kingdom, until recently still booming, appear more interesting. These, however, are not yet open to migrant Romanian workers, but only to citizens of countries that joined the EU in 2004. Individual Romanians, however, have succeeded in acquiring forged residence permits for these countries through network contacts, thereby obtaining access to the labour markets in the United Kingdom and Ireland. The fact that relatively few avail themselves of this option lies firstly in the high risks and costs involved in this route to employment. Above all, though, the migration networks between Romania and Spain are so strong that many migrants are reluctant to exchange the good networking in Spain for one of the as yet weak migration networks in one of the ten accession countries. It remains to be seen how the situation will develop in future, since the Spanish economy is meanwhile experiencing only restrained growth (and therefore fewer workers are required) and a property price crisis that started at the beginning of 2007 is also affecting many migrants who have bought property as an investment.

Romanian migration networks and their influence on Spanish migration policy

As the selected policy measures have shown, reactions to such measures differ depending on how well-developed a migration network is in the respective origin communities.

In places or regions with a long and extensive history of migration, in which the migration networks are accessible to almost every inhabitant regardless of social status, migrants frequently demonstrate a coordinated response to changes in migration policy. Where migration between Romania and Spain is concerned, it has been established that, especially since the 1996 regularisation campaign, information about the regularisation campaigns was coordinated and disseminated in the origin communities. This has enabled many migrants to improve and stabilise their residence status in Spain. This has not been possible in communities with a short history of migration in which the social networks of migrants are built on just a small number of ties, mostly between kin.

Migrants from communities with a long history of migration can also establish transnational connections. This leads firstly to high mobility between the two countries, and secondly to increased migrant settlement in the destination country. The higher mobility of documented migrant workers may be attributed to the more stable residence status migrants obtain following regularisation. However, irregular migrants through migration networks. Due to the greater freedom of travel permitted by the abolition of mandatory visas for the Schengen area, migration networks became established and expanded in the Schengen states, which also made access easier for irregular migrant Romanian workers.

Migrants showed little interest in the essentially positive policy changes in Spain and other destination countries if strong migration networks for Spain already existed in their communities. The introduction of bilateral treaties between Romania and Spain for labour migration in agriculture, as well as the new options opened up by EU expansions, appear not to have interested such migrants. Migrants from communities with less extensive migration networks, by contrast, were pleased to accept the new opportunities, particularly those provided by the bilateral treaties.

Conclusion

The example of migration from Romania to Spain demonstrates that the existence of strong migration networks has a considerable influence on the outcome of migration policy measures. Migration networks can obstruct or reinforce policy goals; as already demonstrated in other migration spaces (e.g. Mexico-USA or Morocco-France/Belgium), restrictive policy measures can fail to achieve their purpose or at least be toned down by migrants circumventing regulations, laws and even physical obstacles such as border barriers with the help of the contacts, knowledge and material resources of these networks. On the other hand, established migration networks can also assist the effect of migration policies whose aim is to increase migration. This too results in a greater influx of migrants than the policy decision-makers anticipate. The opening of the UK’s labour market to the new accession countries in the course of the EU expansion in 2004 was characteristic of this phenomenon. Forecasts for immigration under the terms of this policy measure were exceeded many times over, which can partly be attributed to the activity of migration networks boosting immigration. Irrespective of the objectives of future migration policies, whether they serve to obstruct or promote them, migration networks have meanwhile become a significant element that should be factored into the effectiveness of policy measures.
References and Further Reading


