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Local Responses to Migrants with Precarious Legal Status: Negotiating Inclusive Practices in Cities Across Europe

Abstract

Across Europe, an increasing number of cities have developed strategies to support migrants who are deemed ineligible for social benefits by national policies and thereby effectively deprived of basic social rights. In contrast to such restrictive national policies, cities often provide access to certain key services, such as health care, housing, education, and legal aid, and ensure safe reporting of crime. This paper introduces the concept of ›migrants with precarious legal status‹ to capture their common focal point: the support of persons who lack, or are vulnerable to the loss of, their legal status. Based on this concept, we review existing research on vertical and horizontal networks and governance arrangements that has tried to grasp municipal strategies toward migrants with precarious legal status. We propose to complement these approaches through a perspective that focuses on negotiations over precarity within municipalities and try to reveal the different and at times conflicting approaches of the various service providers toward migrants with

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precarious legal status within a municipal authority. By tying together these concepts, we argue for a deeper and more comprehensive understanding of the different interests and power dynamics at play when creating inclusive local practices for migrants with precarious legal status.

Keywords

Migration, precarity, social inclusion, health care, accommodation, human rights

Lokale Ansätze zur Unterstützung von Migrant*innen mit prekärem Aufenthaltsstatus – Aushandlung inklusiver Praktiken in europäischen Städten

Immer mehr Städte in Europa entwickeln Strategien, um Migrant*innen zu unterstützen, die aufgrund nationaler Regelungen keinen Anspruch auf Sozialleistungen haben und damit effektiv grundlegender sozialer Rechte beraubt werden. In diesem Beitrag fassen wir verschiedene prekarierte Gruppen – Drittstaatsangehörige ohne Aufenthaltsstatus, abgelehnte Asylbewerber*innen, arbeitslose EU Bürger*innen u.a. – als ›Migrant*innen mit prekärem Aufenthaltsstatus‹ zusammen, d.h. als Personen, die keinen gesicherten Aufenthaltsstatus haben oder vom Verlust dieses Status bedroht sind, wenn sie Dienstleistungen in Anspruch nehmen. Im Gegensatz zu den restriktiven nationalen Politiken bieten einige Städte diesen Personen z.T. Zugang zu wichtigen Dienstleistungen wie Gesundheitsfürsorge, Wohnraum, Bildung und Rechtsbeistand oder gewährleisten die sichere Anzeige von Straftaten. In unserem Beitrag betrachten wir bestehende Forschungsarbeiten zu kommunalen Strategien gegenüber Migrant*innen und den sie tragenden vertikalen und horizontalen Netzwerken und Governance-Arrangements. Wir schlagen vor, diese Ansätze durch eine Perspektive zu ergänzen, die sich auf die Verhandlungen über Prekarität innerhalb von Kommunen konzentriert und versucht, die unterschiedlichen und manchmal widersprüchlichen Ansätze innerhalb einer Stadt(verwaltung) zu erfassen. Indem wir diese Konzepte miteinander verknüpfen, plädieren wir für ein tieferes und umfassenderes Verständnis der verschiedenen Interessen und Machtdynamiken, die bei der Schaffung inklusiver lokaler Praktiken in Bezug auf Migrant*innen mit prekärem Aufenthaltsstatus im Spiel sind.

Schlagwörter

Migration, Prekarität, Integration, Gesundheit, Unterbringung, Menschenrechte

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1 Introduction

In recent years and particularly since 2015, various European cities have begun to develop policies and practices addressing the specific needs of migrants who are deemed ineligible for national support and services and who are thereby effectively deprived of their basic social rights (Delvino and Spencer 2019; Campomori and Ambrosini 2020; Potochnick et al. 2017). Services provided by municipalities range from health care to housing, as well as education, the provision of legal aid, and facilitating access to justice and labor rights. Municipalities may explain and legitimize the provision of such services through a variety of different moral frames and ideas of deservingness but also in more pragmatic terms, such as decreasing street homelessness or improving the city's image for tourism (Delvino and Spencer 2019; Ataç and Rosenberger 2019; Mallet and Delvino 2021). Additionally, many city governments feel the urge to position themselves politically at a distance from the hostile policies that some national governments and EU actors foster (Kaufmann 2019; Ambrosini and Boccagni 2015; Flamant 2020). Not all cities take an inclusive stance toward migrants, however. Besides cities that have refrained from any explicit engagement, other municipalities have explicitly aimed to create hostile environments for migrants (Ambrosini 2013). Furthermore, even within cities that adopt an inclusive approach in relation to one or more services, strategies are rarely aligned and clear-cut. Rather, support for migrants who are precarized by national provisions proves to be a local »battleground« (Campomori and Ambrosini 2020; Ambrosini 2021a, 2021b), in which actors align themselves with conflicting positions regarding deservingness and rights.

Research explaining inclusive municipal strategy has drawn mainly on vertical and horizontal governance approaches that focus on overlapping responsibilities of various levels of government as well as on strategic cooperation between cities. Dynamics *within* municipalities as well as power relations that shape negotiations over inclusion/exclusion have so far been less discussed. In this paper, we underline the importance of looking at how the manifold actors, ranging from different municipal departments to a wide variety of civil society organizations (CSOs), work together, relate to each other, and which conflicts emerge.

We start the paper by introducing the concept of »migrants with precarious legal status«. The precarity framework allows us to go beyond a binary perception of »regular« and »irregular« migrants. It furthermore enables us to understand migrant precarity as a result not only of legal provisions but of

complex negotiations over access to services and basic social rights. Following these conceptual considerations, we first present the state of the art on inclusive municipal approaches to migrants shaped by the perspective of vertical and horizontal governance arrangements. We then turn to negotiations over precarity within municipalities. We suggest that within local governments intricate networks exist of civil society and governmental actors involved in facilitating or denying pathways to key services for migrants with precarious legal status. Our argument is based on collaboration in the research project ›Local responses to precarious migrants: Frames, strategies and evolving practices‹ (LoReMi) and lays the conceptual basis for fieldwork conducted in Frankfurt, Cardiff, and Vienna in late 2021 and early 2022.¹

2 Migrants with Precarious Legal Status

Categorizing people is a powerful and consequential undertaking (Hinger et al. 2018; Raghuram 2021). Against the background of a world system organized into national states, being categorized under such labels as ›citizen‹, ›asylum seeker‹, or ›irregular migrant‹ has profound consequences on people's lives. Being placed in one category or another not only affects one's ability to be physically present in a given territory but also results in differential and stratified access to rights within this territory (Morris 2003; Goldring and Landolt 2013; Mezzadra and Neilson 2013). We use the concept of ›precarity‹ to draw attention to the impact legal status has on living conditions. Since the 1990s, the concept has gained prominence in academia as a lens through which it is possible to analyze social inequalities and to understand the expansion of insecure work and livelihoods in a globalized world (Armano et al. 2017; Schierup et al. 2015). Precarity »was coined to capture the emergence of a new global norm of contingent employment, social risk and fragmented life situations without security, protection, and predictability« (Schierup et al. 2015, p. 2).

›Migrants with precarious legal status‹, in our heuristic, are individuals who lack regular immigration or residence status or, having a conditional or temporary status, are vulnerable to the loss of that status. They are therefore deprived of or run the risk of losing most basic social rights and access to services. Although some basic welfare services are universally accessible, guaranteed through (international and national) human rights, or granted for

¹ For further publications of the empirical findings, see <https://www.compas.ox.ac.uk/project/loremi/>. The support of the Federal Ministry of Education and Research (Germany, funding code: 01UV2102), the Economic and Social Research Council (UK), and the Austrian Research Promotion Agency (FFG) under the Joint Programming Initiative (JPI) Urban Europe is gratefully acknowledged.

pragmatic reasons such as the protection of public health, migrants with precarious legal status nevertheless face numerous implementation barriers that hinder their access to many of these services.

The category of migrants with precarious legal status includes a broad range of individuals. An important part of this group is formed by those referred to in academic literature as well as in political discourses as ›irregular migrants.‹² A migrant with irregular status can be defined as »a person who, owing to unauthorized entry, breach of a condition of entry, or the expiry of his or her visa, lacks legal status in a transit or host country« (Douglas et al. 2019). Some of those who fall within this category may be completely below the radar and have never registered with the state they reside in at all, either because they entered undetected, came with forged documents, or have assumed a false identity (Triandafyllidou 2010; Triandafyllidou and Bartolini 2020). Additionally, the category of migrants with precarious legal status also includes individuals who hold temporary authorization to stay and are at risk of losing it. These can be persons who may have entered the country on a tourist, student, or temporary work visa but have breached the visa's conditions by overstaying, by ending their course of study, or by losing their employment, respectively. Others may have a temporary legal status that grants them some access to social rights but who are vulnerable to the loss of that status if their application is denied (e.g., asylum seekers)³ or not prolonged (e.g., unaccompanied children who reach the age of 18) (Triandafyllidou and Bartolini 2020). Simultaneously, migrants whose residential status is tied to employment or migrants who came via their spouse and, due to separation or divorce, lose their right to stay, also fall into the category of migrants with precarious legal status. Among this group, women are at heightened risk of precarity (PICUM 2012). Additionally, third-country nationals who have a residential status in an EU member state other than the one in which they reside may face destitution as they have no entitlements to

2 In the literature we find a variety of terms, ranging from ›irregular‹, ›undocumented‹, ›unauthorized‹, to ›illegal‹ migrants. While the first three terms have sometimes been used interchangeably in academia, the last term has been mostly used in the media – and often derogatively (O'Doherty and Lecouteur 2007). Some scholars such as De Genova work with the term ›illegality‹ but use quotation marks to denaturalize it (De Genova 2002) or speak of ›illegalized‹ migrants to point to social production of illegality (Bauder 2014).

3 Although we consider asylum seekers as having precarious legal status, we are not including them in our own research. In our case studies (in Cardiff, Frankfurt, Vienna), asylum seekers receive basic social services, such as health insurance and housing. In some countries like Germany this also holds for rejected asylum seekers or other migrants who cannot be removed due to legal or factual reasons. The still highly precarious legal status of ›Duldung‹ at least grants them some access to basic social services (Kirchhoff and Lorenz 2018).

welfare services or the regular labor market in the country they live in (Lafleur and Mescoli 2018). Finally, another group of individuals with precarious legal status has gained importance in Europe in the last two decades, these being EU nationals residing in an EU country of which they are not citizens. While EU citizens enjoy freedom of movement within the EU, they are only allowed to reside in another EU country longer than three months if they can demonstrate economic self-sufficiency. Restrictions in welfare policy following the financial and economic crisis have rendered EU citizens prone to become precarious with no access to public funds. Applications for social assistance or unemployment benefits can result in removal orders (*ibid.*).

As these examples show, the distinction between a legal status and the lack thereof is far from straightforward. The diversification of the various policy regimes and the subsequent complexification of the legal status render a strict dichotomy between regular and irregular migrants problematic (Menjívar 2006; Chauvin and Garcés-Mascreñas 2014; Schweitzer 2017; Triandafyllidou and Bartolini 2020). Indeed, in practice, many paths lead to precarious legal status and migrants often shift in and out of as well as between its different forms (Goldring et al. 2009; Goldring and Landolt 2013). Precarious legal status not only results from legal categorization but is »constructed by specific state policies, regulations, practices of policy implementation, activism, discourses, and so forth« (Goldring et al. 2009: 240). In this sense, it is nothing fixed but is permanently challenged and reproduced by a multiplicity of actors. These negotiations and struggles over precarity take place within multifaceted power relations that influence the scope for possible actions.

A recourse to feminist theory on precarity illustrates this point. Butler (2004) and Lorey (2015) have underlined that while every human being is *precarious* as a social being, not everyone is affected by *precarity* in the same way. *Precarity* as a concrete manifestation of inequality and insecurity is heavily interlinked with postcolonial structures and racialization as well as gender and class positions. Not everyone has the same access to security; rather, this access is differentiated through social hierarchies (Butler 2004). In all of the above-mentioned categories of migrants with precarious legal status, women experience particular and heightened precarity due to their positions within gendered hierarchies before, during, and after migration (Jayaweera 2018; Kofman 2019). Being dependent on an employer, sponsor, or spouse makes them particularly vulnerable to violence or exploitation. They may not leave abusive environments – in work or relationships – as they fear the loss of their right to stay or destitution if they do so (PICUM 2012). Besides formal restrictions, it is the internalization of insecurity, which Lorey (2015) calls »governmental precarization«, that manifests precarity. De Genova (2002) has grasped this with the concept of »deportability«. Migrant pre-

carity is established and maintained through the threat of being deported. The fear of deportation often prevents migrants with precarious legal status from accessing basic social services – even from those they are entitled to.

To address such formal and informal barriers to inclusion, several cities across Europe have developed tactics and strategies that they are more or less open about (Spencer 2018). Crucially, they rarely act either independently or purely by themselves. All relevant policy areas transcend the competencies of local authorities and include national and supranational legislation, regulation, and funding. Hence, responses often are shaped by multilevel governance arrangements, as has been argued by various migration scholars (e.g., Caponio and Jones-Correa 2018; Spencer 2018; Campomori and Ambrosini 2020; de Graauw 2021). Furthermore, they are influenced by a broad range of stakeholders cooperating at the local level. Horizontal cooperation between departments or even across organizational boundaries is demanding as it breaches traditional divisions of competence and responsibility. This can lead to uneven local responses – a fact that has been less present in current debates on local responses to restrictive national migration policies. In the following, we will turn to governance theory and discuss how it can shed light on local responses to exclusion from basic social services due to national regulations. We will then point to further aspects worth taking into consideration to analyze the complex negotiations that take place within municipalities and beyond urban settings.

3 Vertical and Horizontal Governance Arrangements in Relation to Migrants with Precarious Legal Status

Governance theory provides concepts and tools for analyzing the overlapping responsibility and interdependencies between tiers of government (local, regional, national, and supra-/transnational levels) and between policies and their institutionalized arenas (ministries, departments) (Hajer and Wagenaar 2003; Stephenson 2013; Spencer 2018). Analytically, vertical and horizontal forms of collaboration can be distinguished. Vertical arrangements regard the interaction between tiers in the policy-making and implementation process, horizontal arrangements concern the cooperation between different local governments. And within a city, horizontal collaboration can mean the cooperation between departments or a partnership between public administration and other organizations.

3.1 Vertical Collaboration

The concept of *vertical* multilevel governance (MLG) has been useful to analyze the role of local authorities in migration policies that support the inclusion of migrants with precarious legal status and to explore the relationship between national and local tiers and processes of consensus or conflict (Caponio and Jones-Correa 2018; Ataç et al. 2020; de Graauw 2021). Municipalities across Europe have differing levels of responsibility for services and differing degrees of autonomy in delivering them; hence the degree of overlap with national government responsibilities for policies relevant to the governance of migration and migrants varies. City-states, such as Berlin, Hamburg, or Vienna, have vastly greater autonomy than cities in a unitary state, where limited powers are devolved, such as in Ireland. Exploring the relations between local and national governments and considering different policy priorities and interests, the MLG approach shows that convergence or divergence between different tiers may appear.

Decoupling between local and national tiers emerges when local governments follow a logic of policy making that is distinct from that of the national level and conflicts subsequently arise (Scholten 2013). Spencer (2018) applied this model to the analysis of municipalities' responses to migrants with irregular status. Intractable policy controversies emerge, especially when differing approaches to irregular migration lead to tensions between the national and local level, whereas elsewhere these are resolved through negotiation. While being constrained to align with national policies, local authorities argue that their responsibilities for economic and social policies mean they must take account of the practical needs of migrants with precarious legal status (Spencer 2018: 2040). Many cities have provided a level of access to services that stretches the limits of their authority, mitigating to a degree the impact of national restrictions (Potochnick et al. 2017; Schweitzer 2017; Doomernik and Ardon 2018; Campomori and Ambrosini 2020). Such practices may increase tensions between governance levels as they encroach on a policy area typically under national purview (Campomori and Ambrosini 2020), leading in some cases to litigation but in others to negotiated solutions (Spencer 2018). A case in point is the way in which the COVID-19 pandemic highlighted the importance of integrating migrants with precarious legal status into public health care, leading national governments to build stronger ties with local authorities on issues such as contact tracing, vaccinations, and shelter for those released from migration detention (Mallet and Delvino 2021). This represents a double innovation – a ›local turn‹ in multilevel migration governance (Zapata-Barrero et al. 2017) and an increased integration between governance levels.

Municipal objectives will not always be in conflict with national government objectives. Rather, their contribution to regularization of status and voluntary return, e.g., through provision of legal advice, contributes to the effective management of migration, while their contribution to the protection of public health and to crime prevention are also in line with national goals (Spencer 2020). Lebuhn (2013) situates these developments within local border management. With the signing of the Schengen Agreement over 35 years ago, external nation-state border enforcement has mostly been eliminated in parts of Europe, while borders are increasingly enforced inside the states, including at the local level. New actors are involved in the process of border and immigration management, including semipublic and private actors. The checking of identity documents and legal status has become a practice that is no longer merely associated with border crossing. They are often checked in cities, for example, by different welfare agencies, municipal administrations, local police, universities, hospitals, and banks, as a prerequisite to the entitlement or denial of services and access to public goods (Ataç 2019; Fauser 2017; Lebuhn 2013; Schilliger 2020).

3.2 Horizontal Collaboration Between Cities

While cities engage with various levels of policy making, they also build alliances with other cities to achieve their goals (Caponio 2018). These have been explored under the concept of municipalities' *horizontal* governance relationships (Spencer 2022). Building alliances, networks, and strategic partnerships among municipalities may play an important role when it comes to intractable issues such as services for irregular migrants for strengthening the local position, especially in a top-down vertical setting (Ambrosini and Bocagni 2015; Spencer 2018). Ataç et al. (2020), for instance, found that alliance-building between cities is crucial for strengthening their political standing (as Caponio 2018 and Oomen 2019 found in relation to cities' migration policies more generally). Analyzing Milan and Barcelona, Bazurli (2019) stressed the importance of alliance-building as a strategy to promote inclusive local practices and policies within an otherwise unreceptive, hostile context. However, not all municipalities take an inclusive stance toward precarious migrants. Besides those cities that refrain from any explicit engagement with regard to migrant inclusion and thus implicitly align with restrictive national migration policies, other municipalities have explicitly aimed to create hostile environments for migrants. Ambrosini (2013) found different kinds of exclusionary mechanisms that have been taken on the local level in the Northern Italian province of Lombardy in 2008–09. In many municipalities, city leaders and councils have introduced deterrent measures that go beyond the national ones in attempting to keep migrants out of their municipalities. From this

perspective, not only the alliance politics between cities but also the contradictory approaches of cities and emerging possible conflictual outcomes in this regard would be important factors to analyze the consequences for the design of MLG.

Cities' frustration with national policies that neglect their needs has simultaneously led to a trend toward the internationalization of local politics. One of the tools cities use to advocate for their goals is the participation in transnational city networks (TCNs). Local officials started to organize in TCNs with other municipalities advocating for the same cause. Especially since 2015–16, several municipalities in Europe have been advocating a welcoming approach toward refugees and other migrants in their cities. Some municipalities have adopted official brands, ranging from ›welcoming‹ to ›solidarity‹ or ›open‹, along with ›diverse‹, ›cosmopolitan‹, and ›inclusive cities‹, under which they develop approaches to support and include refugees and migrants in general (Oomen et al. 2018; Oomen 2019). A rather large number of TCNs have also emerged around different issues related to migration. They engage with a variety of topics, ranging from reception on arrival to equal access to education or other municipal services, to integration, and to the safeguarding of basic rights. For instance, networks such as ›Intercultural Cities‹, which is a program that supports over 140 cities across Europe and beyond to devise strategies to reduce conflict and maximize the potential of diversity among their populations, or ›Eurocities‹, which is a network of 190 cities in 39 countries. Its working group on ›Migration and Integration‹ fosters knowledge-exchange and helps cities to promote migrant inclusion (Flamant et al. 2021; Gebhardt and Güntner 2021).

One of the functions of these networks can be to strengthen the position of municipalities internationally and provide them with more leverage in regard to their national governments. These networks also allow municipalities to share information, to showcase their best practices, to create a positive narrative and branding, and to seek international political and financial support (Oomen et al. 2018; Oomen 2019; Spencer 2022).

3.3 Horizontal Collaboration Within Cities

Besides these two forms of cooperation that are important to understand how cities, as collective actors, engage with other institutional bodies, it is just as crucial to look at collaborations within cities to understand how migrant precarity is negotiated at the local level. Collaboration can take many forms such as projects and initiatives that are located between specialized departments of the local administration or pursued in partnership between the local administration and other actors such as businesses or CSOs. Smooth cooperation of such diverse actors and across organizational boundaries cannot be

taken for granted but is rather demanding. Termeer identified barriers such as conflicting views on certain issues or stereotyping the partners (Termeer 2009, p. 311). How local authorities build alliances and institutional capacity to address problems of their concern is a matter of urban governance theory. Following the practice of local officers, it links vertical and horizontal collaboration and sees cities »as entangled in complex contingencies both in a (vertical) relationship with regions, central government, and transnational institutions, such as the EU, as well as in a (horizontal) relationship with private business and organized interests« (Pierre 2014, p. 874). Evidently, the situation of precarious migrants is a »battleground« for urban governance (Ambrosini 2021b), as a multitude of stakeholders and interests are engaged and need to be balanced. In the next section, we will dissect how they meet and confront each other, and what results ensue from their encounters.

4 Negotiating Precarity at the Local Level

To understand the urban governance of migrant precarity, a close look at encounters and negotiations between stakeholders is needed. Focusing on their interaction demands linking up four issues that have been little studied in connection with one another. With this conceptual linkage, we propose a new direction for future research on municipal responses to migrants with a precarious legal status. First, internal relationships within cities need to be identified and understood to show and explain why there may be disparities between approaches of different departments. For this – so we argue secondly – it is crucial to include civil society actors in the analysis, as they take up a crucial role as intermediaries and play an important role in negotiating differing approaches of departments toward precarious migrants. Thirdly, CSOs may put forward different concepts of deservingness, which again may influence the approach of street-level bureaucrats toward precarious migrants as well as how different municipalities may frame their inclusive approach toward precarious migrants. This large variety of actors, levels, and framings, we argue, all play together in the way precarity is negotiated within and among municipal actors and civil society and together shape the various local practices toward migrants with precarious legal status across European cities.

4.1 Varied Positions Within Municipalities

An important aspect that so far has not been sufficiently analyzed is the varying and sometimes even conflicting ways in which different municipal departments act toward migrants with precarious legal status. Municipalities hardly ever act uniformly but consist of different departments that may

develop policies. While the literature has identified many ways in which municipalities take an inclusive approach toward precarious migrants, it is in fact often only one or more of its services that do so rather than a policy adopted by the city council as a whole. Cities such as Barcelona, Zurich, and Utrecht, which take an openly inclusive and encompassing approach regarding their inhabitants regardless of legal status, are the exception, not the rule (Kaufmann and Strebel 2020; Spencer and Delvino 2019).

While one department takes an inclusive approach, another may be noticeably more resistant, as Price and Spencer (2015) found in relation to municipal responses toward destitute migrant families in the UK. Governmental departments are also at the local level functionally differentiated, and their actions are based on different policy problems, priorities, and values. Departments within municipalities that pursue an inclusive attitude toward migrants regardless of legal status use different discursive framings to explain their approach. Authorities that do adopt a cross-municipality approach may set up an interdepartmental committee to facilitate that, whether on a permanent basis (as, e.g., in Ghent) or to address a particular issue (as in Zurich in 2017 under the mayor's department), to review and report on the situation relating to health care, education, access to justice, and provision of legal advice and information to migrants with precarious legal status or to inform its policy development (Spencer and Delvino 2019, p. 17; Patuzzi 2020).

In addition to the functional differentiation of the departments, there might be a straightforward separation between the political, decision-making sphere of the elected representatives and the implementation role of the administration. The dynamic of these relationships, however, is complex (Caponio and Borkert 2010). Politicians set the overarching policy frame, but that may not be consistent between policy arenas. Officials operate within that inconsistent space but also develop policy from the bottom up, in response to the challenges that they face in their jobs, the vision that they bring, and the goals they want to achieve, as well as their own role within their department (Schiller 2016; Hoekstra 2018; Flamant 2020). Flamant (2017, 2020) highlights the importance of scrutinizing the curricula vitae and biographical aspects of elected officials, as they might contribute to significant turns in the policy process. Politicians, Caponio and Borkert (2010) find, are more likely to pursue consensus-building measures that are in line with their perception of their electorates' interests and preferences; while officials are more likely to have goals shaped by their particular role and the organizational culture in which they have been socialized in the workplace. Understanding organizational cultures is thus crucial to understanding the approaches that are taken. Understanding a city's immigration and migration

policy history may further contribute to explaining the wide variety of local responses, frames, and discourses (Gebhardt 2016).

4.2 Cooperation with Civil Society Actors

Civil society actors play a crucial role as service providers and intermediaries for migrants with precarious legal status. In the broad network of cities, a wide field of civil society actors are present, including welfare associations, neighborhood and faith-based organizations, labor unions, community organizations, grassroots activists, and migrant-led organizations. As the broad range of forms and purposes of CSOs suggests, they are diverse and by no means uniform, so that tensions and differences between their standpoints are evident. Some CSOs provide services such as health care, accommodation, legal counseling, and language courses to migrants with precarious legal status, as well as advocacy in the political arenas to improve their social rights (Ambrosini 2013). With governmental as well as nongovernmental actors offering welfare services to migrants with precarious legal status, multiple actors in various institutions are endowed with the responsibility of policy implementation.

Municipalities often depend on CSOs to provide services and as sources of information and expertise. The extent to which CSOs are mobilized around precarious migrants depends, in part, on the model of welfare provision in a country and the role that CSOs play in the provision of welfare services in a particular municipality (Caponio and Borkert 2010). It further depends on the bargaining processes between CSOs and governmental bodies. When cities value having active citizens, activist groups play an important role in negotiations with city councils, especially in cities with progressive local governments (Holm and Lebuhn 2020). Civil society actors are in many cases the driving force in organizing and pushing municipalities to ease access to certain services or create more inclusive policies. Activists and social movements further create networks of solidarity by providing support to self-organized movements and facilitating the politicization of precarious migrants' position (Nicholls and Uitermark 2016).

The role played by CSOs as advocates for individual services has been found to be a significant factor by a number of scholars in whether a municipality is responsive to the needs of migrants with precarious legal status (de Graauw 2016; Price and Spencer 2015). They form a vital and multilayered part of the city infrastructure. There is a great diversity of actors, there being CSOs with differing missions, liberties, funds, and relationships to government actors. It is crucial to systematically determine which organizations are activated in regard to precarious migrants and why and how they relate to each other and to different governmental bodies. Nicholls and Uitermark

(2016) critically note that municipalities may be selective in their relations with CSOs and prioritize organizations with whom they can build reliable relations. In an asymmetrical web of relation, CSOs thereby may serve as an extension of the local government and can become part of a web of governance. This may depend on the expertise they have that cities rely on, along with their own organizational structures and on funding that may put certain CSOs in more powerful positions to bargain for their respective approach toward migrants with precarious legal status (Nicholls and Uitermark 2016; Ataç et al. 2020; de Graauw 2016; de Graauw and Vermeulen 2021; Holm and Lebuhn 2020).

Independent CSOs offer important services outside of the governance mechanisms of municipal policies and sometimes counter to the expressed municipal interests. These organizations nevertheless constitute a vital part of the city's support infrastructure for precarious migrants without being commissioned by the municipality (Ataç et al. 2020). Schilliger emphasizes that CSOs also negotiate for migrants, sometimes case by case, sometimes strategically. They know the moral frames (e.g., deservingness) and may anticipate how to persuade officials into expanding access to services. They thereby play a central role in creating pathways for migrants with precarious legal status. They play the role of gatekeepers and intermediaries, raising awareness among migrant communities about their rights as well as services accessible to them. Often, it is only through relationships of trust that migrants with precarious legal status dare to seek support from municipal services. These mediation efforts by civil society actors can be understood as a form of relational work and a form of care work that – as is often the case with care work – remains largely invisible, but it is central to creating an »infrastructure of solidarity« (Schilliger 2019, 2020; Ataç and Schilliger 2022).

Politicians and CSOs – where they share a concern for migrants – can be part of solidarity movements that work together to make the municipal area more inclusive. These movements operate at two levels, aiming to shift the narrative at the EU and national levels as well as within the city itself, in each case acting as »discursive counterweights« to right wing voices promoting a security narrative that can turn the political sphere of the city into a »battlefield« (Wenke and Kron 2019, p. 7; Ambrosini 2021b).

4.3 Street-level Bureaucracy and the Idea of Deservingness

As highlighted above, Schilliger (2019, 2020) explains how civil society actors use their understanding of the moral frames of municipal actors to negotiate access to social services for some migrants with precarious legal status. This moral register is widely discussed in the literature on deservingness. Willen defines deservingness as articulated in a moral register that relates to specific

situations and to presumed characteristics and behavior of the individual concerned (Willen 2011, in Spencer 2016, p. 1615). It plays a role in determining national and local policies and their implementation toward different categories of migrants. Children, for instance, may be seen by policy makers as more deserving than their parents, because of their greater need and because they are not considered responsible for their irregular situation, and hence should be granted greater access in law to welfare services (Spencer 2016).

Chauvin and Garcés-Mascreñas (2014) further highlighted the gradational character of illegality by comparing migrants' level of deservingness. On the one hand, deservingness may result from a perceived vulnerability due perhaps to persecution in their home country, being minors, or being in need of medical assistance (see also Ataç 2019). Through their presumed vulnerability, some groups are seen to ›deserve‹ social care and support for better societal inclusion. CSOs may also use these moral perceptions to lobby for precarious groups that are perceived as especially vulnerable. The debates in the context of human trafficking show in a similar way the production of ›deserving and undeserving‹ victims, which is also highly gendered. Gender plays a decisive role in being perceived as ›deserving‹. Ambrosini (2015) explains how irregular women working in domestic care in Italy are perceived as useful and necessary workers and therefore separated from the otherwise imagined vision of male migrants as threatening. This allows women specific access and agency, despite their insecure and possibly exploitative circumstances (Ambrosini 2015). On the other hand, other groups are deemed ›deserving‹ by demonstrating their willingness to contribute either as good citizens, through their ›integration level‹ or by demonstrating cooperation, as in the case of rejected asylum seekers. This is discussed as ›performance-based deservingness‹ which works as a tool to enable access to welfare services (Ataç 2019). Chauvin and Garcés-Mascreñas (2014) therein also identify a discrepancy, as migrants with precarious legal status need to simultaneously be perceived as victims and show agency and collaboration.

The distinction between deserving and undeserving migrants is also to be found in their interaction with service providers. Lipsky (1980) coined the term ›street-level bureaucrat‹ to show how institutional gatekeepers decide case by case and impact the policy outcome (see also Ambrosini 2013). The street-level application of immigration policies leads to diverging outcomes across welfare services (Spencer 2018). Decisions by sympathetic service providers may thus run counter to, rather than in line with, official policies (Van der Leun 2006). Agency and discretion also play crucial roles in the organization and negotiation of access to welfare services. Landolt and Goldring (2015) show that local access to welfare services for migrants with precarious

legal status is not only defined through formal regulations but effectively also through the discretionary power of street-level bureaucrats (Landolt and Goldring 2015; Chauvin and Garcés-Mascreñas 2012). The organizational culture – as well as whether a migrant is perceived as threatening or deserving – may impact the scope of services and who gets what under which conditions. »In this respect, social recognition also affects the work of public institutions and their staff, influencing the effective application of rules« (Ambrosini 2017). Who is deemed ›deserving‹ and receives access to public services is, however, not only based on the choices of individual decision makers but is also the result of organizational and contextual factors (Van der Leun 2003).

4.4 Inclusive Frames

Spencer and Delvino (2019) investigate the different reasons given by local policy makers regarding service provision for precarious migrants. Drawing on research on the ›local turn‹ which addresses the rationales that cities adopt to provide services to regular migrants, they addressed a gap in the literature regarding local policy makers' reasons to adopt an inclusive approach toward migrants in precarious situations. They build on the work of Caponio (2014), who identified four policy frames that shape cities' approaches to service provision relating to legal advice on regularization: the security, humanitarian, human rights, and deserving workers frames. Her work shows that many frames rely on different ideas of deservingness, such as the ›deserving workers‹ frame, whereby municipal officials acknowledge the economic contribution of precarious migrant laborers and therefore grant them some access to basic rights and services. Similarly, the ›inclusive security frame‹ as well as the ›humanitarian frame‹ argue for the protection of all local residents and find migrants with precarious legal status to be a particularly vulnerable group, especially children (Caponio 2014; Spencer and Delvino 2019). However, Spencer and Delvino further found that a significant number of the reasons provided for services »fall outside of these Caponio identified in relation to legal advice« (Spencer and Delvino 2019, p. 39). Their work »identified a wide range of services provided, from health care and preschool education to legal advice, shelter, and language tuition« (ibid.), and led them to subsequently add two additional frames: the socioeconomic frame and the efficiency frame (Spencer and Delvino 2019). Indeed, in their analysis, they found that the exclusion of irregular migrants poses »an economic or social threat, undermining the municipality's economic and social policy goals« (ibid, p. 39) and that it »undermines the efficiency of the city administration and its service provision« (ibid.). While some local policy makers justify inclusion on the grounds that it may benefit the local popula-

tion as a whole, others argue that it was mainly for the benefits of the migrants.

Overall, these frames identify different rationales, arguments, and narratives deployed by municipal actors to legitimize action and mobilize resources to provide different services for migrants with precarious legal status. With the broad scope of local actors involved in the provision of services within a municipality, it is evident that not all officials will follow the same (inclusive) approach. These divergences call for more research on this topic, and comparative studies are needed to further develop our knowledge of the reasons why cities adopt different frames to justify their approach. Additionally, as various actors within the same city may also adopt differing approaches, it is essential to better understand the reasons why they frame their rationale in a particular way. This further raises the question of how local authorities see their role in relation to precarious migrants, whether an overall perspective exists or whether practices are developed based on a bottom-up approach with each department having its own rationale.

5 Conclusion

The aim of this article was to outline a concept that helps to better understand the varying ways in which cities and different city departments react to the presence of a heterogeneous group of migrants, including migrants with irregular status as well as third-country nationals and EU citizens with no recourse to public funds. We have suggested ›precarity‹ as an analytical lens to go beyond the state-defined categorization of legal status and focus on its impact for migrants' ability to access basic social rights. This perspective enables us to examine the nuances within the varying responses and framings put forward by local policy makers to justify the inclusion/exclusion of migrants with precarious legal status. While the rationale regarding inclusion varies considerably for migrants with regular status and those without, this approach allows us to develop a more holistic understanding as it reflects the fluidity that often exists between legal statuses. We seek to understand how precarity is negotiated, challenged, and co-produced at the local level.

To grasp the complex arrangement within which negotiations over precarity take place and to explore the ›local dimension of migration policy making‹, we refer to the well-developed concepts of vertical and horizontal modes of governance that focus on the overlapping of responsibilities between national and local tiers and the external relationships of the municipalities. The strength of this approach lies in its thorough consideration of institutional arrangements and processes of consensus or conflict. It hardly takes into account, however, the diverging practices within municipalities. Munic-

ipalities do not act coherently toward migrants with precarious legal status across departments or toward different groups of precarious migrants. One category of migrants may enjoy services offered by the municipality, while other groups may not. And whereas one department might be in favor of supporting a certain group, another may not. We therefore suggest focusing on how precarity is negotiated within municipalities and shaped by a variety of local practices of different actors.

This implies looking at the manifold actors, their relations, and the power dynamics at play at the local level, revealing the processes and negotiations that create a complex and dynamic web of negotiated pathways to services for migrants with precarious legal status. On a local governmental level, the inclusive approach of one municipal department in contrast to other more exclusive departments can be explained as the result of different responsibilities, policy problems, priorities, and values. Additionally, the complex setting of the wide variety of civil society actors in cities and their relations with the various departments offers additional insight into the negotiation processes across European cities. As civil society actors offer services (be it as commissioned by the municipality or as an independent organization), they may set up parallel structures to provide migrants with access to welfare services outside the institutions of the welfare state. By doing so, they relieve the mainstream social system and contribute to the upholding of a precarious parallel system, which may hinder the efforts of some civil society actors to create universal and inclusive services. Local actors also use different moral registers to negotiate access for certain groups of migrants with precarious legal status, which may divide them into deserving and undeserving groups or individuals. Street-level bureaucrats additionally may have a significant impact on granting or denying pathways to services. This nonuniform action leads to a fragmented and more fragile precarity.

Any attempt to understand and explain practices of local actors needs to be aware that their purpose and their activities are not necessarily locally bound but may be shaped by many and complex influences. This is particularly evident in the field of migration and integration policies and services. For this reason, critical scholars reject the assumption that there can be clear-cut levels and institutional boundaries (Çağlar and Glick Schiller 2018, p. 7). Instead, they propose the concept of multiscalearity, which considers practices as »constituted in relationship to each other and within various hierarchies of networks of power« (ibid., p. 8). The emphasis on frames such as deservingness, which we propose to understand the emergence and contours of a field, reflects this caution and views levels and boundaries as social constructs created through practices. Additionally, deeper scrutiny of the varying power relations at play may add further insight into the analysis and should be

taken into consideration in future research. To fully grasp the situation of migrants with precarious legal status, processes of governmental precarization resulting from deportability need to be given greater attention in future work. Finally, it needs to be emphasized that the literature, empirical developments, and theoretical reflections of local policies toward migrants with precarious legal status that we build on is limited to Western and Southern European contexts. Comprehending power structures within policy practices and discursive frames will certainly benefit from further, non-European perspectives. Nonetheless, we hope that our conceptual considerations may prove instructive for further research within the European context and beyond.

References

- Ambrosini, Maurizio. 2013. »We Are against a Multi-Ethnic Society«: Policies of Exclusion at the Urban Level in Italy. *Ethnic and Racial Studies* 36 (1): 136–155.
- Ambrosini, Maurizio. 2015. Irregular but Tolerated: Unauthorized Immigration, Elderly Care and Invisible Welfare. *Migration Studies* 3 (2): 199–216.
- Ambrosini, Maurizio. 2017. Why Irregular Migrants Arrive and Remain: the Role of Intermediaries. *Journal of Ethnic and Migration Studies* 43 (11): 1813–1830.
- Ambrosini, Maurizio. 2021a. The Battleground of Asylum and Immigration Policies: a Conceptual Inquiry. *Ethnic and Racial Studies* 44 (3): 374–395, DOI: 10.1080/01419870.2020.1836380
- Ambrosini, Maurizio. 2021b. The Urban Governance of Asylum as a »Battleground«: Policies of Exclusion and Efforts of Inclusion in Italian Towns, *Geographical Review* 111 (2): 187–205.
- Ambrosini, Maurizio, and Paolo Boccagni. 2015. Urban Multiculturalism beyond the »Backlash«: New Discourses and Different Practices in Immigrant Policies across European Cities. *Journal of Intercultural Studies* 36 (1): 35–53.
- Armano, Emiliana, Arianna Bove, and Annalisa Murgia, eds. 2017. *Mapping Precariousness, Labour Insecurity and Uncertain Livelihoods: Subjectivities and Resistance*. London: Routledge.
- Ataç, Ilker. 2019. Deserving Shelter: Conditional Access to Accommodation for Rejected Asylum Seekers in Austria, the Netherlands, and Sweden. *Journal of Immigrant & Refugee Studies* 17 (1): 44–60.
- Ataç Ilker, and Sieglinde Rosenberger. 2019. Social Policies as a Tool of Migration Control. *Journal of Immigrant & Refugee Studies* 17 (1): 1–10.
- Ataç, Ilker, Theresa Schütze, and Victoria Reitter. 2020. Local Responses in Restrictive National Policy Contexts: Welfare Provisions for Non-removed Rejected Asylum Seekers in Amsterdam, Stockholm and Vienna. *Ethnic and Racial Studies* 43 (16): 115–134.
- Ataç, Ilker, and Sarah Schilliger. 2022. Civil Society Organisations Engaged with Illegalised Migrants in Bern and Vienna: Co-production of Urban Citizenship. In *Contending Global Apartheid: Transversal Solidarities and Politics of Possibility*, eds. Martin Bak Jørgensen and Carl-Ulrik Schierup, 324–353. Leiden: Brill.

- Bauder, Harald. 2014. Why We Should Use the Term Illegalized Immigrant. *International Journal of Refugee Law* 26 (3): 327–332.
- Bazurli, Raffaele. 2019. Local Governments and Social Movements in the ›Refugee Crisis‹: Milan and Barcelona as ›Cities of Welcome‹. *South European Society and Politics*, 24 (3): 343–370.
- Butler, Judith. 2004. *Precarious Life: The Powers of Mourning and Violence*. London/New York: Verso.
- Campomori, Francesca, and Maurizio Ambrosini. 2020. Multilevel Governance in Trouble: The Implementation of Asylum Seekers' Reception in Italy as a Battleground. *Comparative Migration Studies* 8 (22). <https://doi.org/10.1186/s40878-020-00178-1>.
- Çağlar, Ayse, and Nina Glick Schiller. 2018. *Migrants and City-Making: Dispossession, Displacement and Urban Regeneration*. Durham: Duke University Press.
- Caponio, Tiziana. 2014. *The Legal and Political Dimension of Local Integration Policy – KING Project – Social Science Unit Desk Research Paper*, Nr. 9/July 2014. Milan: Fondazione ISMU.
- Caponio, Tiziana. 2018. Immigrant Integration beyond National Policies? Italian Cities' Participation in European City Networks. *Journal of Ethnic and Minority Studies* 44 (12): 2053–2069.
- Caponio, Tiziana, and Maren Borkert, eds. 2010. *The Local Dimension of Migration Policy Making*. Amsterdam: Amsterdam University Press.
- Caponio, Tiziana, and Michael Jones-Correa. 2018. Theorising Migration Policy in Multilevel States: The Multilevel Governance Perspective. *Journal of Ethnic and Migration Studies* 44 (12): 1995–2010.
- Chauvin, Sébastien, and Blanca Garcés-Mascareñas. 2012. Beyond Informal Citizenship: The Moral Economy of Migrant Illegality. *International Political Sociology* 6 (3): 241–259.
- Chauvin, Sébastien, and Blanca Garcés-Mascareñas. 2014. Becoming Less Illegal: Deservingness Frames and Undocumented Migrant Incorporation. *Sociology Compass* 8 (4): 422–432.
- De Genova, Nicholas. 2002. Migrant ›Illegality‹ and Deportability in Everyday Life. *Annual Review of Anthropology* 31 (1): 419–447.
- Delvino, Nicola, and Sarah Spencer. 2019. Migrants with Irregular Status in Europe: Guidance for Municipalities. Oxford: COMPAS. <https://www.compas.ox.ac.uk/2019/migrants-with-irregular-status-in-europe-guidance-for-municipalities/>. Accessed: 21.2.2022.
- Doomernik, Jeroen, and Djoeke Ardon. 2018. The City as an Agent of Refugee Integration. *Urban Planning* 3 (4): 91–100.
- Douglas, Paul, Martin Cetron, and Paul Spiegel. 2019. Definitions Matter: Migrants, Immigrants, Asylum Seekers and Refugees. *Journal of Travel Medicine* 26 (2): 1–3.
- Flamant, Anouk. 2017. City Officers Dedicated to Migration Issues: An Action between European City Networks and National Policies. *Politique européenne* 57 (3): 84–115.
- Flamant, Anouk. 2020. The Local Turn in Integration Policies: Why French Cities Differ. *Ethnic and Racial Studies* 43 (11): 1981–2000.
- Flamant, Anouk, Aude-Claire Fourot, and Aisling Healy. 2022. *Local Government Studies, Special issue: City Network Activism and the Governance of Migration*, DOI: 10.1080/03003930.2022.2045277.

- Fausser, Margit. 2017. The Emergence of Urban Border Spaces in Europe. *Journal of Borderlands Studies* 34 (4): 605–622.
- Gebhardt, Dirk. 2016. Re-thinking Urban Citizenship for Immigrants from a Policy Perspective: the Case of Barcelona. *Citizenship Studies* 20 (6–7): 846–866.
- Gebhardt, Dirk, and Simon Güntner. 2021. »We as Leaders of Major European Cities« – How Eurocities Works to Influence EU Migration and Integration Policies, *Local Government Studies*, DOI:10.1080/03003930.2021.1938552
- Goldring, Luin, Carolina Berinstein, and Judith Bernhard. 2009. Institutionalizing Precarious Migratory Status in Canada. *Citizenship Studies* 13 (3): 239–265.
- Goldring, Luin, and Patricia Landolt, eds. 2013. *Producing and Negotiating Non-Citizenship. Precarious Legal Status in Canada*. Toronto: University of Toronto Press.
- de Graauw, Els. 2016. *Making Immigrant Rights Real: Nonprofits and the Politics of Integration in San Francisco*. Ithaca: Cornell University Press.
- de Graauw, Els. 2021. City Government Activists and the Rights of Undocumented Immigrants: Fostering Urban Citizenship within the Confines of US Federalism. *Antipode* 53 (2): 379–398.
- de Graauw, Els, and Floris Vermeulen. 2016. Cities and the Politics of Immigrant Integration: a Comparison of Berlin, Amsterdam, New York City, and San Francisco. *Journal of Ethnic and Migration Studies* 42 (6): 989–1012.
- de Graauw, Els, and Floris Vermeulen. 2021. Local Context and Immigrant Bureaucratic Incorporation: Insights from Amsterdam and New York City. *Journal of Ethnic and Migration Studies* 47 (1): 1–21.
- Hajer, Maarten, and Hendrik Wagenaar, eds. 2003. *Deliberative Policy Analysis: Understanding Governance in the Network Society*. Cambridge: Cambridge University Press.
- Hinger, Sophie, Maren Kirchhoff, and Ricarda Wiese. 2018. »We belong together!« Collective Anti-Deportation Protests in Osnabrück. In *Protest Movements in Asylum and Deportation*, eds. Sieglinde Rosenberger, Verena Stern, and Nina Merhaut, 163–184. Cham: Springer.
- Hoekstra, Myrthe S. 2018. Governing Difference in the City: Urban Imaginaries and the Policy Practice of Migrant Incorporation. *Territory, Politics, Governance* 6 (3): 362–380.
- Holm, Andrej, and Henrik Lebuhn. 2020. Strengthening Citizenship in Berlin. Three Modes of Claiming and Expanding Rights and Resources at the Local Level. In *Urban Change and Citizenship in Times of Crisis*. Vol. 3: Figurations of Conflict and Resistance, eds. Bryan S. Turner, Hannah Wolf, Gregor Fitzl, and Jürgen Mackert, 81–101. New York: Routledge.
- Jayaweera, Hintha. 2018. Access to Healthcare for Vulnerable Migrant Women in England: A Human Security Approach. *Current Sociology* 66 (2): 273–285.
- Kaufmann, David. 2019. Comparing Urban Citizenship, Sanctuary Cities, Local Bureaucratic Membership, and Regularizations. *Public Administration Review* 79 (3): 443–446.
- Kaufmann, David, and Dominique Strebel. 2020. Urbanising Migration Policy-making: Urban Policies in Support of Irregular Migrants in Geneva and Zürich. *Urban Studies* 58 (14): 2991–3008.
- Kirchhoff, Maren, and David Lorenz. 2018. Between Illegalization, Toleration, and Recognition: Contested Asylum and Deportation Policies in Germany. In *Protest Movements in Asylum and Deportation*, eds. Sieglinde Rosenberger, Verena Stern, and Nina Merhaut, 49–68. Cham: Springer.

- Kofman, Eleonore. 2019. Gendered Mobilities and Vulnerabilities: Refugee Journeys to and in Europe. *Journal of Ethnic and Migration Studies* 45 (12): 2185–2199.
- Lafleur, Jean-Marie, and Elsa Mescoli. 2018. Creating Undocumented EU Migrants through Welfare: A Conceptualization of Undeserving and Precarious Citizenship. *Sociology* 52 (3): 480–496.
- Landolt, Patricia, and Luin Goldring. 2015. Assembling Noncitizenship through the Work of Conditionality. *Citizenship Studies* 19 (8): 853–869.
- Lebuhn, Henrik. 2013. Local Border Practices and Urban Citizenship in Europe. Exploring Urban Borderlands. *CITY. Analysis of Urban Trends, Culture, Theory, Policy, Action* 17 (1): 37–51.
- Lipsky, Michael. 1980. *Street-level Bureaucracy: Dilemmas of the Individual in Public Services*. New York: Russel Sage Foundation.
- Lorey, Isabelle. 2015. *State of Insecurity. Government of the Precarious*. London: Verso.
- Mallet, Marie, and Nicola Delvino. 2021. Re-thinking Exclusionary Policies: the Case of Irregular Migrants during the COVID-19 Pandemic in Europe. In *Social Policy Review 33: Analysis and Debate in Social Policy*, eds. Andy Jolly, Marco Pomati, and James Rees, 243–246. Bristol: Bristol University Press.
- Menjívar, Cecilia. 2006. Liminal Legality: Salvadoran and Guatemalan Immigrants' Lives in the United States. *American Journal of Sociology* 111 (4): 999–1037.
- Mezzadra, Sandro, and Brett Neilson. 2013. *Border as Method, or, the Multiplication of Labor*. Durham: Duke University Press.
- Morris, Lydia. 2003. Managing Contradiction: Civic Stratification and Migrants' Rights. *International Migration Review* 37 (1): 74–100.
- Nicholls, Walter J., and Justus Uitermark. 2016. *Cities and Social Movements: Immigrant Rights Activism in the US, France, and the Netherlands, 1970–2015*. Chichester: Wiley Blackwell.
- O'Doherty, Kieran, and Amanda Lecouteur. 2007. ›Asylum Seekers‹, ›Boat People‹ and ›Illegal Immigrants‹: Social Categorisation in the Media. *Australian Journal of Psychology* 59 (1): 1–12.
- Oomen, Barbara, Moritz Baumgärtel, and Elif Durmus. 2018. *Transnational City Networks and Migration Policy*. Report by Cities of Refuge Research. Cities of Refuge.
- Oomen, Barbara. 2019. Decoupling and Teaming up: The Rise and Proliferation of Transnational Municipal Networks in the Field of Migration. *International Migration Review* 54 (3): 913–939.
- Patuzzi, Liam. 2020. European Cities on the Front Line: New and Emerging Governance Models for Migrant Inclusion. International Organization for Migration/Migration Policy Institute. <https://www.migrationpolicy.org/sites/default/files/publications/MPIE-LocalGovernance-FINAL.pdf>
- PICUM. 2012. Strategies to End Double Violence Against Undocumented Women. PICUM Report. https://picum.org/Documents/Publi/2012/Strategies_to_End_Double_Violence_Against_Undocumented_Women-Protecting_Rights_and_Ensuring_Justice.pdf
- Pierre, Jon. 2014. Can Urban Regimes Travel in Time and Space? Urban Regime Theory, Urban Governance Theory, and Comparative Urban Politics. *Urban Affairs Review* 50 (6): 864–889.
- Price, Jonathan, and Sarah Spencer. 2015. *Safeguarding Children from Destitution: Local Authority Responses to Families with »no Recourse to Public Funds«*. Oxford: COMPAS Report.

- Potochnik, Stephanie, Jen-Hao Chen, and Krista Perreira. 2017. Local-Level Immigration Enforcement and Food Insecurity Risk among Hispanic Immigrant Families with Children: National-Level Evidence. *Journal of Immigrant Minority Health* 19: 1042–1049.
- Raghuram, Parvati. 2021. Democratizing, Stretching, Entangling, Transversing: Four Moves for Reshaping Migration Categories. *Journal of Immigrant & Refugee Studies* 19 (1): 9–24.
- Schierup, Carl-Ulrik, Ronaldo Munck, Branka Likić Brborić, and Anders Neergaard, eds. 2015. *Migration, Precarity, and Global Governance: Challenges and Opportunities for Labour*. Oxford: Oxford University Press.
- Schiller, Maria. 2016. *European Cities, Municipal Organisations and Diversity: the New Politics of Difference*. London: Palgrave Macmillan.
- Schilliger, Sarah. 2019. Charity or Pathways to Citizenship: A New Urban Policy Approach. In: *Solidarity Cities in Europe: Charity or Pathways to Citizenship: A New Urban Policy Approach*, eds. Christoph Wenke and Stefanie Kron, 95–110. Berlin: Rosa-Luxemburg-Stiftung.
- Schilliger, Sarah. 2020. Challenging Who Counts as a Citizen. The Infrastructure of Solidarity Contesting Racial Profiling in Switzerland. *Citizenship Studies* 24 (4): 530–547.
- Scholten, Peter. 2013. Agenda Dynamics and the Multi-level Governance of Intractable Policy Controversies: The Case of Migrant Integration Policies in the Netherlands. *Policy Sciences* 46 (3): 217–236.
- Schweitzer, Reinhard. 2017. Integration against the State: Irregular Migrants' Agency between Deportation and Regularisation in the United Kingdom. *Politics* 37 (3): 317–331.
- Spencer, Sarah. 2016. Postcode Lottery for Europe's Undocumented Children: Unravelling an Uneven Geography of Entitlements in the European Union. *American Behavioral Scientist* 60 (13): 1613–1628.
- Spencer, Sarah. 2018. Multi-level Governance of an Intractable Policy Problem: Migrants with Irregular Status in Europe. *Journal of Ethnic and Minority Studies* 44 (12): 2034–2052.
- Spencer, Sarah. 2020. Cities Breaking the Mould? Municipal Inclusion of Irregular Migrants in Europe. In *Migrants with Irregular Status in Europe*, eds. Sarah Spencer, and Anna Triandafyllidou, 187–205. Cham: Springer.
- Spencer, Sarah. 2022. European City Network on Migrants with Irregular Status: Exploring Functions and Outcomes on a Sensitive Policy Issue. *Global Networks* 22 (3): 5413–429.
- Spencer, Sarah, and Nicola Delvino. 2019. Municipal Activism on Irregular Migrants: The Framing of Inclusive Approaches at the Local Level. *Journal of Immigrant & Refugee Studies* 17 (1): 27–43. <https://doi.org/10.1080/15562948.2018.1519867>
- Stephenson, Paul. 2013. Twenty Years of Multi-level Governance: ›Where Does It Come From? What Is It? Where Is It Going?‹. *Journal of European Public Policy* 20 (6): 817–837.
- Termeer, Catrien J. A. M. 2009. Barriers to New Modes of Horizontal Governance. *Public Management Review* 11 (3): 299–316.
- Triandafyllidou, Anna. 2010. Irregular Migration in Europe in the Early 21st Century. In *Irregular Migration in Europe: Myths and Realities*, ed. Anna Triandafyllidou, Farnham, Surrey/Burlington, VT: Ashgate Pub Co.

- Triandafyllidou, Anna, and Laura Bartolini. 2020. Understanding Irregularity. In *Migrants with Irregular Status in Europe*, eds. Sarah Spencer, and Anna Triandafyllidou, 11–32. Cham: Springer.
- Van der Leun, Joane. 2003. *Looking for Loopholes: Processes of Incorporation of Illegal Immigrants in the Netherlands*. Amsterdam: Amsterdam University Press.
- Van der Leun, Joane. 2006. Excluding Illegal Migrants in The Netherlands: Between National Policies and Local Implementation. *West European Politics* 29: 310–326.
- Wenke, Christoph, and Stefanie Kron. 2019. Introduction: Solidarity Cities in Europe. In *Solidarity Cities in Europe: Charity or Pathways to Citizenship: A New Urban Policy Approach*, eds. Christoph Wenke and Stefanie Kron, 5–15. Berlin: Rosa-Luxemburg-Stiftung.
- Willen, Sarah. 2011. How is Health-related ›Deservingness‹ Reckoned? Perspectives from Unauthorized Im/Migrants in Tel Aviv. *Social Science & Medicine* 74 (2012): 812–821. <https://doi.org/10.1016/j.socscimed.2011.06.033>
- Zapata-Barrero, Ricard, Tiziana Caponio, and Peter Scholten. 2017. Theorizing the ›Local Turn‹ in a Multi-level Governance Framework of Analysis: a Case Study in Immigrant Policies. *International Review of Administrative Sciences* 83 (2): 241–246.