

Legal Status at Migration and Migrant Networks

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Abstract

This paper investigates whether – and how – migrant networks differentially impact legal and unauthorized migration and advances prior work by uncovering some of the mechanisms-at-work, testing social capital theory against competing explanations, and distinguishing between legal/unauthorized entry and legal/unauthorized stay. The literature has largely neglected legal status at migration. Using the longitudinal MAFE-Senegal data (2008) collected in Africa (Senegal) and Europe (France, Italy and Spain), this paper employs a competing risks discrete-time event history analysis to estimate the likelihood of unauthorized and legal 1st-time migration to Europe. Preliminary results indicate that the migrant network hypothesis is robust for both legal and unauthorized migration; but competing explanations appear to apply primarily to legal entry. Effects are gendered: strong ties increase all types of female migration, and weak ties, male migrations. Yet, strong ties especially facilitate male legal entry, while weak ties do so for female unauthorized entry.

1. Introduction

Migrant networks appear to facilitate individual's likelihood to migrate internationally (eg. Curran and Rivero-Fuentes 2003; Davis, Stecklov and Winters 2002; Garip 2008; Kanaiaupuni 2000; Massey and Espinosa 1997; Palloni *et al* 2001). Indeed migrant networks seem to play a key role in continued migration flow, their size and breadth leading propagating migration flows far beyond their initial causes, a phenomenon names cumulative causation (Massey and García España 1987). At the individual level, the effects of migrant networks on migration vary with the composition of one's migrant network and one's own characteristics. For example, individuals are more likely to migrate if their parents, siblings and extended family already have (Massey 1990, Massey and Espinosa 1997, Espinosa and Massey 1999, Kanaiaupuni 2000, Stecklov *et al* 2010, Toma and Vause 2011), even when competing explanations are accounted for (Palloni *et al* 2001, Liu 2011). Friendship networks also make migration more likely (Liu 2011). Individual migration propensity also increases with the proportion of one's origin community that has migrated at some point in the past (Massey and Garcia España 1987, Davis *et al* 2001), although this is more limited for international migration from urban areas (Fussell and Massey 2004). Throughout, the impacts of migrant networks depend on their gender composition and the gender of the potential migrants (Cerrutti and Massey 2001, Davis and Winters 2001, Curran and Rivero-Fuentes 2003, Curran *et al* 2005, Stecklov *et al* 2010, Toma and Vause 2011) and even on the characteristics of resources offered by the network itself (Garip 2008).

This paper examines the dynamic impact of migrant social networks on international migration and extends prior research by investigating how this is different for unauthorized and legal migration.² There is reason to believe that the two are related, but distinct processes with a series of distinguishable costs and requirements. Nevertheless, the migration network literature has focused either on unauthorized migration (*e.g.* Espinosa and Massey 1999, McKenzie and Rapoport 2010, Stecklov *et al* 2010); *quasi*-legal migration (Parrado and Cerrutti 2003); migration where special documentation is not required (Entwisle *et al* 2007, Curran *et al* 2005); or has failed to distinguish among different legal

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² Other terms in the literature include illegal migration and undocumented migration. Here, we use the term unauthorized migration, which is preferred since it seems both accurate (unlike 'undocumented' migration when, in most cases, individuals have a passport or other identification/documentation) and politically neutral (unlike 'illegal' migration). In principal, our focus of study are individuals who, to the best of our knowledge, have always traveled voluntarily and may have sometime hired a *passseur* or human smuggler to help them enter a country without authorization. Human smuggling is distinct from the grave problem of human *trafficking*, which involves: involuntary movement, long(or short)-term exploitation, interdependency with organized crime, and the possibility that the individual will be recruited for criminal work (Bakrektarevic 2000, as quoted by Aronowitz 2001: 165). According to de Haas (2008: 10), human trafficking is rather rare in the West African-Europe context.

statuses.³ To the best of the author's knowledge, the only precedent for comparing the role of migrant networks in legal and unauthorized migration used very limited network indicators and did not account for competing explanations (Massey and Espinosa 1997). The current paper aims to clarify whether and how networks impact legal and unauthorized migration differently, and the possible mechanisms. It further extends the literature by distinguishing between two different aspects of unauthorized migration: legal/unauthorized entry and legal/unauthorized stay, empirically important when overstays of legal permits are potentially widespread and theoretically important when unauthorized entry and legal entry followed by visa overstay may be powered by different mechanisms.⁴

Although the meaning of illegality is a “fluid construction” and changes through time and across geographical contexts (Schrover *et al* 2008: 10) and individuals are unlikely to “decide” their legal status at migration *ex-ante*, it is important to distinguish between legal and unauthorized migration for three reasons. First, even though migrant networks are theoretically a mechanism of cumulative causation, this has been confirmed primarily for rural sending areas from which unauthorized migration is predominant (for the Mexican context: eg. Massey and Garcia-España 1997, Massey and Zenteno 1999), but has found to be more limited in urban areas where labor markets compete for labor and legal migration plays a larger role (Fussell and Massey 2004). Only two studies appear to document the impact of migrant networks on legal migration (Massey and Espinosa 1997, Fussell 2004), and both limit personal network ties to the close family. Here, this paper tests the impact of close *and* broad personal networks on legal and unauthorized migration, and does so for a primarily urban context of origin.

Second, since legal migration and unauthorized migration appear to have different sets of costs and potential benefits, we expect that migrant networks will play a differential role in each, and that this further depends on the network composition. Massey and Espinosa's study (1997) appears to be the only precedent for directly comparing the likelihood of legal or unauthorized entry. They found that while having a migrant parent or migrant sibling was influential for both types of entry, the effect was larger on legal than on unauthorized entries. On the other hand, the level of community migrant social capital (% of U.S. migrants in the rural community) was only influential in raising the likelihood of unauthorized entry. Nevertheless, their study restricted the migrant network indicators to migrant parent dummy indicator, the number of migrant siblings and a community migrant capital indicator. All other personal ties were neglected, as were other aspects of network composition known to be influential – including gender (Cerrutti and Massey 2001, Curran and Rivero-Fuentes 2003, Davis and Winters 2001, Kanaiupuni 2000, Stecklov *et al* 2010) and strength of tie (Liu 2011). We can anticipate that women and men confront different barriers to migrating legally or without authorization (Donato *et al* 2008), and that migrant networks may be particularly important, depending on their composition and the resources they can offer. For example, legal migration usually has strict formal requirements (the ability to certify sufficient economic resources and adequate housing, for example), while unauthorized migration, by definition, can be more spontaneous, so we may expect that the former especially benefits from close family (and more established) networks, while the latter's chances may improve from a wider, broader network which will increase one's odds of knowing a migrant who migrated unauthorized. Third and finally, beyond the initial entry into a country, many legal status and migration trajectories exist: as a result, we distinguish first among legal/unauthorized entries, and then among legal/unauthorized stays. Although an individual's life and trajectory has an infinite number of possibilities, this paper intends to identify whether migrant networks are important in determining patterns of legal status during migration.

³ Refugees (individuals who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country” – definition from 1951 UN Refugee Convention) are excluded from this study. Refugees and asylum seekers theoretically fall under a different set of international rules (see 1951 UN Refugee Convention), and the crossing of international borders without the legal documents typically required is not considered illegal (nor unauthorized) when the actors are potential asylum applicants (Carling 2007: 321). Furthermore, the number of refugees from Senegal arriving in Europe seem low compared to “migrants”, and the overwhelming proportion of Senegalese refugees remain in Africa (UNHCR 2005). The UNHCR reports that the country which has received the most refugees from Senegal is Guinea-Bissau and, to a much lesser extent, Gambia. Since 1982, sporadic and intense fighting between government soldiers and separatist rebels of the Movement of Democratic Forces of Casamance (MFDC) has led to the flight of thousands of refugees from the Casamance region.

⁴ In 2003, Spain's former Secretary for Aliens' Affairs and Immigration, Jaime Ignacio González, argued that “those who enter under the appearance of legality” are a much bigger problem than unauthorized entries (Carling 2007: 321 quoting Romero 2003: 20).

We utilize longitudinal data on non-migrants, return migrants and current migrants from the MAFE-Senegal project (2008). The data was collected in both Africa (Senegal) and Europe (France, Italy and Spain), and this paper tests the robustness of network theory for both unauthorized and legal migration. Besides being relatively stable politically since independence and harking from a region (West Africa) with great demographic and migration potential (Hatton and Williamson 2002), the Senegal case is a particularly good test case since a large share of the Senegalese migrant population in Europe is known to have entered without authorization or to have overstayed their visa (Gabielli 2010, Jabardo 2006).

Next, we review some of the literature on migrant networks and deal especially with the treatment of legal status at migration.

2. Migrant networks and legal status of migration – a literature review

The quantitative literature investigating the impact of migrant networks on international migration has almost exclusively focused (conscientiously, by default, or likely due to data availability) on unauthorized migration: in the Mexico-U.S. context (for example, see Massey and García España 1997, Donato *et al* 1992, Palloni *et al* 2003, Donato *et al* 2008) and from Albania (Stecklov *et al* 2010). Two studies have explicitly studied legal migration and unauthorized migration from Mexico to the U.S.: Massey and Espinosa (1997) directly compared the two, while Fussell (2004) ran parallel models. Also, there is qualitative evidence that networks also play important roles in legal migration (see Hondagneu-Sotelo 1994, Gregorio Gil 1998).

Further attention has been focused on *quasi*-legal migration, where migration laws are not enforced, and on migration which does not require special documentation, true for most cases of internal migration and for international migration where existing international agreements protect freedom of movement. In their study of migration between Paraguay and Argentina, Parrado and Cerrutti argue that “legal constraints have not been a significant factor affecting migration decisions” due to the largely-unregulated nature of migration flows (and quotas) from bordering countries to Argentina; the lack of sanctions against employment of these migrants (despite its theoretically illegal nature); and regular amnesties (four in the 40-year observation period) (Parrado and Cerrutti 2003: 109-110). Here (and in similar cases), it is not the lack of migration and border policy *per se* that allows freedom of movement, but the *lack of enforcement*.

On the other hand, certain movements do not require special legal authorization, including most internal migration. In their studies of migrant networks and Thai internal migration, Entwisle *et al* 2007 and Curran *et al* 2005 are justifiably unconcerned about legal status and/or the availability of residence permits for potential migrants, since these are not issues in the Thai context.⁵ A similar situation is found when bi- or multi-lateral international agreements ensure freedom of movement: currently, this is the case in the EU’s Schengen area, within parts of Africa itself (de Haas 2008), etc. However, this no-special-document-needed migration is not exactly equivalent to legal international migration in the South-North context: the laborious paperwork process inherent in (and prior to) legal international migration is more costly in terms of money and time.

At the same time, the study of migrant networks and true legal or authorized migration has been largely neglected, and comparisons of legal and unauthorized migration are few. There appear to be three examples of the latter and only two which explicitly study the international migration decision. First, Massey and Espinosa (1997) studied the probability of first-time Mexico-U.S. migration with and without documents. Social capital raised the likelihood of both, but having a migrant parent and/or number of migrant siblings (migrant defined as anyone who had ever migrated to the U.S.) had a much larger effect on legal migration than on unauthorized migration. Also, sharing a household with an

⁵ In other internal migration contexts (e.g. the *hakou* system in China), legality and residence permits play an important role in internal migration (Chan and Zhang 1999), and these contexts may be more akin to the legal/unauthorized dichotomy of much of international migration.

individual who had been legalized under the 1986 IRCA raised the likelihood of both legal and unauthorized migration, but especially legal, while the proportion of migrants in the origin community raised only the probability of unauthorized migration. Not included in Massey and Espinosa's analysis were non-household family members and friends.

Second, Fussell (2004) ran parallel models of legal and unauthorized migration. She analyzed both the first and most recent trip. Having a migrant parents and siblings who migrated previously raised the likelihood of both unauthorized and legal migration. Since the models were separate, it is not possible to directly compare the effects of migrant networks. Fussell aimed to compare how individuals hailing from different communities (rural interior, urban interior and Tijuana) had different determinants of migration, and found that for undocumented migration from urban interior communities, family networks had especially strong effects, as compared to that hailing from rural interior communities.

Third, the 1997/1998 Push-Pull Project found descriptive evidence (current or last stay in Europe) that similar proportions of legal and unauthorized Egyptian (Italy), Ghanaian (Italy), Senegalese (Spain), and Moroccan (Spain) migrants had migrant networks (family and friends) at destination before migrating (Schoorl *et al* 2000: 102-103). However, the limited nature of this analysis (a cross-sectional comparison of migrants with migrants) prevent explaining why some individuals move towards migration, while other remain at home; whether migrant networks play an important role in migration in general, and the legal status at migration, specifically; and whether these effects hold once individual and household characteristics are controlled for.

The literature emphasizes the importance of distinguishing between legal/unauthorized entry and legal/unauthorized stay (de Haas 2008: 13) in efforts to move beyond static constructs of legality and migration and to capture its actual dynamism (Schrover *et al*, 2008: 26). Yet, to the best of the author's knowledge, the empirical literature has focused only on legal/unauthorized entry and has failed to address this in conjunction with legal/unauthorized stay. The scant empirical evidence available confirms the importance of unauthorized stays (from overstays of tourist visas, for example). For example, in the Push-Pull Project's analysis of unauthorized stays, about 15% of Ghanaians in Italy and 36% of Senegalese in Spain had overstayed a visa, while less individuals (7% of Ghanaians, and 15% of Senegalese) had entered the country without authorization (Schoorl *et al* 2000: 101). Among Egyptians in Italy and Moroccans in Spain, however, similar proportions had entered the country without authorization or overstayed a visa.

Yet unexplored is whether a migration strategy of unauthorized entry can or ought to be treated as equivalent to that of legal entry followed by unauthorized stay. There do seem to be different costs, benefits and access to each process. Figure 1 lists the requirements for a tourist and student visa from the French embassy in Dakar, Senegal, as of Sept. 2011.

FIGURE 1: TOURIST AND STUDENT VISA REQUIREMENTS – SENEGAL-FRANCE

For a tourist, family or professional visa for France from Senegal, the individual must have:

- A passport
- 40,000 CFA (approx. 61 €) for visa fee
- Proof of Housing in France (official proof of host's ability to do so from city hall; hotel reservation; further proof of enough means for stay or transit may be required)
- Proof of Health insurance coverage (for the whole Schengen area) of at least 30,000 euros for entire stay
- Proof of fulfillment of Socio-professional documentation requirements
 - o Salaried employees (Employment contract, written and signed permission of leave, last 3 payslips, last 3 monthly bank statements, letter or other proof of affiliation with IPRES (Senegal old age pension insurance))
 - o Non-employed married women (husband's professional documentation and proof of marriage)
 - o Minor children (resources of parents, copy of birth certificate, parental authorization, schooling enrollment certificate and proof of re-enrollment)
 - o Civil servants on diplomatic service (proof of order for diplomatic service including dates, locations, accommodation and name of Ministry; certify the amount of compensation for the service)
 - o Business (Proof and details of business and business contacts in France)

For a student visa, it is necessary to be at least 18 years old and have:

- A passport
- 35.000 CFA (approx. 54€) for visa fee
- Official Authorization by the Ministry of Education's Directorate of Scholarships to leave Senegal for study, with details about the level and nature of studies and host institution in France
- Proof of resources and accommodation
 - o If the resources come from abroad (other than France), an official bank statement showing proof of a standing (and irrevocable) monthly order for the student of the amount of 485€ (318.000 CFA), and which states the relationship with the student.
 - o If the resources come from France,
 - Proof of ability to support and host by a economically solvent host, established in France
 - Proof of residency or, when applicable, French nationality
 - Proof of resources: last income tax returns, last 3 payslips.
 - Proof of ability to host: property title, property tax or rental contract and last 3 rent receipts.
 - o If student is receiving a scholarship or official aid of Senegalese origin – Certification of quantity of monthly income

Source: French embassy in Senegal website (<http://www.ambafrance-sn.org/spip.php?article346>), accessed 6/21/11. Own translation.

If we assume that using forged documents will not lead to success, the visa requirements limits eligible individuals to those with sufficient employment success (in terms of being a salaried employee in the formal sector, for example), human capital and economic resources. The documents necessary for the tourist visa application are only available to those employed in the formal sector. However, in 2004, the formal sector (those with a NINEA or taxpayer number, or employers or the self-employed who keep accounting books) made up a mere 6.2% share of the total economically active population in Senegal (World Bank 2007: 26). It follows then that very few individuals have access to the tourist visa application process, and fewer still to that of the student visa. And for these fortunate few, established migrant networks at destination with the proper housing and financial status are the key to a successful visa application. The few exceptions, not dependent on established networks at destination, include winners of official scholarships and individuals wealthy enough to pay for a hotel reservation and demonstrate sufficient economic resources for their entire “stay”.

Furthermore, there are political reasons for a comprehensive analysis of legal and unauthorized entries and stays (Carling 2007: 321). If overstays of visas are an important phenomenon, this could have possible policy implications as well.

Given this need in the literature, this paper examines how migrant networks impact explicitly-legal migration; whether migrant networks impact differently legal and unauthorized migration and how (if) this depends on the size and composition of the network; and, finally, whether legal entry and legal stay capture different mechanisms of migration and networks.

3. Working hypotheses / mechanisms

First, documented and undocumented migration have different costs. Documented migration depends on the resources and necessary know-how to navigate the complex paperwork process *before* migration

and requires formal planning (and financial investment) and a longer wait. At the same time, undocumented migration requires other kinds of information (e.g. how to contact a *passeur*), a higher level of resources for the actual migration trip (including paying the *passeur*, negotiating transit country stays), but does not involve wading through a bureaucratic process and can be more spontaneous. Both can require a great financial investment. Since documented migration requires more forethought and planning while undocumented migration can be more spontaneous, *we expect that longer-term migrant networks (as captured by cumulative migration experience) would have a greater influence on legal migration, than on unauthorized migration.*

Second, not all migrant networks are of equal help. This is true for the bureaucratic processes of legal family reunification and visa applications. A spouse with the proper legal status and resources, can process paperwork for legal family reunification of their spouse and children and sometimes even their parents or other relatives (depending on the national legislation, see Appendix). An established individual at destination can provide the necessary housing certificate and certify bank account resources to ensure a successful tourist or student visa application process. Since the latter interaction requires a significant amount of trust between the network member and prospective migrant, we expect that the network member is more likely to be a close family member. At the same time, knowing other individuals who have successfully migrated without documents may make that route more accessible and likely. Indeed, the high risk of unauthorized entry may be offset in the minds of potential migrants if “everybody” is doing it. For the reason, we expect that weak ties to be more important in determining unauthorized migration than legal migration. The second hypothesis is *we expect that, strong ties (close family members) are more influential on legal migration, while weak ties (extended family members and friends) will have a stronger influence on unauthorized migration.*

Third, we expect that the balance between documented and undocumented migration and the impact of migrant networks on these vary throughout time. This may depend on changes in migration policy, macro-economic climate at origin and destination, the development of new routes for clandestine migration, and the actual composition of the migrant network. Specifically, *we expect that migrant networks help individuals bridge the gap between actual and needed resources for migration: in periods when policies are tougher on unauthorized migration (either via enforcement or requirements to gain legal status), migrant networks increase in importance; also, when macroeconomic differences between origin and destination increase, we expect migrant networks do be more important.*

Fourth, there may be differences between male and female migration, the use of migrant networks and other resources and even whether the potential migrant reaches destination safely. In their analysis of undocumented migration, Donato *et al* 2008 found that shifts in U.S. immigration policy (including greater INS enforcement efforts) altered the forms of migration. Women were more likely to employ a coyote (higher cost), while men were more likely to cross alone (lower cost and lower risk of being caught). They also found that men, older individuals (35 or older), and those with more years of education were less likely to be apprehended, and more likely to reach the destination successfully. Furthermore, higher social capital (having a migrant parent, migrant sibling, migration prevalence in origin community) apparently also led to *higher* levels of apprehension. *We expect to find differing influences of migrant networks on legal and unauthorized migration by men and women, although it's possible that female unauthorized migration constitutes a special case.*

Alternative hypotheses

Legal family reunification likely plays an important role here. In each of the destination countries surveyed, there are special and distinct provisions for the legal reunification of spouses and offspring at destination. Nevertheless, there are reasons to believe that this is a special case of the household decision-making hypotheses, rather than part of a pure migrant network hypothesis (see Liu 2011). Therefore, we intend to test whether the migrant network hypothesis has a role in legal migration, beyond possible spousal reunification.

Several rival explanations, in addition to the social network hypothesis, can explain the correlation of household migration with one's own migration. Palloni *et al* (2001) provide a concise list: a concerted

family strategy to maximize household income (the neoclassical economic model); a concerted family strategy to diversify risk by sending some of its members abroad (the new economic model of labor migration); selection into networks by the same factors that influence the likelihood of migration (selection); or that individuals in the same networks share certain unobserved characteristics that influence migration (unobserved heterogeneity). In the last case, it is these shared characteristics that explain the link between the migration behavior of different individuals, and not the social network itself (as theorized by social capital theory). Thus, it is most important to control for these shared characteristics, whether or not they can be measured.

4. Context

The roots of Senegalese migration to Europe are found in the colonial (and later ex-colonial) link to France, and its labor shortage in the 20th century. France especially facilitated immigration by members of its colonies and ex-colonies after World War II, with French automobile companies systematically recruiting healthy well-educated workers from Senegal (mostly of the soninkés and pulaars ethnicities), during the mostly prosperous 1960's (Jabardo 2006: 37). However, with the recessions of 1967-1968, and the oil crisis of 1973, these workers suffered especially. Following in the footsteps of Germany, France halted the entrance of foreign workers, limiting migration to legal family reunification in 1974 with certain exceptions in construction, mining and seasonal agricultural work (Constant 2005: 274).

In the late 1970's and early 1980's, as France continued to be a less hospitable destination, agriculture in Spain and Italy shifted to a more labor-intensive model, and new Senegalese migrants (of the same soninkés and pulaars ethnicities as the autoworkers in France) arrived and worked in Spain (initially Catalunya)⁶ and southern Italy, with hopes to move to France in the not-so-distant future (Jabardo 2006: 39). From the mid-1970's on, propelled largely by the groundnut agricultural crisis in their region of origin (Gabrielli 2010: 67), members of the Mouride sufi brotherhood branched out their religious and commercial networks from their strongholds in Paris and Marseille to Italy (and the U.S), and later to Spain (and elsewhere in Europe) (Lacomba and Moncusi 2006: 74). This group is ethnically wolof and almost exclusively works as wholesalers, commerciants in fairs and markets and as street peddlers.

Initially, the importance of the tourist industry – and thus the need to issue tourist visas, and the reluctance to heighten controls in airports and ports – as well as their geographical proximity made Spain, Italy and their Southern European neighbors, relative easy to access (King and Rybaczuk 1993: 178). By the mid-1980's, responding to pressure from the European Union, both Spain and Italy had taken steps to control more their borders. For example, Spain's 1985 immigration law essentially "closed" the borders (Jabardo 2006: 72). Spain's need for agricultural labor grew throughout the 1980's and 1990's, and Senegalese of varying ethnicities and origin went to work. In Italy, some identify 1989 as the peak year of Senegalese migration, but the success of some Senegalese to land stable employment in well-paid industrial jobs in northern Italy have maintained Italy as an attractive destination in the eyes of many Senegalese young people, especially the well-educated (Grillo and Riccio 2004). Finally, the dramatic devaluation of Senegal's Western Africa CFA (*Communauté financière d'Afrique*) currency on January 1, 1994 and continued low agricultural productivity and rural flight, led to greater pressures to migrate out of Senegal.

At destination, in all three countries included in this study (France, Spain and Italy), there have been extraordinary regularization programs of undocumented migrants. In France, major amnesties happened in 1968, 1974, 1981 and 1995 (Constant 2005). Spain and Italy's campaigns have been more recent, and it is possible that these mechanisms for the legalization for undocumented Senegalese have increased the attractiveness of Spain and Italy as possible destinations for potential migrants. In Spain, these happened in 1986, 1991, 1996, 2000-2001 and 2005 (Arango *et al* 2005). In Italy, the campaigns took place in 1986, 1990, 1995, 1998, 2002 (Levinson, 2005).

⁶ Many of the first-wave Senegalese migrants to Spain did so with a Gambian passport due to porous borders and shared cultures between Gambia and Senegal, and the restrictions placed on out-migration of labor force by the Senegalese government (Jabardo 2006, 25).

Legal and unauthorized migration

Costs

There have been different estimates of the costs (*passeurs*, transport, false documents, bribes, daily necessities, etc.) of crossing from Africa to Europe. In 2005, Petros (2005: 5) estimated the cost of an Africa-Europe trip to be \$6,533. Yet, this estimation is problematic since it averages out very different kinds of trips. For example, it seems clear that it is definitely more costly to reach Europe from the south of Africa, than from the north. Other estimates include US \$880 for only the Morocco-Canary Island crossing, US \$480 – US \$1930 for Senegal-Canary Island crossing, and US \$385 – US \$1260 Nouadhibou (Mauritania)-Canary Islands (de Haas 2008 quoting UNODC 2006) and, in 2003, US \$800 for Francophone sub-Saharan Africans (and US \$1200 for Anglophone individuals) to cross from Morocco to Spain (de Haas 2008 quoting Lahlou 2003).

(Lack of) Information and Networks

In their analysis of data collected in 1997 and 1998,⁷ the Push-Pull Project found evidence that an extremely large proportion of Senegalese (nearly two-thirds) had *no* information about the destination country (Spain) prior to migration (Schoorl *et al* 2000: 89). Compared to figures for other groups (Moroccans in Spain, Ghanaians and Egyptians in Italy), this was quite surprising, and the authors reasoned that this could be due to the relatively short migration history, small numbers and great distance between Senegal and Spain. Also, it seemed that, for Senegalese (and Turks), the information gap was especially large for those without migrant networks, when compared to those with (Schoorl *et al* 2000: 95).

5. DATA & EMPIRICAL ANALYSIS

5.1 Data

This paper utilizes the recent longitudinal biographical survey data (2008) collected in the framework of the MAFE-Senegal (Migration between Africa and Europe) Project.⁸ It is based on a retrospective biographical questionnaire with housing, union, children, work and migration histories documented. Detailed information is recorded for each union, child, and period (housing, work). While individuals are asked to provide general information about the entire work period, they are asked to specify much of the housing information to the beginning of each housing period (including who lived in the household). There is additional information about migrant networks, documentation status, remittances and properties. About 600 current Senegalese migrants in France, Italy and Spain and nearly 1100 residents of the region of Dakar were interviewed in 2008.⁹

This paper employs discrete-time event history model techniques to analyze how the likelihood of first-time migration to Europe is related to origin (urban origin¹⁰, religious affiliation, father's education, if

⁷ The Push-Pull project survey data was collected from November 1997 to February 1998 in Senegal, and from July to November 1997 in Spain (Schoorl *et al* 2000: 143, 146). In Senegal, representative samples of Dakar/Pikine and Touba were taken, using the 1988 census as a sampling frame. In Spain, the 1991 census provided the sampling frame, and snowballing techniques were used to increase the sample.

⁸ The MAFE-Senegal survey is coordinated by INED (C. Beauchemin, Paris), in cooperation with the "Institut de Population, Développement et Santé de la Reproduction" University Cheikh Anta Diop (IPDSR, Senegal). Other partners: Pompeu Fabra University (P. Baizan), the Consejo Superior de Investigaciones Científicas (A. Gonzalez-Ferrer), and FIERI (Forum Internazionale ed Europeo di Ricerche sull'Immigrazione; E. Castagnone).

⁹ We do not expect the sampling strategy of urban Dakar to upward bias our results. Indeed, we might even expect the opposite. For the Mexican case, Fussell and Massey (1994) find that community-level social capital is less influential in urban areas than in rural areas.

¹⁰ Barring the development of more appropriate measures, the urban origin indicator is based on the most recent and comprehensive information possible, from the 2002 Senegal census. A person's hometown was labeled as rural or urban according to the *Agence Nationale de la Statistique et de la Démographie's* 2002 classification. This indicator is thus *not* time-sensitive (it does not reflect the actual situation of a person's hometown at the time of their birth, for example), but for analysis purposes it will *underplay* the importance of a rural background (since many of the urban areas of 2002 will have formerly been rural areas just a few decades before). If a relationship is found using this indicator, one could argue that the real relationship is even stronger. Unfortunately, the lack of time-sensitive data at the national level also makes unfeasible the construction of a time-varying indicator of urban residence (which would be interesting to test hypotheses about differing impacts of migrant networks in urban or rural areas).

father was deceased or unknown, if Ego was firstborn child, number of siblings, Ego's highest level of education) and year-by-year changes in the individual life course (marital status, polygamous, number of children, labor force status, property ownership, etc.)¹¹, period effects¹² and particularly changes in an individual's migrant network. Since our interest is adult migration, we start the clock at age 17, with the first possible migration to Europe at age 18. All individuals in the sample were born in Senegal.

The primary limitation of this data source is its retrospective nature. The data is thus vulnerable to recall bias and error, with its consequences for our sample and the information captured. First, the origin sample is especially vulnerable: households where all members have migrated (either to Europe, another country or another region) will not be included nor represented by the sample. Second, there may be inaccuracies in the information. It is possible that it is harder to recall accurately information in the distant past, in comparison to more recent years.

5.2 Dependent variables – Legal Status at Migration

Our primary focus is on legal or unauthorized entry into Europe, and our indicators reflect this interest. The data includes year-by-year information on legal status (residence and work permits). If, in the year of migration, the individual reported having either a visa, a residence permit (temporary, 'permanent' or refugee status), a work permit (general or temporary) or if the country did not require either permit¹³, the migration was categorized as legal or authorized. Otherwise, the migration was categorized as unauthorized.

In the first set of analysis, we capture legal status *only* in the year of migration. The dependent variable is an indicator that, in the year when Ego first moves to France, Italy or Spain directly from Senegal, takes the value of 1 ('legal first-time migration to Europe') if they have authorization to be in the country (temporary visa or residency permit), and 2 ('unauthorized first-time migration to Europe') if not.¹⁴ We focus on 1st time migration, since it has higher costs (Deléchat 2001) and different mechanisms than subsequent migration (Donato *et al* 2008). For the sake of precision and robustness of the results, moves from Senegal to other destinations, including those in Europe that are not to France, Italy or Spain, were censored at the year of migration. For all previous years, the dependent variable is coded 0. The dependent variable is also coded 0 for all right-censored cases, individuals who never (or had not at the time of survey) migrated outside of Senegal.

In the second part of the analysis, we re-orientate the analysis towards legal or unauthorized residence, with special attention to changes in status. If an individual remains at destination, these changes could include a move from unauthorized entry towards authorized legal status (e.g. extraordinary regularization, obtaining a work contract and permit, marriage to a EU national, etc.) or from authorized entry towards unauthorized legal status (e.g. overstay of a tourist/student visa or temporary permit, losing work contract and permit, etc.). In this part of the analysis, we are especially concerned with entries that are followed by visa overstay.

Here, the dependent variable is an indicator that, in the year when Ego first moves to France, Italy or Spain directly from Senegal, takes the value of 1 ('legal first-time residence to Europe') if the individual reports legal authorization (residency permit or visa) to be in the country during the

¹¹ Specifically, the origin indicators are religious affiliation (Muslim brotherhoods of Khadre, Layène, Mourise, Tidiane and a category for "other Muslim"; Catholic and other Christian), father's education (no school, primary, secondary and above), if father was deceased or unknown, if Ego was firstborn child, number of siblings, Ego's highest level of education (no school or pre-school, primary, lower secondary, and higher secondary or higher). The time-varying indicators are marital status, children (number of), occupational status (working, unemployes, studying, working at home, inactive) and whether, in a given year, the individual owned land, housing or a business.

¹² The periods are before 1985, 1985-1993, 1994-1998, 1999-2003, 2004-2007. In 1985, France introduced a compulsory visa policy for Senegalese. In 1994, Senegal experienced a grave economic crisis when its currency, the CFA franc, was unlinked from the French franc and devalued by half. The rest of the periods were made to be of approximately equal length.

¹³ This category was self-reported by migrants.

¹⁴ First migration to Europe was chosen rather than the first international migration since the costs and barriers to migration are quite different across the Africa-Europe border, in comparison to borders between African countries, or those between Africa and North America for example.

migration year and the year immediately following, and 2 ('unauthorized first-time residence to Europe') if not.

5.3 Measuring Networks and Tie Strength

Respondents were asked to name all close family members (parents, siblings, partners and children) who had lived at least one year abroad *and other relatives and friends* on whom they could count on (or could have counted on) to receive or help them to migrate out of Senegal, who had also lived at least one year abroad.

For the sake of precision, we restricted migrant network indicators to years when individuals in the migrant network lived in Spain, Italy or France. In this way, years when migrant network members lived in Senegal, other countries in Africa, and other parts of the world were excluded. We do so, in an attempt to avoid capturing imitation behavior, for example, and thus overestimating the impact of the migrant networks. All migrant network indicators are captured at year (t-1).

5.4 Analytic Approach (to be completed)

Modeling individual migration propensity

We utilize a multinomial regression model to predict legal status at migration.

6. RESULTS

6.1 *Migrant networks, Legal Status at Migration and Alternative Hypotheses*

There do appear to be some differences between legal and unauthorized first-time entries into Europe. Table 1 shows some of the results of the competing risks model. First, unauthorized entry appears sensitive to macro-economic factors and period effects, while legal migration does not. For example, the likelihood of unauthorized migration falls as the Senegalese economy (measured in GDP per capita growth) grows. There is no similar effect for legal entry. Also, unauthorized entry appears to be an especially recent phenomenon: compared to the years before 1984, the likelihood of unauthorized entry since 1998 is nearly quadruple. No period effects are found for legal migration despite changes in the regulation of legal migration. This could indicate some kind of substitution effect between legal and unauthorized migration. Second, certain origin characteristics are important. Hailing from an urban hometown and being affiliated with certain religious Muslim brotherhoods (Khadre and Mouride) raises one's likelihood to migrate unauthorized: no such effect is found for legal migration. Meanwhile, the dampening effect of number of siblings is only found for legal migration. At the same time, certain origin characteristics appear to "protect" from unauthorized migration. Having a father who received some secondary education, at least, profoundly lowers the risk of migrating unauthorized. Third, individual educational and labor force status also impact one's chances of migrating legally or unauthorized. While one's chances to migrate legally increase with either lower secondary education or higher secondary education, one's chances to migrate unauthorized are only affected by having a lower secondary education. This fits with the expectation that, besides family reunification, most avenues to legal migration require higher education (directly through study visas, or indirectly through requiring involvement in the formal labor market which is only accessible to the privileged few). At the same time, those who were studying in year t-1 were more likely to migrate legally, while those who were unemployed were more likely to do so through unauthorized means. On the contrary, working in the home and being inactive decreases the likelihood, respectively, to migrate unauthorized and legally.

Of special interest in Table 1 are the indicators representing migrant network hypothesis and the alternative hypothesis. Table 1 shows evidence for the importance of the first alternative explanation, spousal reunification, in legal migration. This is unsurprising since we have purposefully proxied for channels of legal family reunification and had expected the spousal reunification effect to be especially strong in this case. The second alternative explanation was, in principal, applicable to both legal and unauthorized migration. However, the effects are only significant for legal migration. Finally, we see that for both legal and unauthorized migration, there is evidence for the important influence of migrant networks, net of these different alternative explanations. Once alternative explanations are controlled for, the net effect of migrant networks is, surprisingly, comparable in legal and unauthorized migration.

6.2 *Gender*

Table 2 presents the evidence for the migrant network hypothesis, by gender. Model 1 displays the results for male legal and unauthorized migration and Model 2 for that of females. Separating the analysis by gender helps clarify some of the patterns found in Table 1. There are some similarities between male and female migration: the number of siblings decreases the likelihood of legal migration; education at or above upper secondary increases the likelihood of legal migration. However, there are more differences. First, in terms of the origin household, urban origin raises the likelihood of only female legal migration, while having an unknown or deceased father at age 15 decreases the likelihood of legal male migration. In comparison to the Tidiane reference group, Muslim women who do not belong to the four largest brotherhoods are much more likely to migrate legally, while Layène and Catholic men are much less likely to do so. At the same time, Layène men are much more likely to migrate unauthorized, while the incidence is nearly nil for Layène women. Regarding current household structure, being married raises the likelihood of women to migrate unauthorized. This is surprising, given previous research of another predominantly-male migration flow (Kanaiupuni 2000) which shows that single, separated or divorced women were more likely to migrate than married women. Nevertheless, some qualitative research (Evers Rosander 2002) has documented how migration alters previous gender norms and dynamics, with some Senegalese women supporting their families (and husbands) at origin. Second, we find strong positive selection (by education) of women into both female legal and unauthorized migration, and some positive selection of legal male migration. Third,

the two models of Table 2 help clarify some of the effects of current occupational status. Being unemployed in year t-1 increases male likelihood to migrate unauthorized, while working in the home appears to have that effect on both legal and unauthorized migration. No such effects are found for women; instead if a woman was studying in year t-1, her likelihood of migrating unauthorized (and to a lesser extent, legally) the next year was especially high.

Property ownership also has mixed effects. Owning a house increases likelihood of all legal migration, especially that of women. At the same time, it drastically decreases the likelihood of unauthorized female migration, while not having a similar effect for men. Owning a business decreases all female migration, while it has no effect on men. The period effects have lost their significance in the double models of Table 2, while the macroeconomic factors have contrary effects. GDP per capita growth lowers the likelihood of unauthorized migration of males *only*. Surprisingly, female *legal* migration seems especially sensitive to the macro-economic indicators: both GDP per capita growth and urban population growth appear to decrease its chances.

In terms of the alternative explanations and the migrant network hypothesis, we also find certain differences. First, the spousal reunification alternative explanation is only significant in explaining female migration, the effect is especially large for legal migration, but also raises the likelihood of unauthorized entry. Second, while the household migration explanations are significant in explaining legal migration by both genders, it is also significant in explaining unauthorized male migration. Third, the evidence for the migrant network hypothesis appears to be strong and significant (net of alternative hypotheses) for male and female migration of all legal statuses. While the increased risks are similar for male legal and unauthorized migration, there is a much larger effect on female unauthorized migration (as compared to legal migration). Although the incidence of female unauthorized entry may not be numerically large, it is most sensitive to having a migrant network, and is, surprisingly, unaffected by the traditional migrant household strategies. Here is evidence that this group of highly educated “independent” (with no or few children, yet probably married) women do appear to be marching to a different drum and may even migrate in order to support their husbands in Senegal (the effect of being married is large and significant, while having a migrant spouse is less so).

7. CONCLUSIONS (TO BE ADDED)

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9. RESULTS (PRELIMINARY)

Descriptives

	Sex		Total
	ok	Man	
legal migration	251	230	481
	68.58	82.14	74.46
unauthorized migration	115	50	165
	31.42	17.86	25.54
Tot 1 st mig	366	280	646
	100.00	100.00	100.0

Table 1: Multinomial Logistic Regression of the Odds of taking a first trip to Europe: by legal status at migration

	Legal Entry		Unauthorized Entry	
	B	SE	B	SE
Origin household				
Urban origin	-	-	1.594**	(0.361)
Firstborn	-	-	-	-
Number of Siblings	0.943**	(0.012)	-	-
Father unknown or deceased	-	-	-	-
<i>Father's Education (ref: No formal schooling)</i>				
Primary school	-	-	-	-
Secondary and above	-	-	0.594*	(0.142)
<i>Religious affiliation ref: (Tidiane)</i>				
<i>Muslim</i>				
Khadre	-	-	2.90*	(0.020)
Layène	-	-	-	-
Mouride	-	-	2.94**	(0.647)
Other Muslim	1.981**	(0.300)	2.57**	(0.795)
<i>Christian</i>				
Catholic	-	-	-	-
Other Christian	-	-	-	-
Current Household Structure				
Married	-	-	-	-
Polygamous	-	-	-	-
Number of Children	0.834**	(0.041)	0.800*	(0.071)
Individual Characteristics/Status				
Age	0.620**	(0.037)	0.709**	(0.067)
In(age)	1.667 e6**	2.89 e6**	1.269 e4**	(3.39 e4)
<i>Education (ref: primary school)</i>				
No formal schooling	-	-	-	-
Lower secondary	1.429*	(0.219)	1.71*	(0.42)
Baccalaureate & above	1.478*	(0.230)	-	-
<i>Current Occupational Status (ref: working)</i>				
Studying	1.435*	(0.244)	-	-
Unemployed	-	-	2.42**	(0.68)
At Home	-	-	0.522*	(0.167)
Other Inactive	0.314*	(0.162)	-	-
<i>Property</i>				
Land	-	-	-	-
House	2.35**	(0.50)	2.54**	(0.85)
Business	-	-	-	-
Macro Factors				
<i>Period effects (ref: before 1984)</i>				
1985-1993	-	-	-	-
1994-1998	-	-	-	-
1999-2003	-	-	4.19**	(2.18)
Since 2004	-	-	4.35**	(2.28)
<i>Macro-Economic factors</i>				
Urban population growth (%)	-	-	1.619*	(0.394)
GDP per capita growth (%)	-	-	0.929*	(0.030)
<i>Migrant Networks & Alternative Hypothesis</i>				
Migrant spouse	5.21**	(0.84)	-	-
Household migrant network	2.04**	(0.27)	-	-
Non-household migrant network	2.19**	(0.23)	2.58**	(0.485)
<i>N (person years)</i>	25339		25339	

Results presented in relative risk.

Note: *p<0.05; **p<0.01. Individual weights included.

Source: MAFE-Senegal 2008.

Table 2: Multinomial Logistic Regression of the Odds of taking a first trip to Europe: by gender and legal status at migration

	Model 1: Males		Model 2: Females	
	Legal	Unauthorized	Legal	Unauthorized
Origin household				
Urban origin	-	-	3.01*	-
Firstborn	-	-	-	-
Number of Siblings	0.891**	-	0.959*	-
Father unknown or deceased	0.363*	-	-	-
<i>Father's Education</i> (ref: No formal schooling)				
Primary school	1.898*	-	-	-
Secondary and above	-	-	-	-
<i>Religious affiliation ref: (Tidiane)</i>				
<i>Muslim</i>				
Khadre	-	-	-	-
Layène	0.286*	4.53*	-	1.13 e-15
Mouride	-	-	-	-
Other Muslim	-	-	5.22**	-
<i>Christian</i>				
Catholic	0.320*	-	-	4.64**
Other Christian	-	-	-	4.44 e-16**
Current Household Structure				
Married	-	-	-	9.05*
Polygamous	-	-	1.30 e-15**	5.66 e-16**
Number of Children	0.834**	-	-	0.595**
Individual Characteristics/Status				
Age	0.560**	0.394**	0.703**	0.609**
ln(age)	1.61 e7**	4.43 e9**	1.89 e4**	3.95 e6**
<i>Education</i> (ref: primary school)				
No formal schooling	-	-	-	-
Lower secondary	-	-	3.37**	-
Baccalaureate & above	2.35*	-	5.29**	6.99*
<i>Current Occupational Status</i> (ref: working)				
Studying	-	-	2.06**	6.05**
Unemployed	-	4.82**	-	-
At Home	5.43***	4.40**	-	-
Other Inactive	-	-	-	-
<i>Property</i>				
Land	-	-	-	-
House	2.35**	-	11.85**	3.31 e-15**
Business	-	-	0.059**	1.61 e-15**
Macro Factors				
<i>Period effects</i> (ref: before 1984)				
1985-1993	-	-	-	-
1994-1998	-	-	-	-
1999-2003	-	-	-	-
Since 2004	-	-	-	-
<i>Macro-Economic factors</i>				
Urban population growth (%)	-	-	0.564*	-
GDP per capita growth (%)	-	0.905*	0.957*	-
Migrant Networks & Alternative Hypothesis				
Migrant spouse	-	-	13.50**	3.22**
Household migrant network	3.30**	3.02**	2.54**	0.59
Non-household migrant network	2.97**	3.27**	2.28**	4.24**
<i>N (person years)</i>	23263	23263	22934	22934

Results presented in relative risk.

Note: *p<0.05; **p<0.01. Individual weights included.

Source: MAFE-Senegal 2008.

Table 3a: Multinomial Logistic Regression of the Odds of taking a first trip to Europe, by legal status at migration: Strong Tie vs. Weak Tie migrant networks

	Legal entry	Unauthorized entry
<i>Strong Tie</i>	1.81**	1.31
<i>Weak Tie</i>	1.48**	2.30**
<i>Control for Migrant Spouse</i>	5.08**	1.13
<i>Having a household migrant network</i>	1.81**	1.17
N (person years)	25339	25339

Results are presented in relative risk. Controls include age, ln(age), marital status, polygamous, number of children, occupational status, land ownership, home ownership, business ownership, urban origin[^], religious affiliation[^], father's education[^], father unknown/deceased at age 15[^], firstborn[^], number of siblings[^], own highest level of education[^], period effects, % urban population growth and % GDP per capita growth. Except for indicators marked with [^], all other indicators are time-varying, year-by-year.
*p<0.05; **p<0.01

Source: MAFE-Senegal 2008.

Table 3b: Multinomial Logistic Regression of the Odds of taking a first trip to Europe, by legal status at migration and gender: Strong Tie vs. Weak Tie migrant networks

	Male migration		Female migration	
	Legal entry	Unauthorized entry	Legal entry	Unauthorized entry
<i>Strong Tie</i>	2.17**	1.22	2.06*	4.44**
<i>Weak Tie</i>	2.11**	2.29*	1.66	4.27**
<i>Control for Migrant Spouse</i>	3.33	-	13.97**	3.29**
<i>Having a household migrant network</i>	2.82**	2.70**	2.31*	0.50
N (person years)	23263	23263	22934	22934

Results are presented in relative risk. Controls include age, ln(age), marital status, polygamous, number of children, occupational status, land ownership, home ownership, business ownership, urban origin[^], religious affiliation[^], father's education[^], father unknown/deceased at age 15[^], firstborn[^], number of siblings[^], own highest level of education[^], period effects, % urban population growth and % GDP per capita growth. Except for indicators marked with [^], all other indicators are time-varying, year-by-year.
*p<0.05; **p<0.01

Source: MAFE-Senegal 2008.

Table 4a: Multinomial Logistic Regression of the Odds of taking a first trip to Europe, by legal status at migration: Tie Strength & migrant networks

	Legal	Unauthorized
<i>Strong Tie</i>	1.84**	1.30
<i>Weak Tie – stronger</i>	1.49*	1.12
<i>Weak Tie – neutral</i>	0.94	1.13
<i>Weak Tie – weaker</i>	1.90**	3.13**
<i>Control for Migrant Spouse</i>	5.17**	1.14
<i>Having a household migrant network</i>	1.90**	1.24
N (person years)	25339	25339

Results are presented in relative risk. Controls include age, ln(age), marital status,

polygamous, number of children, occupational status, land ownership, home ownership, business ownership, urban origin[^], religious affiliation[^], father's education[^], father unknown/deceased at age 15[^], firstborn[^], number of siblings[^], own highest level of education[^], period effects, % urban population growth and % GDP per capita growth. Except for indicators marked with [^], all other indicators are time-varying, year-by-year.

*p<0.05; **p<0.01

Source: MAFE-Senegal 2008.

Table 4b: Multinomial Logistic Regression of the Odds of taking a first trip to Europe, by legal status at migration and gender: Tie Strength & migrant networks

	Male migration		Female migration	
	Legal entry	Unauthorized entry	Legal entry	Unauthorized entry
<i>Strong Tie</i>	2.18**	1.24	2.11*	4.57**
<i>Weak Tie – stronger</i>	1.41	0.53	1.74	0.83
<i>Weak Tie – neutral</i>	1.20	0.74	0.99	7.30**
<i>Weak Tie – weaker</i>	2.94**	3.78**	1.14	1.39
<i>Control for Migrant Spouse</i>	3.44	-	14.02**	2.72*
<i>Having a household migrant network</i>	3.07**	2.92**	2.55*	0.37
<i>N (person years)</i>	23263	23263	22934	22934

Results are presented in relative risk. Controls include age, ln(age), marital status, polygamous, number of children, occupational status, land ownership, home ownership, business ownership, urban origin[^], religious affiliation[^], father's education[^], father unknown/deceased at age 15[^], firstborn[^], number of siblings[^], own highest level of education[^], period effects, % urban population growth and % GDP per capita growth. Except for indicators marked with [^], all other indicators are time-varying, year-by-year.

*p<0.05; **p<0.01

Source: MAFE-Senegal 2008.

ANNEX (FAMILY MIGRATION POLICIES IN FRANCE, SPAIN & ITALY)

Family Migration Policies in France

Year	Law	Who's eligible	Proceedings	Requirements of primary migrant	Restrictions	Major Measure	Approach
Until 1974				Citizens of former colonies of France (including Senegal) were allowed to enter France with "identity card" only, and needed neither a residence nor work permit (Kofman <i>et al</i> 2010: 9).			
1993 /4	Law 93-1027 Decree 7 Nov. 1994	+ Spouse + Minor children, except those who are "threat to public order"		+ Has a permit for >1 yr or has a temporary permit (visitor, salaried, student) + Sufficient income (OMI) + Adequate housing certificate (municipality)	+ Only family living abroad is eligible + Residence permit depends on sponsor + Work permit upon arrival + Spouses must stay together >1 yr after arrival	Introduction of minimum time spouses must live together post reunification	De facto family reunification
1998	Law 98-349 1 May 1998	+ Spouse + Minor children		+ Minimum legal residence: 1 year			
2003	Law 2003-1119 26 Nov 2003	+ Spouse + Minor children	Once income and housing are documented by municipality, OMI (national immigration office) then verifies	+ Sufficient income (municipality) + Adequate housing certificate (municipality)	+ French language + Familiarity with republican principles + Spouses must stay together >2 yr after arrival, except in cases of violence	+ Introduction of language and civic requirements + Greater role for municipality	
2006	Law 2006-911 24 July 2006	+ Spouse + Minor children		+ Minimum legal residence: 1.5 years + Adequate resources (>= SMIC without social allowances) + Housing comparable to native French families in region	+ Spouses must stay together >3 yr after arrival, except for cases of violence or if child is born in France and provides child support	+ Raise resource and housing requirements	
2007	Law 2007-1631 20 Nov 2007	+ Spouse + Minor children		+ Adequate resources depends on family size (1000-1200€ net/month) + Parental contract (children's behavior)	+ Long-term visa applicants will need to show adequate level in French – two chances to pass exam	+ Continue to raise resource req. + Introduction of parental contract	

Source: Adapted from Kofman *et al* 2010: 26-29

Family Migration Policies in Spain

Year	Law	Who's eligible	Proceedings	Requirements of primary migrant	Restrictions	Major Measure	Legal Status of LFR
1985	Ley de Extranjeria					No mention of LFR	
1986	1st Regulation for the execution of the Law (RD 1119/86)	+ Spouse + Children under 18, and dependent children over 18 + Ascendents			+ NO specification of limits of degree of relation + NO minimum time of residency	1st mention of LFR	NO legal right to legal family reunification – treated according to “administration discretion” (Araujo 2010: 22-23)
1994	Resolution of February 1994	+ Spouse + Children under 18, and dependent children over 18 + Ascendents	Two paths for LFR visa + visa request in country of origin + Exemption of visa req. for family residing irregularly in Spain	+ “Stable and sufficient economic means” to care for family (last 3 monthly pay slips), including health care if not covered by Social Security + Proof of sufficient housing All the above		+ Differentiates between non-EU and EU nationals	
1996	Regulation of 1996	+ Spouse + Sons and daughters < 18 yrs + Ascendents			+ Dependent descendants above legal age, grandchildren and great-grandchildren + Sons and daughters must be under 18 at time of application	+ Explicitly restricts dependent category to sons and daughters	LFR becomes legalized right for non-EU nationals
2000	Ley de Extranjeria 4/2000			All the above + For spousal LFR, a signed statement that no other spouse is residing in Spain			
2000	Organic Law 8/2000			All the above	+ Reunified spouse must live for >=2 yrs with sponsor	+ Limits list of acceptable 2º migrants + Introduces possibility of chain migration (former 2º can be 1º sponsor)	
2001	Regulation of 2001			All the above + Independent (non-LFR) residence permit		+ Limits chain migration	
2003	Law in 2003			All the above + Work permit	+ LFR visas only help to enter country. Upon entry, must apply for permit	+ Avoids fraud in chain migration	
2005				All the above + Work contract + Registration in Social Security or private health insurance			

Source: Own elaboration from information found in Araujo 2010.

Family Migration Policies in Italy

Year	Law	Who's eligible	Proceedings	Requirements of primary migrant	Restrictions	Major Measure	Approach
1986	Law 943/1986 (1 st immigration law)	+ Spouse + Unmarried dependent minor children + Dependent parents		+ legal status + work as employee + ability to ensure 'normal life conditions'	+ Reunified family not allowed to work for one year		Emergency measure
1988	<i>Circolare</i>	All the above		+ income + housing		+ Allows for regularization of family already in Italy	
1990	<i>Circolare</i>	All the above		All the above		+ Revoke 1988 Circolare	
1990	Martelli Law 39/1990	All the above		All the above		+ Introduces norms of rights & responsibilities of LFR	Long-term perspective
1992	<i>Circolari</i> 29030/C of Ministry of Foreign Affairs & 69/92 of Ministry of Interior	All the above	+ Simplified bureaucratic process + Reduced processing time	Specify "Normal life conditions" + job contract + rent contract + in some cases, proof of utility payment/s		+ Specifies requirements and simplifies process	Administration attempts to fill-in gaps of legislation
1995	<i>Decreto Dini</i> (Decree Law 489/1995)	All the above		+ Minimum legal residence: 1 yr + Holds >= 2-year work permit + "Suitable Housing" Declaration from municipality + Income can be from multiple household member			
1998	<i>Turco-Napolitano Law/ Testo Unico</i> (Law 40/1998)	All the above + Unmarried disabled adult children + Minor children from previous marriages + Foster children + Disabled relatives up to 3 rd °		+ Self-employed & employees are eligible + study, religious permit holders	+ All LFR migrants are allowed to work upon arrival	+ LFR exempt from set quotas	LFR rights for all who living legally in Italy long-term, not just workers
1998	<i>Circolare</i> (66/1998) Ministry of Interior				+ Dependent parents allowed to work		
2001	Court ruling			+ family permit holders			
2002	<i>Bossi-Fini Law</i> (189/2002) and Decree Law 195/2002	+ Parents of all ages, with no children at origin + Parents older than 65, whose offspring at origin cannot work					Reforms 1998 Law

2007	Decree Law 5	+ Only <u>fully</u> disabled adult children + All minor children + All parents in need (lack adequate resources at origin)	+ Bureaucracy simplified: family relationship doc. shown at consulate, not provincial police + Limits processing time to 90 days	+ Loosen housing requirement (qualification by local health authorities, not municipality) ¹⁵	+ Removes requirement of proof of minor child's dependency + In cases of expulsion/permit renewals, must now consider legally residing family in Italy	Loosens requirements
2008	New public security law. 125/2008	+ Adult spouse (not separated) + Minor children + (fully) dependent adult children + Parents from 2002 (without offspring at origin, or whose offspring cannot work)				Tightens requirements

Source: Own elaboration from information found in Bonizzoni and Cibea (2009).

¹⁵ In case of reunifying children younger than 14, parents need only an acceptance letter from homeowner.