WHO SPEAKS FOR THE “SHADOW IMMIGRANTS?”
ESTABLISHED INTERMEDIARY ORGANIZATIONS AND
POLITICAL ADVOCACY FOR THE UNDOCUMENTED

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A DISSERTATION PRESENTED TO
THE FACULTY OF PRINCETON UNIVERSITY
IN CANDIDACY FOR THE DEGREE
OF DOCTOR OF PHILOSOPHY

RECOMMENDED FOR ACCEPTANCE
BY THE DEPARTMENT OF POLITICS

Advisor: Nancy Bermeo

June 2012
Abstract

Democratic societies offer considerable opportunities for political participation to their citizens and, to a lesser extent, their legal residents, but the distinctive legal status of undocumented immigrants means that they have essentially no opportunity to join in most forms of conventional political activity in these societies. Nonetheless, the undocumented have experienced a curious and very limited form of political incorporation in many democracies, in part because intermediary organizations have become active advocates for policies beneficial to these immigrants. This study examines these organizations’ involvement in political advocacy for undocumented immigrants in the developed democracies of North America and Northern Europe. In particular, the study investigates why we find certain key intermediary organizations—i.e., established immigrant-serving and labor institutions—involving in political advocacy to a much greater extent in some settings than in others. It considers this question through the lens of a comparative-historical analysis focused on Germany, the United Kingdom, and the United States between the 1970s and the present. Germany and the United Kingdom both constitute full cases within the analysis, while the United States functions as a “shadow case.”

This study’s principal finding is that, in those contexts in which a substantial undocumented population exists, a given intermediary organization will likely become involved in political advocacy if its officials perceive the political and social fate of their constituents as a whole to be connected to the political and social fate of the undocumented. Two factors strongly influence the likelihood that an organization’s officials will adopt this view in a given context. The first is the apparent nature of the undocumented population, while the second is the organization’s overarching political role. These two factors interact to generate particular advocacy outcomes at the level of the individual organization. In turn, we observe distinctive advocacy outcomes at the societal level during different periods of time because of differences in the apparent characteristics of the undocumented population, as well as differences in the overarching political roles played by immigrant-serving and labor organizations.
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Acknowledgments

I am delighted to acknowledge here the numerous people who helped me walk the long and sometimes difficult path to my Ph.D.

I must first thank my dissertation advisors: Nancy Bermeo, Jonas Pontusson, and Ezra Suleiman. I deeply appreciate the numerous contributions that each of them has made to my dissertation work and to my intellectual development more generally; I have learned a tremendous amount from them. I am also very grateful to Nancy, Jonas, and Ezra for all of their encouragement, patience, and practical support; I feel very lucky to have had dissertation advisors who are not only exceptional scholars, but also highly solidaristic and kind human beings. Finally, I must acknowledge here as well a particular debt to Nancy and Jonas, who continued to serve as advisors to this project despite their departures from Princeton for Oxford and Geneva, respectively.

In addition to my advisors, I am grateful to several other faculty members at Princeton for their help with this study. In particular, I owe a tremendous debt of thanks to Paul Frymer for his willingness to serve as the fourth reader for this dissertation. I am also very grateful to Rafaela Dancygier and Evan Lieberman for helpful conversations related to the project.

I also must express my gratitude for all of the feedback that I received on this project from grad student colleagues in the Princeton Politics Department. On two occasions, I presented material from my dissertation project to the department’s graduate research seminar in comparative politics, and I am grateful for the thoughtful comments and questions that I received from seminar participants. I also benefited a great deal from discussions about my research in various other settings with Mary Beth Altier, Ian Chong, Antonis Ellinas, Shana Kushner Gadarian, Katie Gallagher, Quinton Mayne, and Min Ye, among other grad student colleagues. I owe a particular debt of gratitude to Mary Beth and Quinton, with whom I participated in a writing group. The two of them cheerfully read many half-baked drafts of various conference papers and dissertation chapters for me, and their comments on those early drafts helped me enormously with my work on this project.

Alongside these individuals from my graduate department, I must express my gratitude to individuals from a number of other institutions for their comments on my work. I presented material drawn from this dissertation project at the meetings of several scholarly societies: the American Political Science Association (2007 and 2008 conferences), the Council for European Studies (2008, 2010, and 2012 conferences), the International Studies Association (2009 and 2011 conferences), and the Southern Political Science Association (2007 conference). I received a great deal of helpful feedback from panel discussants and other participants at these meetings, and I am pleased to record my gratitude to them here. I also thank Bridget Anderson, Desmond King, and David Rueda, all of whom provided me with very helpful comments and suggestions related to this project during my period of fieldwork in the UK.
I must also express my sincere thanks to a number of people who helped me gather the evidence analyzed in this study. I am particularly grateful to the numerous representatives of immigrant-serving, labor, and other intermediary organizations whom I interviewed for this project; I greatly appreciate their time and the many insights they offered me during our interviews. I also owe a great deal of thanks to Birgit Apitzsch, Achim Goerres, Daniel Kinderman, Sarah Lieb, and Anna Skarpelis, whose translation and proofreading help at various points ensured that my communications in German with interviewees did not go awry. Finally, I am also grateful to the numerous librarians who helped me conduct my research. I thank in particular Mary George and Linda Oppenheim at Princeton’s Firestone Library, as well as the staff of the Trades Union Congress (TUC) Library Collections at London Metropolitan University.

I am also grateful to the numerous people and institutions that provided me with funding and other forms of practical support and assistance for this project. My work on this project was supported by Princeton University’s Center for Migration and Development, Graduate School Office, and Institute for International and Regional Studies, as well as the Deutscher Akademischer Austausch Dienst and the Horowitz Foundation for Social Policy; I thank all of these institutions for their assistance. In addition, I had the opportunity to be a guest at Nuffield College and then at the Max-Planck-Institut für Gesellschaftsforschung while conducting fieldwork for this project, and I thank both of these institutions for offering me office space, library access, and various other forms of support. Finally, I am very grateful to Georgina Ellis, Daniel Kinderman, and Jen Reznick for offering me the opportunity to stay at their homes during various research trips.

This dissertation was completed after I took up a position in the Department of Political Science at the College of the Holy Cross. I am extremely grateful to all of my colleagues at Holy Cross for their encouragement and support. My debts to Don Brand, Loren Cass, Judy Chubb, Antonis Ellinas, and Ward Thomas run particularly deep; they and the rest of my Holy Cross colleagues have my most sincere thanks.

Before I became a graduate student, I was of course an undergraduate student, and I certainly would not have become a graduate student were it not for the encouragement and support of a number of professors from my undergraduate days at the College of William and Mary. I owe a particular intellectual and personal debt to my undergraduate advisor and mentor Steve Ndegwa. Steve helped to introduce me to the field of comparative politics, guided me through my first real attempt at research related to politics (my senior thesis), patiently counseled me through an uncertain period in my early twenties when I debated what to do with my career, and has been a tremendous source of insight, humor, and support throughout my time as a grad student and dissertation writer. I am very grateful to him for all that he has done for me.

Without friends, grad school would have been a mistake. I am very grateful to all of my grad student comrades from the Politics Department, including Mary Beth Altier, Marc Berenson, Sarah Bermeo, Barbara Buckinx, Ja Ian Chong, Antonis Ellinas, Shana
Kushner Gadarian, Katie Gallagher, Quinton Mayne, Andrew Owen, Valeria Palanza, Rachel Beatty Riedl, Prerna Singh, Jim Wilson, Min Ye, and Yue Zhang. Particular
thanks must go to Quinton, who has been both a challenging intellectual interlocutor and
a magnificent friend and flatmate to me over the years. Our “check ins” regarding the
dissertation during my final months of writing and revising helped me enormously;
without them, I would still be trying to get this dissertation finished. Many, many thanks,
Dr. Mayne. I must also thank a number of other friends for support and companionship
as I worked on this project, including Alex Bueno, Daphne Charalambidou (and Ero and
Pari!), Nicky Fleischer, Richard Floyd, Ara Francis, Sam Garcia, Achim Goerres, Kendy
Hess, Daniel Kinderman, Alex Kuo, Danielle Meinrath, Cynthia Nazarian, Jeanne
Osborne, Jen Reznick, Jeramee Rice, Anna Skarpelis, Hillel Soifer, and Sarah Webster.

My family has been a tremendous source of encouragement and strength for me
during my years as a graduate student and dissertation writer. My sister, Kate Lieb, has
been unfailingly supportive of me and my work on this project; I am extremely grateful
to her for her support and for her insights, humor, and love. I am also extremely grateful
to Anne Keady, Marguerite Keady, Walter Keady, Bill Lieb, Darci Lieb, Jim Lieb, Pat
Mudd, Richard Mudd, Sam Shah, and John W. Ware, Jr. (who is of course more properly
addressed as “Gaga”), as well as all of my wonderful cousins and cousins-once-removed
on the Lieb/True side of the family. I also wish to acknowledge three very dear family
members who passed away during the years I spent doing graduate coursework and
working on this dissertation: my uncle Tom Keady, my great-uncle Wilson Ware, and my
grandmother Zula Ferrara Ware (Nanna). I cannot fully express how grateful I am for
their love, their belief in me, and their support for my education. A few months before
she passed away, Nanna told me that she hoped she’d still be alive to celebrate with me
when I finally finished my Ph.D. I am profoundly sorry that I did not make that happen,
Nanna—but I feel very strongly that you, and Tom and Wilson, are part of the
celebrations regardless.

My deepest debts of all are to my parents, Frances and Joe Lieb. I lack the words
to articulate how much they have done for me over the years, or how grateful I am to
them for all of the love, support, and time that they have given me. The process of
putting together this dissertation has had its share of ups and downs, and they have helped
see me through some of my lowest moments related to this project; no matter what
happens, I know that I can always call on them if I want advice, or need to talk. I am
extremely fortunate to have such supportive and loving parents, and I know it. This
dissertation is dedicated to them, to Kate, to Nanna, and to the rest of my family, with
great love.

Jennifer Frances Lieb
Worcester, Massachusetts
Ring the bells that still can ring
Forget your perfect offering
There is a crack, a crack in everything
That's how the light gets in.

--Leonard Cohen, “Anthem”
Who Speaks for the “Shadow Immigrants?”
Established Intermediary Organizations and Political Advocacy for Undocumented Immigrants

Part I: Introduction

Chapter 1

Research Question and Scholarly Contributions

At first glance, undocumented immigrants appear to occupy an entirely contradictory position in the developed democracies.¹ In many such democracies, one finds these immigrants serving as an important source of cheap, largely unprotected labor: immigrants without papers now tend to the elderly in Brussels, scrub the floors of skyscrapers in London, and work construction in Los Angeles.² The undocumented have also come to play a role, however circumscribed, in the religious, community, and other social institutions of developed democracies. Nonetheless, these immigrants do not, and cannot, participate in the most visible forms of political activity in these states; most obviously, the undocumented cannot vote, nor can they run for office. Due to their lack of material resources and insecure residence status, they also cannot obtain representation from lobby firms and other prominent political advocates for hire.³

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¹ By an “undocumented immigrant,” I mean any immigrant who does not hold a regular immigration status and, as such, may be subject to deportation by state authorities. An immigrant might fit into this category because he or she crossed a border without state sanction; presented inaccurate papers to an immigration officer; overstayed a tourist, student, or other visa; or did not depart a country after unsuccessfully petitioning its government for political asylum. This definition of “the undocumented” excludes immigrants who have permission to reside in a given country without an accompanying right to work, and who take up employment despite their lack of such a right.

² These immigrants also play an important role in the economies of a number of countries outside the developed democratic world, including Malaysia, Russia, and South Africa, among others.

³ Margaret Keck and Kathryn Sikkink define advocates as individuals or groups who “plead the cause of others or defend a cause or proposition” (1998, 8). Drawing on the first component of this definition, I
immigrants thus appear at first glance to be uniformly barred from the realm of politics, despite their considerable embeddedness in economic and social life.

When one looks more closely at a number of developed democracies, however, this initial impression turns out to be in need of modification. To a greater or lesser extent, undocumented immigrants have experienced a sharply-limited form of political incorporation at both the national and sub-national levels in many of these democracies. I understand “political incorporation” to be the set of reversible, contingent processes by which particular social groups come to participate and/or have their interests articulated in politics. In this study, I will examine aspects of the political incorporation of undocumented immigrants in national politics in North America and Northern Europe in particular. Undocumented immigrants have two clear political interests vis-à-vis their

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4 My conception of immigrant political incorporation thus can be said to have two dimensions: a “participation” dimension and an “interest articulation” dimension. One might argue that we should define immigrant political incorporation simply as the process by which immigrants come to participate in voting, political protest, and various other forms of political activity, on the grounds that political participation serves as the chief (and most normatively satisfying) means through which individual and group interests receive articulation in democratic societies; from this perspective, “interest articulation” should be seen primarily as a subsidiary component of “political participation.” Nonetheless, I deem it analytically important to treat interest articulation and political participation as separate dimensions of political incorporation, for interest articulation does not always require participation. Instead, the interests of a group can be given some voice (however limited) in politics by persons outside of that group—a phenomenon that lies at the heart of this study. Similarly, participation does not always entail interest articulation, as individuals can participate in some aspects of public life without actually engaging in the articulation of their individual or group interests. Consider, for instance, individuals who participate in a mass rally in support of troops going off to war; they do not press their own particular individual or group interests by participating in such an event (at least in any obvious way), but rather seek to applaud individuals they understand to be acting for the broader good of the nation. For alternative, but related, conceptions of political incorporation, see Hochschild and Mollenkopf (forthcoming) and Jones-Correa (2005).

5 For the purposes of this project, I consider Canada and the United States to be the developed democracies of “North America,” and Austria, Belgium, Denmark, Finland, France, Germany, Iceland, Ireland,
host societies: 1) to gain better access to educational institutions, health services, and other social goods, and 2) to gain the option of applying for legal permanent residency and/or citizenship. Although some might contend that other types of political developments would meaningfully improve their situation as well, increased access to social welfare institutions and to legal residence appear to be the changes that would most unambiguously improve the material conditions and social status of these immigrants. In certain places and periods of time in North America and Northern Europe, one finds some undocumented immigrants and their allies pressing for these changes in national politics through social movements, worker centers, and other grassroots institutions that have specifically emerged, in whole or in large part, to aid undocumented immigrants.

Luxembourg, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom to be the developed democracies of “Northern Europe.” As for “Southern Europe,” I define it as Greece, Italy, Portugal, and Spain. (I do not consider micro-states in the context of this project, as the political dynamics surrounding immigration seem likely to be rather different in such small polities.)

Given that we have little evidence regarding the policy preferences of undocumented immigrants, I derived my understanding of these immigrants’ interests deductively. However, my account of their interests strikes me as unlikely to be controversial overall; I find it hard to imagine that an undocumented immigrant would not want, say, better access to health care or the option to become a legal resident. (Whether or not such an immigrant would actually exercise an option to regularize his or her legal status remains a separate issue.)

I am thinking in particular here of the institution of “temporary worker” programs. By “temporary worker” programs, I mean programs that provide immigrants with the opportunity to work lawfully in a country for a circumscribed period of time, while not providing them with a pathway toward legal permanent residency or citizenship. I do not deny that being a temporary worker has certain advantages over being an undocumented worker; nonetheless, temporary worker programs seem likely to serve at best as a poor second choice from the perspective of an immigrant without papers for several reasons. Most obviously, temporary workers cannot exert much control over how long they stay in a country. Moreover, temporary workers often have visas tied to work with particular employers; this situation endows their employers with a particularly high level of power over them.

Following Sidney Tarrow, I define social movements as sustained networks of people and organizations that engage in “disruptive direct action against elites, authorities, other groups, or cultural codes” (1998, 5). Often bound together by a shared sense of identity, these movements engage in direct action for the purpose of advancing some political claim (4-7).

Janice Fine defines worker centers as “community-based mediating institutions that provide support to and organize among communities of low-wage workers” (2006, 11). As of yet, worker centers appear to be largely an American phenomenon. Although these centers tend to engage more in politics at the sub-national level, they do participate in politics at the national level as well (189). One should also note that,
Moreover, and more centrally for the purposes of this study, grassroots institutions centered largely on undocumented immigrants have not been the only advocates for the undocumented in national politics in some times and places. Some established intermediary organizations with broader mandates have also invested significant resources into advocacy for the undocumented, as well.\textsuperscript{10} In speaking of “established” intermediary organizations, I mean non-state, non-party intermediary organizations that have a professional staff and considerable financial resources, and that regularly undertake political activities other than protest activity in their efforts to influence formal institutions of national government. For instance, an established organization might routinely engage in lobbying, participate in corporatist systems of interest intermediation, file lawsuits of relevance to broad classes of people, and/or disseminate policy research to politicians and their staff members. It might also engage in protest activity, too, of course, but such activity would not be its only mode of interaction with formal political institutions.\textsuperscript{11} As I define it, this term can be applied both to organizations that sit atop a dense network of local and regional organizations and that have a significant number of members drawn from the societal groups that they aim to serve, as well as so-called “checkbook organizations,” which have relatively few

\textsuperscript{10} As of 2003, the vast majority of these centers in the US had some periodic contact with unions, but only 15 percent of them were sponsored by, or had a regular partnership arrangement with, a union (121).

\textsuperscript{11} Although I highlight the differences between these established intermediary organizations and grassroots organizations here, one should not presume that these organizations have little to do with each other. To the contrary, established organizations often developed out of, and continue to serve as critical nodes in, social movements (Tarrow 1998, 146). Moreover, some established organizations have extensive links with many grassroots organizations, while grassroots organizations may occasionally engage in lobbying and like activities as well.
members drawn from the groups they seek to represent and which subsist primarily on the basis of foundation grants, government contracts, and donations from the relatively wealthy.

Given the socioeconomic position of the undocumented, one can identify several different types of established intermediary organizations that might plausibly serve as political advocates for them in a given context. More specifically, their set of potential established advocates consists of 1) immigrant and ethnic minority organizations, 2) religious, humanitarian, and human rights organizations, and 3) trade union organizations. *Prima facie,* some of these organizational types seem more likely to invest resources into advocacy for the undocumented than others in a given setting. In particular, the broad organizational missions of immigrant and ethnic minority organizations (or “immigrant-serving organizations,” for short) would seem to lend themselves particularly well to political advocacy for the undocumented; quite clearly, organizations that represent immigrants take advancing the status of immigrants as an overarching goal, as do organizations that represent ethnic minority groups possessed of many members from an immigration background. As for religious, humanitarian, and human rights organizations, they too have missions that would seem to orient them

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12 In speaking of “immigrant and ethnic minority organizations,” I refer to organizations that seek to represent the concerns of certain legal classes of immigrants (e.g., refugees) or of immigrants as a whole. I also refer to organizations that aim to represent one ethnic group, or a coalition of ethnic groups, in which a large proportion of individuals are either immigrants or the immediate descendants of immigrants.

13 In speaking of “religious organizations,” I have two main types of institutions in mind: 1) centralized organizations that bring together religious authorities from a given denomination, and 2) national social service organizations and lobby groups founded by, or closely linked to, the centralized organizations of religious authorities for one or more given denominations. In speaking of “humanitarian” organizations, I mean organizations that seek to ensure that all persons have access to basic human goods (e.g., food, shelter, and medicine). And in referring to “human rights” organizations, I refer to organizations that seek to help individuals gain access to these goods, and/or to various political liberties and protections, as a matter of legal or moral right.
toward political advocacy for the undocumented. They often display a strong commitment to assisting a considerable range of very disadvantaged groups, first of all.\textsuperscript{14} Moreover, religious, humanitarian, and human rights organizations typically espouse what might be termed morally “cosmopolitan” or “transnational” worldviews in their work with disadvantaged groups. To the religious organization, disadvantaged people deserve moral consideration because they are “children of God;” to the humanitarian or human rights organization, disadvantaged people deserve moral consideration because they are human. Judged from these perspectives, a disadvantaged person’s membership (or non-membership) in a given citizenship regime or other human community does not take on great moral significance. As such, the worldviews of religious, humanitarian, and human rights organizations would seem to facilitate and encourage advocacy for a group of very disadvantaged people dwelling outside of state citizenship regimes. On the other hand, one might expect union organizations not to perform advocacy in support of undocumented immigrants. These organizations typically adopt the mission of supporting the workers within a given country, and restrictive state policies toward undocumented immigrants could be said to promote good pay and conditions for workers in a given country both by keeping the labor supply relatively low in general, and by preventing people particularly likely to work under considerably worse terms than most other workers would from entering the labor market. Based on these broad intuitions about organizational missions, then, one would expect to find a relatively similar pattern of political advocacy for the undocumented in most, if not all, settings in North America.

\textsuperscript{14} In this study, I use the term “disadvantaged groups” to refer to groups in society that have relatively low levels of economic and/or social power. (Sources of “social power” might include education, public esteem, and so on.)
and Northern Europe; in particular, one would anticipate that advocacy would be performed by established immigrant-serving organizations and established religious, humanitarian, and human rights organizations, while it would not be performed by established trade unions.\(^{15}\)

Intriguingly, however, the situation “on the ground” in these regions today and in the recent past largely defies these initial intuitions. Established religious, humanitarian, and human rights groups have generally behaved as one might anticipate, for at least some of them have performed advocacy on behalf of the undocumented in many settings. The advocacy behavior of established immigrant-serving organizations and trade union organizations proves to be more surprising, however. In some times and places, high proportions of both immigrant-serving organizations and trade union organizations have engaged in advocacy for the undocumented; in other circumstances, very low proportions of both types of organizations have engaged in advocacy for these immigrants. A range

\(^{15}\) One might wonder why I exclude business organizations from my list of potential established advocates; after all, the US Chamber of Commerce and numerous other business groups did support recent proposals for the regularization of undocumented immigrants in the United States. Nonetheless, I do not think we should consider business organizations to be part of the set of potential advocates for the undocumented. As the US precedent suggests, we would expect these organizations generally to focus on obtaining those changes to immigration laws that would most benefit businesses, and do very little work on causes less directly related to their own economic interests (see Wong 2006). Of course, the advocacy behavior of other types of organizations may also be influenced by considerations of organizational interest, however defined. However, the interests of businesses have less potential to align deeply with the interests of the undocumented than the interests of other organizations do. For instance, a business organization might promote a regularization proposal because it holds out the promise of improving and securing businesses’ access to relatively cheap and flexible immigrant labor, while an immigrant organization, say, might support the same proposal because it has the potential to improve the social status of both documented and undocumented immigrants in a society. Under the circumstances, only the immigrant organization can be said to be truly speaking for, or advocating on behalf of, undocumented immigrants, in that only the immigrant organization seeks to forward a vision of the future that fully aligns with the interests of the undocumented. The business organization, on the other hand, advances a view of the future in which former undocumented immigrants would be consigned to labor under relatively unfavorable terms and conditions. As such, business organizations cannot be said to be full-fledged advocates for the undocumented, at least in the sense that I use the term “advocate.” Nonetheless, business groups certainly do constitute potential and actual political allies of organizational advocates for the undocumented.
of intermediate outcomes have obtained in other contexts, as well. Thus, while our initial
intuitions may suffice to explain the advocacy behaviors of religious, humanitarian, and
human rights organizations, they seem inadequate to account for the advocacy behavior
of established organizations less firmly oriented toward cosmopolitanism and aid for the
very disadvantaged. What might explain the surprising advocacy behavior of immigrant-
serving organizations and trade union organizations in different settings, then? Why do
we find unexpected patterns of advocacy for the undocumented in different contexts?

The preexisting literature on established intermediary organizations and the
disadvantaged does not provide us with direct insight into this issue. Much of this
literature has traditionally focused on investigating the degree to which different types of
social groups receive representation from lobby organizations, especially in the United
States. Generations of political scientists have emphasized that, at least in the US
context, the universe of lobby groups tilts strongly in favor of moneyed interests and
against more disadvantaged groups (e.g., Hacker and Pierson 2007; Schattschneider
1960; Schlozman and Tierney 1986). More recently, scholars have begun to focus on the
“representativeness” of those organizations that do seek to articulate the interests of
disadvantaged groups, and they have generally found that contemporary immigrant and
ethnic minority organizations, trade union organizations, and like groups tend to favor
their relatively more advantaged constituents over their less advantaged constituents
(Rueda 2007; Strolovitch 2007; see also Cohen 1999 and Offe 1985). Thus, for instance,
US women’s lobby organizations tend to press the particular interests of wealthier
women more vigorously than the particular interests of poor women (Strolovitch 2007,
36, 115-6). These findings prove helpful in that they situate the phenomenon of political
advocacy for the undocumented in a broader political and organizational context, but they do not directly address the question of why intermediary organizations possessed of the same broad mission might pursue advocacy for a very disadvantaged group in certain settings and not others. If anything, this body of work simply provides another reason to view the nature of advocacy for the undocumented in developed democratic contexts as puzzling: given that strong forces appear to push established intermediary organizations focused on the disadvantaged to favor the relatively more advantaged subgroups within their broader constituencies, one wonders why established immigrant-serving organizations and trade union organizations devote scarce resources to advocacy for an especially marginalized group like undocumented immigrants at all. It is not immediately clear why we find these organizations swimming against what appears to be fairly strong tide.

In this study, I take up this puzzling subject of established organizations’ political advocacy work for the undocumented in national politics. In particular, I investigate why established organizations’ involvement with political advocacy for the undocumented in North America and Northern Europe varies so much beyond the baseline presented by religious, humanitarian, and human rights groups: why do the proportions of relevant immigrant-serving organizations and trade union organizations engaging in advocacy for the undocumented differ substantially in different times and places? Adopting a comparative-historical approach, I base my answer to this question on a full analysis of organizations in Germany and the United Kingdom between the 1970s and the present day (defined for the purposes of this project as 2007), as well as a brief examination of organizations in the United States during the same expanse of time. My conclusion is
that, in those contexts in which a substantial undocumented population appears to exist, the character of political advocacy derives from the interaction of two factors. The first factor is the apparent nature of the undocumented population; the second factor is the particular set of political roles played by immigrant-serving and labor organizations. Under certain conditions, these factors may interact in such a way that organizational officials will likely perceive their constituents as a whole to have a “shared political and social fate” with undocumented people. In other words, these officials will likely perceive that their organization cannot achieve its goals for its constituency as a whole if the status of undocumented immigrants as a group does not improve. (As I will discuss in Chapter 3, this concept of a “shared political and social fate” is closely related to, and inspired by, the concept of “linked fate” used in the work of Michael Dawson and others.) In my view, organizations tend to take on advocacy for the undocumented if conditions encourage them to perceive the existence of such a shared fate between undocumented immigrants and their constituency as a whole.

This argument holds true in contexts where a substantial undocumented population appears to exist, as I have already suggested. However, this study also considers circumstances in which the undocumented population appears to be smaller (by which I mean numbering approximately in the tens of thousands, as opposed to the hundreds of thousands or the millions). In these circumstances, we find little political advocacy occurring on behalf of undocumented immigrants as a population; in essence, an undocumented population of a larger size appears to be a prerequisite for the type of advocacy examined in this study. At the same time, though, we do also find that organizations that might otherwise undertake political advocacy work for the
undocumented do tend to engage in casework focused on individual undocumented immigrants and small groups of undocumented immigrants in the context of a smaller population.

In this study’s third chapter, I discuss more fully this explanation for the variations in advocacy that we observe; I also articulate two potential alternatives to this explanation, as well. In the study’s second chapter, I detail the research strategy that I adopted in investigating these explanations empirically. This introductory chapter aims to lay the groundwork for these subsequent discussions by explaining how this project’s line of inquiry fits into the broader scholarly literature, and by using contemporary data drawn from Germany, the U.K., and the U.S. to demonstrate what I have already asserted: significant variation exists in the degree to which immigrant-serving organizations and labor organizations engage in advocacy for the undocumented in different contexts. The discussion begins with a consideration of the study’s scholarly contributions.

**Contributions to the Literature on Immigrants and Immigration**

This chapter has already pointed out one contribution that this study makes to the political science literature: it investigates an intriguing empirical puzzle of relevance to the literature on intermediary organizations and disadvantaged groups. The study also contributes to the body of scholarly writing addressing immigrants and immigration in the developed democracies. In this section of the chapter, I will discuss some of the study’s specific contributions to the literature in this second area.
Broadly speaking, we can divide the extensive literature on immigrants and immigration into two main streams of research: studies addressing state immigration control policies, and studies addressing the political, social, and economic incorporation of immigrants and their immediate descendants. I consider immigration control policies to be those policies that seek to regulate the entry and residence of immigrants, and I define immigrant political incorporation as the set of reversible, contingent processes by which immigrants come to participate and/or have their interests articulated in politics. Similarly, we can understand the social and economic incorporation of immigrants to be the reversible, contingent set of processes through which immigrants come to participate in the social and economic spheres of their host societies, and through which other actors in these spheres come to develop social and economic relationships with them.

Within the first stream of research dealing with immigrants and immigration, many analysts have focused on explaining spatial and temporal variations in the nature of state immigration control policies (e.g., Money 1999; Tichenor 2002). Political scientists have also sought to understand the effects of these control policies; in particular, numerous studies have considered the extent to which state policy approaches intended to restrict immigration actually reduce inward flows of immigrants (e.g., Cornelius, Martin, and Hollifield 1994; Cornelius, Tsuda, Martin, and Hollifield 2004). Many of these analysts have concluded that these policies often do not have their intended effects, and have gone on to develop explanations for why this putative situation has occurred (e.g., Cornelius, Martin, and Hollifield 1994; Cornelius, Tsuda, Martin, and Hollifield 2004;
Another line of research has investigated the implications of various immigration control policies for broader conceptions of citizenship and belonging in particular societies (e.g., D. King 2000; Ngai 2004).

The present analysis has been informed by this first set of studies, but it serves first and foremost as a study of immigrant incorporation. Much of the literature on immigrant incorporation in the developed democracies has focused principally on immigrants with papers; thus, for example, many studies of social and economic incorporation consider the educational achievements, labor market participation, and social status of such immigrants (e.g., Freeman 2004; Ireland 2004; Parsons and Smeeding 2006; Soysal 1994). Like studies of social and economic incorporation, analyses of political incorporation have also tended to focus principally on immigrants sanctioned by the state and their immediate descendants. Many studies of political incorporation address the partisan attachments and voting behavior of naturalized citizens (e.g., Ramakrishnan 2005; White et al. 2008), for instance. Others primarily consider the extent to which, and how, members of ethnic groups comprised heavily of naturalized citizens and their children participate in political activity beyond voting (e.g., Hero and Campbell 1996; Maxwell 2006).

Although most studies of immigrant incorporation have focused on authorized immigrants, the present analysis does not stand alone in its focus on the undocumented. Previous studies of social and economic incorporation have considered the participation of undocumented immigrants in labor markets, religious associations, and local labor

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16 For a more skeptical take on the view that a major gap exists between policy intentions and immigration outcomes, see, e.g., Messina 1996.
organizations (e.g., Bustamante, Reynolds, and Hinojosa 1992; Culic 2008; Delgado 1993; Düvell 2006a; Hjarnø 2003; Jordan and Düvell 1999; Milkman 2000; van der Leun 2003). Analysts of political incorporation have also studied undocumented immigrants; in so doing, they have often examined social movements, worker centers, and other relatively new organizations that have emerged to assist undocumented people and press their case in politics (e.g., Anderson 2001; Fine 2006; Gray 2006; Kwong 1997; McNevin 2006; Schwenken 2003; Schwenken 2006). However, they have also paid some attention to political activity undertaken on behalf of undocumented immigrants by established intermediary organizations. Some studies have focused on political activity undertaken by these organizations as part of broader analyses of immigration politics in general (e.g., Haus 2002; Tichenor and Fine 2009; Watts 2002; Wong 2006), while others have focused on activity directed largely toward undocumented immigrants in particular (e.g., Fine 2006; Schwenken 2006).

These studies of immigrant incorporation in developed democracies offer many insights, and I draw extensively on them in my own analysis. Nonetheless, the literature as a whole suffers from certain shortcomings, four of which I attempt to address in some way in this study. First, the literature as a whole has tended to pay inadequate attention to the societal incorporation of unauthorized immigrants, especially the political incorporation of these immigrants. The low level of attention accorded this topic of political incorporation seems quite surprising, given the high numbers of undocumented immigrants who reside in developed democracies; various recent estimates have suggested that 11.5 million undocumented immigrants live in the United States (see Passel 2007), while 2.8-8 million undocumented immigrants live in the countries of the
European Union (Düvell 2009), most of whom can be assumed to live in the wealthier western regions of Europe. Moreover, the legal status of these immigrants renders it seemingly inevitable that they will experience distinctive patterns of political incorporation (or non-incorporation) in their host societies. As such, undocumented immigrants constitute a large group of immigrants whose distinctive relationship with politics in their host societies has gone largely unstudied. For this reason alone, we would benefit from further studies regarding the incorporation of the undocumented.

However, we also have good normative reasons to focus our attention on these immigrants: the societal position of the undocumented is not only distinctive, but also distinctly troubling, for it renders them uniquely vulnerable to exploitation within the socioeconomic realm of the countries in which they live (see, e.g., Anderson 2001b; Gray 2006). It also poses major challenges to the practice of democracy within the political realm of these countries. In many models of democratic public discourse, individuals hold citizenship in the territorial political communities in which they reside, and this citizenship endows them with the right to advance claims in the public sphere, as well as the obligation to answer the competing arguments of others in that sphere. For undocumented immigrants, however, this traditional link between democratic participation and residence has been severed to a considerable extent; as I have emphasized above, these immigrants have experienced a form of political incorporation, but only a limited and impoverished one. As a result, they face major restrictions upon their ability to advance and answer claims in the public sphere—a situation that disadvantages not only undocumented immigrants themselves, but also anyone who wishes to pursue a claim with these immigrants in public discourse. Along with the
The second shortcoming embedded in the preexisting literature pertains to those studies that do address the political incorporation of undocumented immigrants in some way. Taken as a group, these studies have tended to focus on the set of relatively new grassroots institutions focused primarily or exclusively on aiding undocumented immigrants. For example, Janice Fine (2006) has produced an authoritative survey and analysis of worker centers that serve undocumented and other migrant workers in communities in the United States. Where they exist, these workers’ organizations and other emergent institutions play an important role in the political (and socioeconomic) incorporation of undocumented immigrants: they provide such immigrants with opportunities for direct participation in local and national politics, and serve as advocates for these immigrants vis-à-vis employers, local governments, and the national state. In so doing, these newer institutions often fill gaps left behind by the decline of local union branches and other community-based institutions that once extensively served immigrants, at least in the US context (see Fine 2006). Overall, then, these new institutions, where they exist, clearly contribute to the political incorporation of undocumented immigrants. Nonetheless, established intermediary organizations have the potential to play an even more critical role in the incorporation process, at least at the national level. Such organizations have considerably more capacity to undertake
advocacy projects in national politics than worker centers and like institutions; as such, when longstanding national organizations do pursue advocacy for the undocumented, they function as more powerful—and hence more potentially influential—advocates for these immigrants. Indeed, prominent works in the literature on immigration control policy argue that established organized interests often exert considerable influence over policy outcomes in the United States (e.g., Tichenor 2002), as well as in developed democracies more generally (e.g., Freeman 1995). As of yet, though, the literature on the political incorporation of the undocumented has paid surprisingly little attention to these established intermediary organizations. This study aims to direct more attention toward this important set of actors.

As for the final two shortcomings present in the preexisting literature, these two issues have to do with the few preexisting studies that do examine the political advocacy role of established intermediary organizations. This set of studies provides an incomplete empirical picture of the phenomenon of advocacy for the undocumented, first of all. Political scientists simply have not compiled data on the responses of established intermediary organizations to undocumented immigrants in a number of developed democracies; as such, the academic literature lacks a good deal of basic empirical information about which established intermediary organizations do and do not advocate on behalf of the undocumented in various contexts. This study helps to fill some of these gaps in our knowledge, as it introduces a good deal of new empirical information relating to organizations in Germany and the UK. Although the subject of undocumented

\[^{17}\text{As one would expect, this argument has not been universally accepted (see, e.g., Statham and Geddes 2006), but it remains an important one in the literature.}\]
immigrants and intermediary organizations in the United States has received more
attention from political scientists (see, e.g., Haus 2002; Tichenor and Fine 2009; Watts
2002; Wong 2006), this study nonetheless adds to our empirical knowledge on the US as
well. Importantly, this study’s analysis of the US is relatively brief; the US functions as a
“shadow case” rather than a full-blown one in the context of this study. Nonetheless, this
study is unique in its efforts to identify all of the major immigrant-serving and labor
organizations that might have served as advocates for undocumented immigrants in the
US during various time periods, and to document systematically whether each of these
organizations actually did or did not take up an advocacy role. As such, the study makes
a useful contribution to our empirical knowledge of the United States as well.

Second, this study also seeks to strengthen the literature by adopting a more
robustly comparative view of the phenomenon of political advocacy for the
undocumented. Studies in the preexisting literature generally focus on single geographic
regions and/or single types of established organizations;\(^1\) thus, for instance, the
literature’s most developed treatment of advocacy for the undocumented—Helen
Schwenken’s *Rechtlos, aber nicht ohne Stimme (Without Rights, But Not Without Voice)*
(2006)—mainly focuses on advocacy at the European Union level. On the other hand,
Leah Haus considers advocacy on both sides of the North Atlantic for immigrants in

\(^{18}\) Deborah J. Milly’s conference paper “Nongovernmental Advocacy Organizations and the State:
Comparative Patterns of Engagement Over Irregular Immigrants” (2007) constitutes an important exception
to this generalization. The paper, and the larger research project in which it is rooted, investigates
interactions related to undocumented immigrants between states and non-governmental organizations in
Italy, Japan, South Korea, and Spain. In so doing, it seeks to gain insight into broader relationships
between states and non-governmental organizations in these countries. Once published, this research will
offer very helpful comparative insights to the literature on immigration (as well as the literature on state-
society relationships more generally).
general, including undocumented immigrants (2002). However, she restricts her organizational focus to trade unions alone. This tendency to focus on particular organizational types and/or particular regions means that analysts have not been able to test fully theories that address both the influence of organizational type and the influence of country context on established intermediary organizations’ advocacy behavior, even though both organizational type and country context can reasonably be assumed to influence such behavior. This study itself does not constitute a fully comprehensive treatment of advocacy for the undocumented in the developed democracies; like other analyses, my analysis certainly has some limitations upon its geographic and temporal scope, as I discuss in detail in Chapter 2. In addition, I do not consider every type of organization that might plausibly be engaged in advocacy for the undocumented, opting instead to focus only on immigrant-serving organizations and trade union organizations. Nonetheless, the study does analyze the advocacy behavior of multiple types of organizations in countries on both sides of the North Atlantic. In so doing, it aims to offer a more fully comparative analysis of political advocacy for the undocumented than can be found in the preexisting literature.

Admittedly, one might question the usefulness of comparing developments in the US with developments in other wealthy democracies. The US historically had, and continues to have, by far the largest (estimated) per capita undocumented population in the developed democratic world. Moreover, undocumented immigrants have been the subject of political contention in the US for a longer period of time than they have been in most other developed democracies. These differences led Christian Joppke to suggest in the late 1990s that “illegal immigration in Western Europe is too recent and protean [a
social and political phenomenon] to warrant a comparison with the U.S.” (1998, 271). However, Joppke’s conclusion seems out of date today. Many developed democracies outside of the United States now have sizeable numbers of undocumented immigrants resident on their territory at any given time, and France, the United Kingdom, and other developed democracies have witnessed ongoing, and quite fierce, political fights regarding these immigrants. Of course, significant differences between the situation in the US and the situation in other countries do exist; this study will pay a good deal of attention to them. However, these differences no longer appear so vast as to render comparisons between the US and most other developed democracies untenable. As such, the time seems ripe for a more fully comparative analysis of political advocacy for these immigrants within the developed democratic world. This study seeks to provide precisely such an analysis.

**Variation in Advocacy Outcomes in Germany, the UK, and the US**

This study’s dependent variable is the proportion of established immigrant-serving organizations and trade union organizations engaged in political advocacy for the undocumented in a given context. As I have already suggested, this study focuses in particular on the advocacy behavior of these organizations between the 1970s and 2007 in three countries: Germany, the United Kingdom, and the United States. The study adopts a comparative-historical approach to its topic, in that it seeks to gain insight into political advocacy for the undocumented both by studying differences between countries, and by studying differences across time within countries. In this section of my chapter, I highlight only the distinctive advocacy outcomes that existed in Germany, the United
Kingdom, and the United States in 2007, as my purpose here is simply to persuade the reader that analytically-interesting variation exists across different North American and North European contexts. Later chapters of the study will provide further insight into variations in advocacy outcomes across time.

In Tables 1.1 and 1.2, I indicate the specific proportion of established immigrant-serving and labor organizations engaged in advocacy in 2007 in the German, UK, and US contexts. (For a discussion of how I went about identifying established intermediary organizations in these countries and determining which of these organizations should be classified as advocates, please see Chapter 7.) As these tables make clear, the character of organizational advocacy for the undocumented varied quite a bit across these three countries. With regard to established immigrant-serving organizations, we find relatively high levels of participation in advocacy in the United States, medium-to-low levels of participation in the United Kingdom, and no participation in Germany. With regard to established unions, we find a similar pattern, with relatively high levels of participation occurring in the US and no participation taking place in Germany. Like UK immigrant-serving organizations, UK unions occupy an intermediate position between their German and American counterparts; we might characterize them as exhibiting a medium-to-high level of engagement with advocacy.

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19 In considering Tables 1.1 and 1.2, one might be struck by the fact that none of the German organizations identified in the tables engage in advocacy for the undocumented. This situation may lead one to wonder if Germany can be properly compared with the other two countries; perhaps undocumented immigrants are either not present in noticeable numbers in Germany, or they are for some idiosyncratic reason simply not subject to political contestation by any intermediary organizations in the German context. Neither of these situations proves to be the case, however, as will become clear as the study progresses.
Table 1.1: Immigrant-Serving Organizations and Political Advocacy for Undocumented Immigrants in Germany, the United Kingdom, and the United States, 2007

<table>
<thead>
<tr>
<th>Country</th>
<th>Fraction of Potential Advocates Engaged in Advocacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>0/3 (0 percent)</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>2/15 (13.3 percent)</td>
</tr>
<tr>
<td>United States</td>
<td>14/31 (45.1 percent)</td>
</tr>
</tbody>
</table>

Sources: see Chapter 7.

Table 1.2: Trade Unions and Political Advocacy for Undocumented Immigrants in Germany, the United Kingdom, and the United States, 2007

<table>
<thead>
<tr>
<th>Country</th>
<th>Fraction of Potential Advocates Engaged in Advocacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>0/8 (0 percent)</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>2/12 (16.7 percent)</td>
</tr>
<tr>
<td>United States</td>
<td>6/30 (20 percent)</td>
</tr>
</tbody>
</table>

Sources: see Chapter 7.

For several reasons, one should not make too much of the precise numbers offered in these tables. I may have erred in my coding of certain organizations, for instance. More important are the broad differences between Germany, the United Kingdom, and the United States, which seem both notable and striking, and which lie at the heart of this project. In the next chapter of this study, I explain the empirical research strategy that I adopted in seeking to gain a greater understanding of these differences.
In this chapter, I summarize the empirical research strategy deployed in this project. As I have already suggested, this study adopts a broadly comparative-historical approach to examining its topic. This approach to political inquiry can be distinguished by two features. First, it entails a focus on several, though not many, cases; second, it involves the intensive comparison of political outcomes both across different cases and across time within individual cases (Gerring 2007, 27-29). By a “case,” I mean simply “a spatially delimited phenomenon (a unit) observed at a single point in time or over some period of time” (19). Although comparative-historical studies often focus on countries, the “spatial unit” considered in such a study certainly need not be a country. A study might focus instead on sub-national governments, regional associations of states, or any other political entity anchored in physical space. I will, however, eschew the awkward term “spatial unit” and simply speak of countries in the discussion that follows, both for ease of exposition and because countries comprise the spatial entities of interest in this particular study.

Like all approaches to research in political science, the comparative-historical approach has its trade-offs. On the positive side, studies focused on a small number of cases seem more likely to have high levels of internal validity, for these studies give

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20 This paragraph’s discussion of the trade-offs associated with different research approaches is hardly comprehensive. For detailed analyses of this subject, see, e.g., Brady and Collier (2004) and Gerring (2001, 2007).
analysts considerable opportunity to scrutinize individual cases and to undertake multiple observations of them (Gerring 2007, 23-25, 43). Such studies also enable researchers to test not only whether particular dependent and independent variables correlate in the manner that they have hypothesized, but also whether causal processes that they have theorized to link these variables do in fact manifest themselves as expected (Bennett and George 2004, 205-262). In addition, studies examining multiple periods of a single country’s history enable us to make relatively controlled comparisons, for much remains the same within a single country across temporal periods; at the same time, the fact that comparative-historical analyses look not only at political outcomes across temporal periods within an individual country, but also at political outcomes across a few different countries, somewhat improves the external validity of these studies. Nonetheless, external validity remains a challenge for researchers working within the comparative-historical tradition. Put simply, one would have more confidence in the generalizability of their findings if these studies directly examined outcomes in more spatial and temporal settings (see Gerring 2007, 20, 43). The present analysis does not transcend this problem, but I have adopted various strategies in order to mitigate it. In initially choosing cases for investigation, I deployed a considered case selection strategy. And in writing this study, I have sought to be thoughtful in delineating the universe of cases to which I think my argument may apply, while also clearly signaling to the reader potential reasons why the argument might not extend to some of the cases included in this set.\textsuperscript{21} I thus seek to

\textsuperscript{21} Another approach to this external validity problem would be, of course, to include some type of statistical analysis in this study. However, I judge this project’s topic to be ill-suited to quantitative investigation for several reasons. For instance, one of my argument’s main independent variables—the
mitigate the difficulties with external validity associated with the comparative-historical approach, while at the same time exploiting the various strengths of this approach that I have noted.

The following three sections of this chapter deal with various aspects of the comparative-historical research strategy adopted in this study. In the first of these three sections, I discuss the places and expanses of time to which I believe my explanatory theory may apply. For ease of exposition, I refer to this set of places and expanses of time as my “universe of cases,” but this term may slightly mislead the reader as to what I have in mind. In the section, I spend a good deal of time determining the point in time at which various countries developed undocumented populations. This empirical work enables me to delineate the expanse of time within a given country’s history that is relevant to my study. However, in identifying and emphasizing particular expanses of time, I do not mean to imply that these expanses of time constitute particular cases per se. Thus, for instance, I might find that Country X has had an undocumented population since 1970; as such, one may assume that I view “Country X, 1970-present” as a single case. In fact, this expanse of time could consist of multiple cases; for instance, it might contain the three cases of “Country X, 1970-1985,” “Country X, 1986-1994,” and “Country X, 1995-present.” In practice, I do actually treat the entire expanse of time that each country has had an undocumented population as one case, but I wish to highlight that one does not necessarily need to do so—a matter that I discuss in the second of the three sections, which addresses the question of case selection. This second section also
considers the issue of “periodization,” or the process of carving out distinct historical periods from within the broad expanses of time covered by cases. In the last of the three sections, I turn to the topic of data collection, summarizing for the reader the various sources of evidence that I consulted in preparing the study.

**Universe of Cases**

In this section of the chapter, I aim to delineate the set of countries and expanses of time to which this study’s explanatory theory might speak. To summarize the discussion that will follow, I define the study’s formal universe of cases as being all developed democratic contexts in which 1) national politicians constitute a primary locus of decision-making related to immigration and immigrants, and 2) an undocumented population appears to exist. I exclude times and places that do not meet the first of these conditions because political advocacy for the undocumented seems likely to operate very differently in such contexts; I exclude times and places that do not meet the second of these conditions because political advocacy for domestic undocumented populations cannot really exist in them at all. After excluding cases that do not meet these criteria, I am left with the following countries and expanses of time in my formal universe of cases: Australia, 1970s-present; Canada, late 1960s-present; the countries of Northern Europe outside of Ireland and the Nordic region, 1970s-present; Ireland and most Nordic countries, 1990s-present; the countries of Southern Europe, 1980s-present; and the United States, 1920s-present. These are the contexts that my argument should in principle be able to illuminate.
I must stress, though, that this study only undertakes an empirical analysis of cases drawn from two regions—North America and Northern Europe—and that Australia and Southern Europe differ from these two regions in certain potentially relevant ways. In particular, one can identify differences related to the nature of political discourses surrounding immigration and immigrants, and, with respect to Southern Europe, the capacity and inclination of the state bureaucracy to enforce restrictive laws governing immigration and immigrants (see, e.g., Calavita 2005, 38). One or more of these variables may exert an influence on the nature of political advocacy for the undocumented too subtle to be detected without detailed empirical analysis. As such, I hesitate to make a strong claim regarding the transferability of my argument to Australia and Southern Europe in the absence of sustained empirical research into these contexts. For this reason, I present this study as first and foremost an analysis of North America and Northern Europe, despite the more expansive set of cases to which it may be able to speak.

In the discussion that follows, I introduce the two restrictions that serve to define the set of times and places relevant to this project. Considering the restrictions in turn, I explain the logic that underlies them, and identify the times and places that I exclude as a result of them.

First Restriction: National Politicians as a Critical Locus of Political Decision-Making

The first restriction pertains to the cast of characters engaged in political contention over undocumented immigrants in different contexts. In nearly all developed democracies, politicians play a leading role in national policymaking related to
immigration and immigrants. However, one does find some countries in which bureaucrats largely control policymaking, with little input from politicians. This study does not attempt to speak to developments in this minority of states, for this difference seems likely to influence the character of political advocacy in these states. In particular, “countries… where immigration policymaking is dominated by bureaucrats who are not publically accountable… are [often] less susceptible to pressures from special interest groups,” as Wayne A. Cornelius and Takeyuki Tsuda suggest (2004, 12). This dynamic may influence the degree to which advocacy groups deem political advocacy for the undocumented to be a worthwhile use of scare resources, and thus may have the ultimate effect of tamping down levels of political advocacy for these immigrants.

In practice, this restriction means that the study does not attempt to engage with the two developed democracies of East Asia, Japan and South Korea, during any time period. Both of these countries have consistently exhibited a relatively insulated, centralized, and bureaucratically-controlled style of policymaking regarding immigration and immigrants in general (see Cornelius and Tsuda 2004, 12). This situation has not meant that undocumented immigrants completely lack for organizational advocates in Japan and South Korea; organizational advocacy on behalf of the undocumented does occur in both countries (see Milly 2007). Nonetheless, we cannot properly gauge the degree to which levels of political advocacy would be greater if immigration and immigrants constituted more fully-contested, openly-politicized issues within these societies. As such, this study does not include Japan and South Korea in the set of countries to which it seeks to speak.
Second Restriction: The Presence of an Undocumented Population

In sum, then, the first restriction has to do with the critical actors engaged in political contestation related to undocumented immigrants in different countries. The second restriction pertains to the timing of when, if at all, undocumented immigrants appear to have emerged as a population in different developed democracies. While the first restriction essentially functions to exclude particular places from the study’s purview, the second restriction primarily excises particular time periods in different countries’ histories from the set of contexts to which the study aims to speak. (The second restriction does, however, serve to exclude two countries altogether: Iceland and New Zealand.) In particular, this second restriction leads me to focus only on cases where an undocumented population appears to exist. As I have already suggested, the rationale underlying this restriction is an extremely straightforward one: the apparent presence of undocumented immigrants in a society would seem to be a prerequisite for advocacy on behalf of these immigrants.

Due to this restriction on its scope, the study must offer some insight into when, if at all, undocumented immigrant populations emerged in the various developed democracies (other than Japan and South Korea). Of course, it is extremely difficult to come to precise conclusions about undocumented populations, a theme to which I will return in Part II of this study. However, the preexisting literature in history, political science, and sociology does offer insights into when undocumented populations seem to have surfaced in the various developed democracies, and I will assume here that the literature paints an accurate picture of when these populations developed. Often, undocumented populations appear to surface in the wake of changes to national
immigration policies; generally, these major changes involve the application of new restrictions to previously unregulated or lightly-regulated immigration flows.

One might wonder about the existence of periods during which an undocumented population seemed to “disappear” after having previously emerged in a society. At least in the context of the countries studied here, this type of scenario appears to be a purely hypothetical one. Regularization programs do shrink the ranks of the undocumented (if only temporarily), but experience suggests that many undocumented immigrants do not participate in them, as the discussion below will suggest. The only way for a state to reduce a known population of undocumented immigrants to a trivial one would seem to be large-scale deportations combined with the implementation of very strict border and internal controls—and liberal democratic states seem highly unlikely to undertake such measures due to norms and laws surrounding the use of state power, as well as concerns about the implications of tight controls for citizens, authorized immigrants, and international trade.\textsuperscript{22} As such, undocumented populations generally do not shrink to the point of invisibility once they have emerged.

In the pages that follow, I survey what we know about when these enduring populations surfaced in various developed democracies. Rather than simply stating the relevant period of time for each country, I also describe briefly the various causal forces that analysts believe brought these populations into being, for I think that explicating these causal forces makes the literature’s conclusions about timing more credible and readily understood. Undertaking this task also proves useful for the broader body of

\textsuperscript{22} For a related discussion, see Hollifield (1992).
work on immigration and immigrants, in that the preexisting literature lacks a comprehensive summary of what we know about when, and why, undocumented populations appear to have emerged in the developed democracies of the Antipodes, Europe, and North America.

**Australia**

Since the mid-1990s, Australian politicians and journalists have devoted much attention to the phenomenon of “illegal immigrants” attempting to cross to Australian territory by boat. Most of these immigrants would seem to be more properly labeled asylum seekers; although they seek to enter Australian territory without state authorization (and could thus be characterized as prospective illegal or undocumented entrants), they have a right under international refugee law to temporary residence after they have entered state territory and applied for asylum, and thus do not constitute illegal or undocumented residents during the adjudication of their asylum claims. Thus, Australia’s most visible population of “illegal immigrants,” which is in any case rather small in size (Castles and Vasta 2004, 157), turns out not to consist of undocumented people after all—at least if we use this project’s definition of “undocumented.”

Nonetheless, Australia does appear to have a population of people that do match this definition; in particular, the country has had a population of “overstayers” present on its territory since approximately the 1970s (see Hawkins 1991, 198-204). By an “overstayer,” I mean an individual who enters a given country with state authorization, and who continues to remain in that country after the expiration of her or his visa. This development appears to have been linked in part to Australia’s introduction of the so-
called “Easy Visa Scheme” in 1973. This program streamlined the process by which prospective visitors could receive Australian visas, and in so doing made it relatively simple for individuals who wished to find jobs in Australia to enter the country as tourists (199). The program ended in 1975, but it appears to have helped lay the foundations for an undocumented population in the Australian context. One estimate suggests that Australia had about 50,000 undocumented immigrants during the 1983-4 period, most of whom were overstayers (199); later estimates put the number of visa overstayers in Australia at 53,000 in 1999 (Castles and Vasta 2004, 157), and at 60,000 in 2003 (Lahav and Messina 2006, 10). Overall, then, we can trace the rise of an undocumented population in Australia to the 1970s.

Canada

Like its immediate neighbor to the south, Canada is a country built on mass immigration that began to impose restrictions on population inflows beginning in the late 1800s and early 1900s (Buchignani and Indra 1999, 419-23). Canada also had few border control mechanisms in place during this period; perhaps unsurprisingly, then, analysts have posited that thousands of unauthorized immigrants entered Canada by crossing the country’s main border with the US from the dawn of restrictionist policies up until the 1930s (421-2). However, the emergence of a noticeable undocumented population in Canada does not appear to have occurred until the late 1960s, when changes to Canadian immigration law encouraged prospective immigrants to believe that they would face relatively few difficulties in obtaining legal residence in Canada were they to travel there (425). This situation led many prospective settlers to enter Canada on
short-term visas or as unauthorized entrants, and then apply for residence (Hawkins 1991, 45-50). A subsequent regularization program in 1973 yielded numerous applications from undocumented immigrants; one source reports that the Canadian government received roughly 30,000 applications (Buchignani and Indra 1999, 426), while another offers a lower estimate of between 15,000-18,000 (Robinson 1984, 426). This regularization left an undocumented population still in place; according to Norman Buchignani and Doreen Indra, the “consensus” view has been that Canada’s various regularization programs have only attracted less than half of the immigrants eligible to apply for them (1999, 424). Thus, we can say that Canada appears to have had an undocumented population in place continuously since the late 1960s.

The Countries of Northern Europe

In an analysis of the emergence and evolution of the concept of “illegal immigration” throughout Western Europe, Franck Düvell suggests that this idea only “gained prominence during the latter third” of the twentieth century (2006c, 29). In particular, we can date the introduction of this concept into the mainstream—and the related rise of an undocumented population—to the 1970s in many North European

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23 Writing in the early 1980s, W.G. Robinson suggested that, according to immigration enforcement officials, “persons who would have been eligible for the 1973 amnesty are now apprehended only rarely”—a piece of evidence that, in his view, might suggest that a larger percentage of the undocumented immigrants present in Canada in 1973 opted to regularize their status (1984, 477). On the other hand, one could develop several alternative explanations for this piece of evidence as well. For instance, a number of undocumented immigrants present in Canada at the time of the regularization might have subsequently left of their own accord. In any event, Robinson offers no indication that undocumented immigrants became entirely invisible in Canadian society after the 1973 regularization.

24 However, European states began to create rules governing residence on their territory and to expel unwanted “outsiders” of various types considerably earlier on in history (see Reinecke 2008; van Eijl 2008).
countries. Most of these countries first began to experience mass immigration during the years of rapid economic growth that followed World War II, a period in which they experienced considerable inward flows of labor immigrants from less developed countries (which were, in some cases, former and current colonies). Often recruited to work in Northern Europe through government programs, these immigrants were viewed by many politicians as a useful, necessary component of the labor force in their societies. In this context, immigrants who arrived without permission to work and successfully found employment often faced few difficulties in regularizing their situation after the fact. Tellingly, these individuals were often conceptualized as “spontaneous” immigrants, rather than illegal ones (24), and the ease with which such immigrants could be incorporated into society meant that a visible undocumented population did not really exist in these societies during this period.

The situation shifted after the boom years gave way to the global economic slowdown of the 1970s. During this period, many Northern European countries enacted measures intended to end large-scale labor migration to their territory. In this climate of restrictiveness, they also often introduced rules that explicitly identified unsanctioned immigration and residence as legal offenses and that sought to clamp down on them accordingly (25). This development appears to have had the unintended consequence of building up the numbers of undocumented immigrants in these societies; due to the entrenched migratory patterns that had been established between the wealthy states of

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25 One might note that the UK began implementing restrictive policies earlier than most of its peer countries in Northern Europe did. As Wayne A. Cornelius and Takeyuki Tsuda note, “the country started to impose stringent controls on immigration from its colonies and the British Commonwealth” as early as 1962 (2004, 31).
Northern Europe and various less developed countries, the termination of mass labor immigration programs did not entirely end labor migration to Northern Europe, but rather seems to have turned previously large, authorized flows of labor immigrants into smaller, partially unsanctioned ones (see 14-39). We can thus identify the 1970s as the period in which many North European countries appear to have first acquired undocumented populations.

This historical narrative does not apply to all of the countries of Northern Europe, however. First of all, the Nordic countries of Denmark, Finland, Norway, and Sweden do not appear to have developed undocumented populations in the 1970s (see, e.g., Brochmann 1999, 217; Hammar 1999, 187). Finland had a very restrictive immigration policy until the 1990s (Lehti and Aromaa 2002, 33), but in many respects the immigration histories of the other three countries prove similar to the immigration histories of their counterparts elsewhere in Northern Europe: Denmark, Norway, and Sweden all permitted substantial inward labor migration flows from less developed regions during the 1960s, and then enacted measures to stop mass labor migration in the 1970s. In contrast to other North European countries, however, this shift in policy did not serve to generate visible undocumented populations in these countries. The literature links this atypical outcome to Nordic trade unions’ unusually developed capacity to monitor labor markets and to punish employers who do not comply with rules governing the hiring of immigrant workers (Brochmann 1999, 217; Hammar 1999, 187-8; Hjarnø 2003, 9-10), as well as the extensive use of state identification numbers in everyday life.

26 The termination of these mass labor immigration programs also led to increases in authorized immigration through political asylum and family reunification programs. 27 I discuss Iceland separately below.
in the Nordic countries (Brochmann 1999, 217; Hammar 1999, 187-8). Moreover, although these countries did have, and continue to have, sizeable informal economies (see Schneider and Enste 2000; Schneider 2001), the informal economic sector in these countries proves to be comparatively difficult for undocumented immigrants to penetrate. According to Jan Hjarnø’s analysis of the situation in Denmark and the Nordic countries more generally, most undocumented immigrants do not have the skills desired by a number of employers operating in the informal economy, and most recruitment into jobs in the informal sector occurs through social networks to which undocumented immigrants lack access (2003, 9). These factors do not make living or finding a job in the Nordic countries entirely impossible for immigrants without papers, of course; they simply make it relatively hard to avoid detection and to support oneself as an undocumented immigrant. Nonetheless, these factors do seem to have been sufficient to constrain the rise of a noticeable undocumented population during the 1970s.

This situation eventually began to change, however. The available evidence suggests that Denmark, Finland, Norway, and Sweden appear to have developed undocumented populations during the 1990s (Düvell 2006b, 5). Trade unions remained strong in these countries, state identification numbers continued to be used frequently in everyday life, and the nature of the informal economy did not change dramatically. Nonetheless, major exogenous changes helped to spur the rise of an undocumented

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28 The “informal economy” in a given country can be defined for our purposes here as all economic activities that violate state tax, wage, or other laws in some way (see also Schneider and Enste 2000, 78-9).

29 In this respect, the situation of undocumented immigrants does not appear to differ drastically from the situation of many authorized immigrants in the Nordic countries, who also encounter a “mismatch” between their skills and the demands of the labor market and lack access to social networks useful for obtaining employment (Forsander 2004, 214-5).
population in these Nordic states during this time. In particular, the collapse of 
communist regimes in the Soviet Union and the Eastern Bloc greatly facilitated migration 
flows to Northern Europe from Eastern Europe and beyond. At the same time, political 
and economic dislocations in Eastern Europe and elsewhere served as powerful 
inducements to emigration. The end result appears to have been a rise in the numbers of 
asylum seekers and undocumented immigrants present throughout the entirety of 
Northern Europe (see Jordan and Düvell 2002, 43-46). As I noted previously, one should 
not confuse applicants for asylum with undocumented immigrants; the former have a 
legal right to reside in their host countries, while undocumented immigrants do not. 
Nonetheless, the sharp increase in asylum applications experienced by North European 
countries in the 1990s did have implications for these countries’ undocumented 
populations, as some refused asylum seekers stayed on in these countries in an 
undocumented status after the denial of their claims (see, e.g., Hatton 2004, 15). In the 
Nordic countries (and elsewhere), these refused asylum seekers sometimes received 
practical support from neighbors, friends, and religious and secular community 
organizations (see, e.g., Hammar 1999, 190-191), a situation that may help to explain the 
ability of some undocumented immigrants to sustain themselves in the Nordic 
socioeconomic context. In any event, we can date the apparent rise of an undocumented 
population in Denmark, Finland, Norway, and Sweden to the 1990s.30 

30 One might wonder how, if at all, the Schengen Agreement fits into the story of undocumented 
immigrants in the Nordic countries in the 1990s. After all, many North European countries had expressed 
considerable concern that this agreement, which eliminated passport controls between most of the countries 
in Western Europe, might lead to an increase in the size of their undocumented populations, as they 
doubted the willingness and capacity of the South European countries to enforce their external border 
controls (Owers 1994, 265)—a subject to which I will return in this chapter’s discussion of the South
Like these Nordic countries, Ireland also did not develop an undocumented population until the 1990s. Traditionally a country of emigration rather than immigration, Ireland had few immigrants of any kind present in its society until it entered its “Celtic Tiger” period during the 1990s (Messina 2009: 4-5). In need of more labor for a booming economy, the Irish government implemented programs intended to encourage Irish people living abroad to return to the country. It also encouraged “guest workers” from other countries to join the Irish workforce temporarily (5-6). Coupled with the high demand for labor, the establishment of this authorized stream of foreign “guest workers” may have encouraged the development of a parallel unauthorized stream of labor migrants, although the literature does not provide evidence on this point. In any event, though, we do know that a visible unauthorized population began to emerge as a result of developments linked to the asylum system. Like other North European countries, Ireland saw an upsurge in asylum seekers in the 1990s. The Irish government came to attribute the sharp increase in asylum seeking in Ireland to its early policy of permitting asylum applicants to enter the country’s labor market—a claim that seems to be at least superficially congruent with the available evidence, given the sharp rise in asylum applications after the institution of the policy and the sharp decline in asylum applications following its termination (7-8). Presumably, though, the global upheavals referenced above must have played an important role, as well. As in other countries, the increase in asylum seeking in Ireland eventually came to be accompanied by an undocumented European countries. Denmark, Finland, and Sweden did not implement Schengen until 2001, though; as such, it does not appear to have been a factor in the emergence of their undocumented populations in the 1990s. On the other hand, subsequent additions to the undocumented populations of the Nordic region could perhaps be traced back to the implementation of Schengen.
immigrant population, for some refused asylum applicants continued to live in Ireland after the denial of their claims. This development has led to thousands of deportations and “voluntary repatriations,” some of which have met with popular protest (Lentin 2007, 616-7). Like the Nordic states, then, Ireland came to develop a noticeable undocumented population later than most North European countries did; however, it does now have such a population, the rise of which we can trace back to developments in the 1990s.

**The Countries of Southern Europe**

During the 1950s and 1960s, Greece, Italy, Portugal, and Spain served primarily as countries of emigration, rather than immigration. Along with workers drawn from further afield, workers from these countries helped to fuel the economic boom years in Northern Europe. South Europeans also left the continent of Europe altogether, moving to Australia, the United States, and various South American countries, among other destinations (R. King 2000, 5). The ratio of inward to outward migrants eventually began to shift in the 1970s, however, when economic difficulties in Northern Europe and democratization in Greece, Portugal, and Spain began to encourage South Europeans to return to their countries of citizenship (6-7). In the Portuguese context, the decolonization process helped to spur return migration, as well (Peixoto 2002, 486-7). At the same time, the South European countries began to attract some labor immigrants from the developing world, a trend that intensified greatly during the 1980s (R. King 2000, 7). Southern Europe became subject to major inward migration flows in the 1980s because of the region’s “remarkable economic transformation… since the 1970s” (9), which both increased the demand for labor and decreased the willingness of citizens from poorer
regions of these countries to work for low wages in difficult conditions, as they had in the past (9-10). The precise character of this economic transformation mattered a great deal, too; rather than creating factory work, it generated a number of jobs in agriculture, construction, domestic services, fishing, and tourism. Employers in these sectors wanted a flexible, contingent, and unregulated “off the books” workforce, and immigrant workers from the developing world met their demand for this type of labor (10). At the same time, the attempts of North European countries to close their labor markets to immigrants in the 1970s encouraged prospective immigrants to work in South European countries instead (8). The end result was a major increase in the number of immigrants to Europe’s south; one estimate suggests that Greece, Italy, Portugal and Spain had a combined immigrant population of 3 million by 1989 (11).

Many of the initial immigrants to these states occupied what one commentator on Spain has described as a “benign legal limbo” (Calavita 2005, 27). Having had little experience of inward migration in the past, these states did not have robust legal frameworks or bureaucratic structures addressing immigration and immigrants in place when they first became subject to large-scale immigration flows in the 1980s. It appears that an immigrant could simply arrive (perhaps initially on a tourist or student visa) and establish a life in a South European country, without the state, employers, or the immigrant herself being particularly troubled about her precise legal standing. As such, being “undocumented” does not seem to have initially been a very meaningful social

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31 Immigrants have also subsequently become an important source of labor for the manufacturing sector and some additional segments of the formal economy (Calavita 2004, 369; R. King 2000, 16).
32 For a discussion of other (and, in my view, less central) factors that helped to cause the increase in immigration to Southern Europe, see R. King (2000, 8-11).
designation for an immigrant, in that the fortunes of immigrants without papers in society do not seem to have been seriously affected by their immigration status per se (see 27). The lines between “documented” and “undocumented” immigrants would soon begin to harden, however, as the countries of Southern Europe quickly began to pass laws regulating immigration and the lives of immigrants—a development attributable in large part to external pressure from what was then the European Community (see, e.g., Cornelius 2004, 404; Levinson 2005, 53), which viewed the prospect of states with relatively unrestricted immigration regimes joining the Schengen Agreement with concern. Spain and Italy passed their initial pieces of legislation in the mid-1980s (Calavita 2005, 27-33), while Greece and Portugal did so in the early 1990s (Levinson 2005, 33, 53). In all of these countries save for Greece, these initial regulatory attempts were accompanied by regularization programs intended to bring the countries’ highly visible undocumented populations into the legal fold, and Greece ultimately held its first regularization program in 1998, only seven years after its initial legislation passed. Additional programs of regularization followed; thus far, Spain has held six regularization programs in total, while Greece, Italy, and Portugal have held two, five, and three programs, respectively (Levinson 2005). Nonetheless, we can comfortably assert that these countries have continuously had undocumented populations in place since the 1980s, in part because, as I note in my discussion of Canada above, many undocumented immigrants often do not participate in regularization programs offered by their state of residence. Moreover, new undocumented immigrants have consistently emerged to take the place of regularized immigrants in Southern Europe, and the region’s regularization programs have produced only a temporary legalization of status for many
of their participants anyway. According to Martin Baldwin-Edwards, “typically, more than 50 percent of those legalized lapsed back into illegality (for a variety of reasons)” (2008, 1453). As such, I judge the 1980s to be the point at which the countries of Southern Europe appear to have become relevant to my study.

The United States

Undocumented immigrants have been a visible population in the United States longer than they have been in any other developed democracy. In the 1880s, the United States passed its first major laws restricting immigration; these laws served to prohibit the admission of nearly all Chinese people, as well as the immigration of contract laborers, who tended to be poor Europeans (Tichenor 2002, 3; Sadowski-Smith 2008, 785-6). Knowing that they faced exclusion if they arrived into an American seaport, Chinese and European immigrants began to enter the United States without authorization by crossing the country’s essentially unmonitored Mexican and Canadian borders (Sadowski-Smith 2008, 786-8). This development led to the implementation of various policies aimed at restricting these irregular migratory flows, including the creation of a small force to patrol the country’s land borders (Tichenor 2002, 168); however, undocumented immigrants do not appear to have been especially noticeable as a population in the United States in the late 1800s and early 1900s.\footnote{One might wonder about the extent to which immigrants entering without authorization could be called meaningfully “undocumented” during this period of American history. What, if anything, made being undocumented a significant social status? Put slightly differently, to what extent, if any, could entering without authorization have subsequent implications for an immigrant to the United States? Although the act of immigrating legally at this time did not require individuals to show a passport or visa, or to have these documents validated (see Zolberg 2006, 40), the United States did keep records of who entered the United States.}

Instead, as Mae Ngai’s historical analysis of
immigrant illegality in the US suggests, the 1920s constitute the critical period during which the “advent of mass illegal immigration” into the United States occurred (2004, 57). By this period, a major “migration system” between the Mexico and the United States had been established; it brought a steady flow of Mexican labor migrants to the American Southwest to work on farms, build railroads, and construct canals (129). The labor of these Mexican migrants proved integral to the region’s economic development (129, 132-3), and the US historically did not seek to regulate flows of these economically-useful workers in any significant sense (129); instead, political officials conceived of Mexican immigration as being fundamentally regulated by the labor market in the southwest (64). In February 1917, however, the US introduced a law requiring all immigrants, including immigrants from Mexico, to pay a head tax of eight dollars and pass a literary exam prior to entering the country. Some immigrants from Mexico did not adhere to the requirements in this new law, a situation that led to the first flows of “undocumented” Mexican immigrants across the US-Mexico border. Shortly thereafter, however, the United States’ entry into the First World War in April 1917 encouraged many Mexican workers in the country to return to Mexico—a development triggered by

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country as an authorized immigrant at its various points of entry. Moreover, the United States began to require Chinese residents to hold a certificate attesting to their legal residence in 1892 (alongside other requirements; see Tichenor 2002, 106-8). Thus, the fact of an immigrant’s unauthorized entry could, in principle, cause subsequent problems for her or him, especially in the case of an individual of Chinese descent. In practice, however, the act of entering without authorization appears to have had few social implications for most unauthorized immigrants. The United States undertook few deportations prior to the 1920s (Ngai 2004, 29), and immigrants had no obligation to show a particular set of papers in order to work. The social prospects of unauthorized entrants did become more limited with the Basic Naturalization Act of 1906, however. This law required the government to verify an immigrant’s mode of entry using records from the immigration service before that individual could naturalize. As such, it barred unauthorized entrants from citizenship. (One must keep in mind that this provision would have only had implications for European unauthorized entrants, as all Chinese people had been already denied the opportunity to naturalize in 1882.)
rumors that the US would draft Mexican workers into its armed forces. Fearing the loss of their work force, agricultural producers and other employers in the Southwest pressured the government to assure Mexican workers that they would not be drafted, and to enact a “guestworker” program for Mexicans that exempted participants from the requirements of the February 1917 immigration law. This program ran between 1917-1921 (Tichenor 2002, 168-170). Some unauthorized flows of Mexican workers continued alongside the authorized flows associated with this program (Ngai 2004, 64), and these unauthorized flows appear to have grown noticeable as the program ended and the 1920s continued (Tichenor 2002, 172). In addition, many Europeans also continued to enter the United States over land borders without authorization in the 1920s (Ngai 2004, 66). In so doing, they sidestepped passport and visa requirements placed upon them in 1917 and numerical quotas governing their entry initially instituted in 1921, as well as the head tax and literacy exam (Tichenor 2002, 143; Zolberg 2006, 240). As a result of these developments, the United States appears to have had an undocumented population clearly present on its soil by the end of the 1920s.\footnote{One might wonder how the Great Depression of the 1930s influenced the size of the undocumented population in the US. The population clearly shrank during this time, due in part to government programs that pressured Mexican immigrants to leave the country. Nonetheless, the population remained a presence in American society during this period.}

**Countries Without Noticeable Undocumented Populations: Iceland and New Zealand**

Nearly all of the developed democracies have had a visible undocumented population for some time now. However, Iceland and New Zealand appear to be exceptions; I have not found any evidence to suggest that either of these countries has (or
has had in the past) a known undocumented population. This situation may not particularly surprise, given both the geographic location of these countries and the difficulties associated with living anonymously in a country with a quite small population. With regard to Iceland, the country has experienced a significant rise in inward migration in recent years, especially between 2004 and 2008. Nonetheless, I have not located any reliable source that suggests that the country now has an undocumented population. As for New Zealand, policymakers have begun to discuss the issue of potential unauthorized entrants, with particular attention being paid to asylum seekers and potential terrorists (Bedford 2004, 60); nonetheless, the country appears to have very few unauthorized entrants or actual undocumented residents present on its territory (Talcott 2000, 5, 32). As such, I consider Iceland and New Zealand to be beyond the purview of this study.

This exclusion leaves me with the following set of times and places in my formal universe of cases: Australia, 1970s-present; Canada, late 1960s-present; the countries of Northern Europe outside of Ireland and the Nordic region, 1970s-present; Ireland and most Nordic countries, 1990s-present; the countries of Southern Europe, 1980s-present; and the United States, 1920s-present. In the next section of this chapter, I explain how I selected particular cases for in-depth consideration from this larger set of possibilities. I also discuss how I went about subdividing these cases into historical periods.

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35 I base this conclusion on a dataset regarding inward migration between 1986-March 2009 that was generated by, and downloaded from, the Statistics Iceland website. The particular page that I consulted was http://www.statice.is/Pages/1171; I consulted this page on May 25, 2009.
36 The reference cited here (Talcott 2000) was written several years ago, but I have found no evidence to suggest that the situation in New Zealand has changed since the writing of the piece.
Case Selection and Periodization Strategy

As I have already noted, a case can be defined as “a spatially delimited phenomenon (a unit) observed at a single point in time or over some period of time” (Gerring 2007, 19). This study has a straightforward “spatial unit” of interest: individual countries. Like many other studies in political science, however, this study faces some ambiguity in seeking to define the temporal borders of its cases (see 19). For analysts interested in studying change over time within a country, one option would seem to be to conceptualize the entire relevant expanse of time in a country’s history as a single case, albeit one that consists of multiple periods of time—an approach that seems to be more or less assumed in Evan Lieberman’s 2001 analysis of strategies for periodization (see 1012, 1017). Alternatively, one might conceptualize the relevant expanse of time as being divided into different period cases, as Jeffrey Haydu would seem to endorse (see 1998, 340). Either way, one would seek to gain insight into political developments through an analysis of change over time; in that sense, the difference between the two approaches may seem unimportant. However, the former way of conceptualizing cases and time periods does seem to emphasize the interdependence of various periods in a country’s history more than the latter. Given that earlier periods of a country’s history usually have major relevance to developments in later periods of that history (as Haydu himself emphasizes; see 1998, 348), I find it more intuitive to adopt the first of these two

37 Although Lieberman’s article is framed as an analysis of periodization approaches in historical institutionalist research in particular, the discussion that this article presents appears relevant to all analytical approaches that consider change across time in a relatively small number of country cases. I thus draw on it for the purposes of my own project, which does not neatly fit within the “historical institutionalist” category.
approaches. In this study, then, I consider the entire expanse of time during which a
country has had a non-trivial undocumented population to be a single case, albeit one that
can be subdivided into multiple temporal periods for analytical purposes. In this section
of my chapter, I first discuss how I selected cases for analysis. I then turn to the question
of how I constructed historical periods within these cases.

Case Selection

Given how I have chosen to think about cases and time periods in this study, the
task of case selection for this project entailed choosing particular countries for analysis
(or, more precisely put, choosing particular countries during broad expanses of time in
which they have had undocumented populations). As Lieberman notes, researchers
working in the historical institutionalist tradition often choose country cases on the basis
of contemporary values of the dependent variable (2001, 1015), a strategy that also seems
reasonable for other researchers using a comparative-historical approach. I have
therefore followed it here: I selected countries with an eye toward the overall character of
advocacy for the undocumented in these countries in the contemporary period. I based
my judgments regarding the nature of advocacy in different contexts on insights gleaned
from reading a large number of academic and journalistic sources of relevance to the
topic. (As I will discuss in Chapter 7, I subsequently developed a more precise
understanding of advocacy for the undocumented during various periods of time in my
country cases through a process in which I identified the full set of potential
organizational advocates present in each time period, and then determined which of these
prospective advocates actually undertook advocacy during that period.)
Although the strategy that Lieberman describes and that I follow here has much to recommend it, one might also note that it has at least one downside upon which the literature appears to have not yet commented. Although the researcher selects her country cases based only on contemporary values of the dependent variable, she in fact intends to make analytical use of the range of the variation on the dependent variable that exists throughout the country’s history. Thus, one wonders if a case selection procedure that takes account of the range of variation present throughout various countries’ histories should be adopted instead. Lieberman’s analysis does not speak to this issue at all, possibly because it is addressed first and foremost to historical institutionalist scholars. Despite a recent surge of interest in explaining institutional evolution and change, historical-institutionalist scholarship has usually focused on explaining why particular political outcomes prove to be relatively stable over long stretches of a country’s history; thus, it is perhaps to be expected that the methods literature within this field would not have reckoned much with the issue of how, if at all, significant cross-temporal variation on a dependent variable should affect the process of case selection. In any event, I do not attempt to resolve this issue myself, at least in this study; I simply note the issue as a problem for additional exploration in the future.

To sum up, then, I selected cases for this study based on contemporary values of the dependent variable. One might approach this task in multiple ways; I chose to use what John Gerring has termed the “diverse case” method of selecting cases. This method involves selecting cases in a manner that provides for considerable variation on the
dependent variable (2007, 97-101). ³⁸ This approach proves useful for researchers because, as Gerring puts it, “encompassing a full range of variation is likely to enhance the representativeness of the sample of cases chosen” (100). It thus has the potential to help lessen the external validity problems associated with analyses focused on one or a few cases.

As I have already suggested, this “diverse case” approach of selecting cases based on the dependent variable ultimately led me to focus on the experiences of three particular countries between the 1970s and the present: Germany, the United Kingdom, and the United States. As my comments in Chapter 1 suggest, these countries offer a good range of contemporary variation on the dependent variable, as both the set of immigrant-serving organizations and the set of labor unions exhibit high participation rates in advocacy for the undocumented in the contemporary United States, while both of these sets of intermediary organizations exhibit low participation rates in contemporary Germany. Meanwhile, the contemporary United Kingdom presents us with intermediate outcomes. In this context, the set of immigrant-serving organizations exhibit a medium-to-low level of participation in advocacy, while the set of union organizations exhibit a medium-to-high level of participation in advocacy.

Of course, this set of countries is not the only possible set of countries that a researcher might have chosen using the “diverse case” strategy. However, it can reasonably be regarded as the best set of countries for this particular investigator to choose, given my relative familiarity with the three countries and my ability to read

³⁸ Alternatively, one might choose cases to ensure variation on the independent variable or on both dependent and independent variables (Gerring 2007, 97-8).
German. Some might disagree with this conclusion; for instance, James Fearon and David Laitin have argued that researchers should avoid focusing on cases with which they have particular familiarity and choose cases through a random procedure instead. They advance this argument on the grounds that “methodological double-dipping” may occur in circumstances in which a researcher studies countries with which she is familiar, as the researcher could potentially have derived her theory in large part on the basis of her knowledge of the cases that she knows best (2005, 4). However, this suggestion puts a significant damper on analysts’ capacity to provide insights into their cases; as Evan Lieberman has put it, “the very rationale of this strategy commits scholars to cases where they may lack the technical skills for careful readings of country data” (2005, 447).

Moreover, this approach forces scholars to rely heavily on secondary sources by country experts that may contain biases of their own—assuming, of course, that such sources exist at all (447). With regard to this particular project, I would have faced major difficulties in attempting to work mainly with the secondary literature, as it is simply too patchy to be sufficient for a study of this length, particularly with regard to the European cases that I examine. Overall, then, selecting Germany, the United Kingdom, and the United States appeared to be the most fruitful, and indeed perhaps the only realistic, way to proceed.

Importantly, I do not examine these three country cases in equal depth; as I have suggested previously, the US functions as a “shadow case” in this analysis rather than a full-fledged one. I have chosen to treat the US as a shadow case for essentially pragmatic reasons; I had originally hoped to treat it as a full case, but ultimately concluded that including three full case analyses in this study would make it too unwieldy. Of the three
countries examined here, the US receives by far the most attention in preexisting studies related to undocumented immigration and immigrants, as we saw in Chapter 1. As such, it seems reasonable to designate the United States as the shadow case in this analysis.

One final issue needs to be addressed before I can conclude this discussion of case selection and move on to the topic of within-case periodization. As I have already suggested, this study examines Germany, the United Kingdom, and the United States between the 1970s and the present. The history of the undocumented population in the United States begins in the 1920s, however. Why does this study’s analysis of the US focus on the expanse of time between the 1970s and the present, then? Here again, my reasoning is rooted mostly in pragmatic concerns; even in “shadow case” form, an analysis of nearly a century’s worth of American history would have simply been too much to undertake in a study that also focuses in detail on Germany and the UK. As for why I chose to focus in particular on later rather than earlier decades in American history, I opted to consider more recent developments in part because doing so presented me with a richer set of opportunities for data collection. In particular, I was able to use interviews with organizational informants to supplement printed materials to a degree that would not have been possible had I focused on the expanse of time between, say, the 1920s and 1960s. In addition, I thought it important to have my cases unfolding during the same expanse of world-historical time. In so doing, I am better able to control for certain background variables that might otherwise complicate my analysis (e.g., the structure and state of the global economy). For these reasons, then, I focus on my analysis of the United States on the expanse of time between the 1970s and the present.
Periodization Strategy

Having explicated why I chose to analyze Germany, the United Kingdom, and the United States between the 1970s and the present, I can now turn to the question of how I opted to divide the expanses of time contained within these cases into specific historical periods. As Evan Lieberman notes, comparative-historical analysts have used a range of strategies to construct historical periods out of broad expanses of time. At their core, however, these strategies all entail dividing time into periods on the basis of changes on key independent variables in one’s argument (2001, 1018). By adopting this approach, researchers can seek to demonstrate the immediate and longer-term effects of particular “treatments” on the outcome variable of interest (see 1017).

As I have noted, this study attributes the state of advocacy in a given context to two main factors: 1) the apparent nature of the undocumented population, and 2) the political roles played by immigrant-serving and union organizations within that context. For each of my country cases, I divide the expanse of time between the 1970s and 2007 into periods on the basis of changes in the first of these variables.\(^\text{39}\) I do not use changes in the second dependent variable to subdivide these periods into additional blocks of time, however, as this study examines the political roles of many organizations, and my

\(^\text{39}\)In light of this approach, one might wonder how the study goes about examining the causal importance of its alternative explanations, which I introduce in the next chapter. In essence, I do not address these explanations when analyzing the various periods that I constructed on the basis of changes in the undocumented population. Instead, I consider alternative explanations separately in Chapter 3. Thus, this study does spend more time testing my own preferred explanation than the two other explanations that it considers, although I hasten to note that I do pay considerable attention to all three explanations. Nonetheless, one could fairly question whether or not I have given adequate attention to alternative explanations. My own view is that the evidence that I provide regarding the first two explanations suffices to cast a good deal of doubt on these explanations; as such, we should direct more attention toward the other, seemingly stronger third explanation. Ultimately, of course, the reader must come to her or his own conclusions regarding the wisdom of this approach.
analysis would contain a very high number of discrete periods if I introduced a new period each time an organizational role changed. With regard to the two European countries that I examine in this study, Germany and the United Kingdom, I view the expanse of time between the 1970s and 2007 as comprising three distinctive periods overall: 1973-1989, 1989-2004, and 2004-2007. I also divide recent US history into three periods for the purposes of this analysis: 1970-1986, 1986-1990, and 1990-2007. In later parts of this study, I spend a good deal of time explaining the population changes that led me to treat these expanses of time as separate periods.

Data Collection

In Chapter 4 of this study, I discuss in some detail the data sources used to construct Chapter 5, Chapter 6, and Appendix 2; in Chapter 7, I explain the data sources underlying Chapter 8, Chapter 9, and Appendix 3. My aim here is therefore simply to provide a brief overview of the types of sources upon which this study is built. In essence, we can say that this project anchors its analysis in data drawn from a range of sources. I spent most of 2006 living and working in Germany and the United Kingdom; during this period of fieldwork, I conducted a number of semi-structured interviews with informants from immigrant-serving, labor, and other intermediary organizations. I subsequently conducted similar interviews in the United States, and also returned to Germany for further interviews in spring 2008. In addition to conducting interviews with organizational representatives, I also received a very kind invitation to observe the 2006 annual general meeting of the London Citizens and a lengthy planning and training meeting for the “Strangers into Citizens” campaign, both of which were held in London.
in December 2006. The London Citizens is a broad-based community organizing group that aims to bring together educational, faith, labor, and other organizations to press for political changes in London and in the UK more generally; the “Strangers into Citizens” campaign, which entered onto the public stage in 2007, was a campaign in favor of regularization for a large number of the UK’s undocumented immigrant residents spearheaded by the London Citizens and a sister organization, the Birmingham Citizens. The opportunity to observe these two meetings, particularly the planning and training meeting, proved very useful for me, as it helped me to gain a greater understanding of the relationships that did (and did not) exist between the UK’s only major regularization campaign for the undocumented to date and various established intermediary organizations.

In addition to drawing on interviews and observations of events, I have also gathered data from a wide range of printed and other sources. I have reviewed a large number of relevant newsletters, pamphlets, reports, and other publications produced by immigrant-serving, labor, and other intermediary organizations in the country cases under consideration. I located a good number of these publications in the Trades Union Congress (TUC) Library Collections, an archive at London Metropolitan University in which the contents of the TUC’s own library were deposited in 1996, and which receives new infusions of material from the TUC on an ongoing basis. In addition to holding copies of the TUC’s own materials, the collection contains a large number of rare materials dealing with immigration, immigrants, and race that were produced by other UK intermediary organizations. The collection also contains some items of relevance to my German and US cases, as well. In addition to reviewing materials generated by
intermediary organizations, I have also gathered evidence for this project from a large number of academic, government, and journalistic sources, as one would expect.

Overall, I find that the data that I have gathered from these various sources support one particular answer to this project’s research question, which I elaborate in this study’s next chapter. This next chapter also considers other explanations for the variation on this project’s dependent variable, as well.
Chapter 3

Proposed Explanation and Alternative Explanations

Initially, one might expect that the broad organizational missions of immigrant-serving organizations and labor organizations would determine their political relationships with undocumented immigrants, as I suggested in this study’s first chapter. In particular, the broad organizational mission of immigrant-serving organizations seems likely to encourage political advocacy for the undocumented, while the broad organizational mission of labor organizations does not seem likely to do so. The variation with which the world presents us simply does not square with these initial intuitions, however. At one extreme of the spectrum, we find significant proportions of both established immigrant-serving organizations and labor organizations engaged in political advocacy for the undocumented; at the other, we find essentially no organizations of either type engaged in such advocacy. In seeking to understand political advocacy for the undocumented, then, the empirical situations that we find require us to look beyond the broad organizational missions of these institutions, and to examine other factors that might better account for their distinctive political relationships with the undocumented.

In this chapter, I consider several potential explanations for these different advocacy outcomes in particular. As I suggested in Chapter 1, the literature that examines why established intermediary organizations behave as they do in politics does relatively little to shine light on this project’s particular research question. It helps us to understand why the bulk of established intermediary organizations press political agendas
that benefit the relatively advantaged in society, and to see why those intermediary organizations that do advocate for the disadvantaged tend to favor relatively more advantaged subgroups within their constituencies; however, it offers relatively few direct explanations for why the same types of established intermediary organizations would engage in political advocacy for an especially disadvantaged subgroup in some contexts and not others. Given the lack of clear guidance from preexisting works on intermediary organizations, I have sought to draw on the broader literature in political science and on my own intuitions to develop a set of plausible potential explanations. In this chapter, I elaborate the three explanations that I developed. I begin with the two explanations that I ultimately deem less persuasive, and present evidence to support my characterization of these explanations as less convincing. I then turn to the explanation that this project finds more successful. At the chapter’s end, I also briefly describe the organization of the rest of the study.

First Alternative Explanation: Responsiveness to Organizational Members and Constituents

The first explanation draws some of its inspiration from the Downsian tradition of analyzing political parties (see Downs 1957). The arguments within this tradition vary in their character, but they all stress that political parties prioritize doing well in electoral competitions, and thus that they select their policy priorities and stances with at least one eye to the opinions of voters. Established intermediary organizations do not compete in elections, of course. Nonetheless, one can draw some parallels between their situation and the situation of political parties, as established intermediary organizations certainly
also derive political benefits from having a large (and, ideally, enthusiastic) set of rank-and-file supporters. For instance, organizations have more moral authority to speak for a group if they have many individuals from that group in their membership. Such benefits may encourage a given organization to be particularly sensitive to the policy preferences of its members and constituents, and to invest its resources only in policy proposals that clearly match these preferences. (In using the term “constituents” in this context, I mean the individuals that are members of the ethnic, gender, occupational, or other group for which the organization seeks to speak.) Moreover, we can draw an additional parallel between political parties and intermediary organizations in more pluralist settings: in such contexts, established intermediary organizations may be engaged in a competition for supporters with other organizations aiming to represent the same group, and this factor may further encourage close attention to the policy preferences of actual and prospective members as well. As such, one could reasonably hypothesize that the preferences of members and constituents substantially influence the advocacy behaviors of established intermediary organizations vis-à-vis undocumented immigrants. Based on this hypothesis, we would expect that at least a majority, if not more, of the members and constituents of an organization engaging in advocacy for the undocumented would be clearly supportive of policies favorable to the undocumented. Similarly, we would also expect to find that an organization unengaged in advocacy either would have only a minority of members and constituents supportive of advocacy, or would face a situation in which the preferences of its members and constituents were ambiguous. By extension,  

\[40\] I define pluralist settings as ones in which the state does not recognize particular intermediary organizations as the authoritative representatives of groups in society. I discuss pluralism more thoroughly later on in this chapter.
we would expect to find more advocacy occurring overall in a context in which more organizations have a high proportion of members and constituents who favor these policies, and less advocacy occurring in a context in which organizations have a low or uncertain proportion of members and constituents sympathetic to these policies.41

What do the available literature and data suggest about this first alternative explanation? In general, the “conventional wisdom” in the political science literature regarding public opinion on immigrants and immigration is that everyday people in the developed democracies tend to be broadly negative and restrictionist in their attitudes (see, e.g., Freeman 1995). The available data appear to bear out this conventional wisdom. In their analysis of data drawn from the 2002 and 2004 European Social Surveys and the 2005 United States Citizenship, Involvement, and Democracy Survey, Jack Citrin and John Sides suggest that members of the general public in the United States and numerous European countries have essentially similar attitudes toward immigrants and immigration; in particular, Citrin and Sides find that Americans and Europeans alike tend to believe that immigrants have negative implications for national finances and public security, and to hold the opinion that their respective countries should admit fewer immigrants than they currently do (2008, 51).42 In considering public opinion data gathered in Germany, the UK, the US, and other developed democracies during (principally) the 1980s and 1990s, Rita Simon and James Lynch come to a similar

41 One might note that this explanatory approach does not generate a clear empirical prediction in circumstances in which the preferences of members and constituents significantly diverge. This problem does not really affect this analysis, however, as we have no evidence to suggest that members and constituents of these organizations differ substantially in their policy preferences related to undocumented immigrants.

42 Interestingly, Citrin and Sides also find that Americans and Europeans tend to overestimate significantly the size of the foreign-born population present in their societies (2008, 39-43).
conclusion, writing that “the one major and consistent theme that is sharply and clearly defined in each country's responses to national public opinion polls is that in no country… does a majority of citizens have positive feelings about their current cohort of immigrants” (1999, 458). In essence, then, the available analyses confirm the conventional wisdom: public opinion tends to be broadly unfavorable toward immigrants and immigration in the developed democratic countries.

Importantly, though, this conventional wisdom does not necessarily tell us much about the specific issue at hand. Needless to say, members and constituents of immigrant-serving and labor organizations could diverge from the public as a whole with regard to their attitudes related to immigrants and immigration. Data on the general public’s preferences constitute a useful baseline in considering data on smaller groups, and I will certainly make use of evidence regarding the general public in this discussion; however, we cannot assume that smaller groups within a population have the same preferences as the population as a whole. Furthermore, we cannot assume that the type of generally unfavorable disposition toward immigrants and immigration identified in the conventional wisdom necessarily translates into negative attitudes regarding the specific types of policies examined in this study; for instance, one can certainly hold the view that immigration in general ought to be reduced while also believing that preexisting undocumented residents should be given opportunities to regularize their status. (Moreover, we cannot expect public attitudes to be entirely consistent and coherent in any event.) Clearly, then, the matter at hand requires us to probe more deeply.

I will begin by examining the available evidence on attitudes in the United States, as we have considerably more data on the US case than we have regarding this study’s
other two cases. Taken as a whole, the available evidence regarding the US sends a fairly mixed message about the American public’s preferences regarding the two types of policies that this study has identified as beneficial to undocumented immigrants: policies offering opportunities for the undocumented to regularize their status, and policies granting such immigrants access to educational and other social institutions. The available data also offer little indication that the views of the members and constituents of many immigrant-serving organizations and trade unions diverge substantially from the views of other social groups or the general public. Latinos do appear to have distinctive perspectives on policies beneficial to undocumented immigrants, however, as we will see. (By “Latinos,” I mean people of Latin American descent in the United States.)

Let us first consider data related to the general public’s views on regularization programs. In an analysis of public opinion on this issue in the United States, Deborah Schildkraut reviews responses to 75 questions regarding regularization programs from polls conducted between 2001 and 2008, and finds that levels of expressed support for these programs differ substantially across polls. In particular, she discovers that “the

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43 Defining the term “Latino”—and deciding whether or not to treat it as synonymous with “Hispanic”—raises interesting challenges for the analyst. The US state appears to treat these categories as interchangeable; according to Jeffrey Passel and Paul Taylor, legislation in the United States has “define[d] a Hispanic or Latino as a member of an ethnic group that traces its roots to twenty Spanish-speaking nations from Latin America and Spain itself (but not Portugal or Portuguese-speaking Brazil)” (2009, 1), although in practice anyone who self-identifies as Hispanic or Latino is counted as such in the US census (1). A second common approach to defining these terms treats them as referring to overlapping but not identical populations; according to this approach, “Hispanics” can be defined as people whose origins lie in Spanish-speaking Latin America and Spain, while “Latinos” can be defined as all people who trace their heritage to Latin America, a conceptualization that excludes Spaniards while including Brazilians and Haitians, among others. (In both of these approaches, the term “Latino” is used to describe both men and women, a usage that appears to be fairly standard in academic texts and that appears to reflect the transformation of a masculine noun in Spanish into a gender-neutral term in English.) I adopted the second of these two approaches to conceptualizing the terms for the purposes of this study. However, I did consult data dealing with the US’s Hispanic population in seeking insight into the US’s Latino population, a choice that seems reasonable given that the vast majority of Hispanics in the United States are also Latino (and vice versa) according to this study’s definition.
lowest level of support [expressed in a poll in response to a question regarding
regularization] is 8 percent and the highest is 90 percent” (2009, 13), a very wide range
that she attributes principally to variations in question wording (14). She also finds that
the mean level of support for regularization programs across the 75 questions is 61
percent (13-14), but one must be cautious in interpreting this finding: Schildkraut’s
analysis lumps together apples and oranges to a certain extent, as some of the polls she
examines feature samples representative of the American population as a whole, and
others do not. In particular, at least six of the polls had entirely Latino samples (14). (I
will return to the findings of these polls below.) More useful for our purposes is her
finding that more than half of respondents indicated that they opposed regularization
opportunities in response to eleven of the 75 questions (15); these eleven questions all
appear to have been asked of nationally-representative samples. The picture of national
public opinion on the regularization issue that emerges from Schildkraut’s analysis of
recent polls is thus a somewhat ambiguous one: although the preponderance of the
evidence appears to point toward the conclusion that most Americans favored
regularization programs between 2001-2008, one can also find a good deal of evidence
suggesting the opposite, as well. When we look to earlier assessments of public opinion
on the regularization issue, we find further evidence of skepticism regarding
regularization programs. In a 1984 survey of Californians, less than 45 percent of non-
Latino respondents supported the idea of a regularization program (Cain and Kiewiet
1987); ten years later, the General Social Survey asked 1,518 Americans several
questions about policy issues related to the undocumented, and found that 80 percent of
respondents would not favor a program granting undocumented immigrants work permits

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a development that can be viewed as a regularization program of sorts, as permission to work in the United States implies permission to live in the country as well) (Pantoja 2006, 519). In essence, then, the available evidence regarding Americans’ preferences does not point the analyst clearly in any one direction. One potential interpretation of the data would be to say that Americans appear to have disapproved of regularization programs in the 1980s and 1990s and become more open to such programs in the 2000s, but Schildkraut’s analysis does point to a number of studies indicating disapproval of these programs during that decade as well. As such, the data on the American public as a whole send a decidedly mixed message.

Do we receive a clearer message when we turn to evidence specific to members and constituents of immigrant-serving and labor organizations in the United States? In general, the answer to this question appears to be no, as we have little evidence suggesting that these individuals differ greatly in their preferences from other groups or from the American public as a whole. With regard to labor unions in particular, the literature does not clearly indicate that union members or less wealthy people in general (who I consider to be unions’ chief constituents) have distinctive preferences. Based on a thorough statistical analysis, Kenneth Scheve and Matthew Slaughter have concluded that less-skilled American workers tend to favor more restrictionist approaches to immigration (2001, 140); in addition, Scheve and Slaughter have also found some evidence suggesting that trade union membership can be linked to more restrictionist preferences at a given level of skill (143). Nonetheless, we cannot infer from these preferences regarding immigrant inflows that less-skilled workers and trade union members have distinctive preferences regarding regularization programs for
undocumented people who are already present in society. I should also note that an interviewee from the AFL-CIO did acknowledge that some rank-and-file union members disagreed with the federation’s stance on regularization programs and other policies beneficial to the undocumented, but again this evidence in itself cannot support inferences about the distinctiveness of trade union members’ preferences in general. As such, we have no clear indication that a set of surveys focused on only trade union members and constituents would yield different results overall than the surveys of the American public as a whole that Schildkraut analyzes.

The situation proves to be more complex when one turns to American immigrant-serving organizations. For the purposes of this analysis, I will speak solely of the constituents of these organizations and not of their members, as we have no data specific only to members of these organizations, and many of these institutions do not have a formal membership structure in any event. We can define the constituencies of these organizations as consisting of immigrants in general, particular legal classes of immigrants, and members of ethnic groups that contain many immigrants. We do not have survey evidence that illuminates the preferences of all immigrants as a group, or the preferences of specific legal classes of immigrants; we do, however, have some evidence regarding the preferences of individuals from ethnic groups with many immigrant members. The evidence is relatively scant with regard to Asian Americans, but we can say that 43 percent of the Asian American respondents to the 1984 poll of Californians referenced above expressed support for regularization programs. In this respect, the

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survey’s Asian American respondents looked virtually identical to its African American respondents (41 percent of whom supported regularization programs) and its non-Latino white respondents (44 percent of whom favored such programs) (Cain and Kiewiet 1987). Latinos, on the other hand, do appear to be more distinctive in their preferences regarding regularization, as I suggested earlier. For instance, 61 percent of Latino respondents supported regularization programs in the 1984 poll of Californians referenced above (Cain and Kiewiet 1987). In addition, the six surveys of Latinos discussed by Schildkraut all indicated very high levels of support for regularization programs (2009, 14), while a 2010 study of Latinos found that a full 86 percent of respondents supported a regularization program (Lopez, Morin, and Taylor 2010, 16). In essence, then, the available suggests that Latinos do strongly favor regularization policies, while it does not send a clear message regarding the preferences of other ethnic groups and Americans in general.

When one turns from the issue of regularization to the issue of access to educational and other social institutions, one detects a similar pattern. The high-profile success of Proposition 187 in California might suggest that Americans unambiguously support efforts to restrict access to social institutions; placed before California voters in November 1994, this ballot initiative sought to block the access of undocumented immigrants to various state benefits, and won the support of 59 percent of voters. However, the available survey evidence (which is generally limited, and principally comes from the Proposition 187 era) actually sends a rather mixed message regarding

45 The initiative was immediately subject to legal challenge and never took effect, however.
general public opinion on undocumented immigrants’ access to social institutions.
Consider the results of six national surveys undertaken between 1993 and 1995; of these
six studies, three found that a majority of Americans supported policies that would block
undocumented people’s access to public schools and hospitals, while the other three
found that a majority of Americans did not support such policies (de la Garza and
DeSipio 1998, 413). As for the particular social groups of interest to us, we again have
no indication that a set of surveys focused only on the members and constituents of trade
unions, or a set of surveys focused only on Asian Americans, would yield a very different
set of results. However, Latino opinion does appear to be distinctive. Of the Mexican
Americans who voted on Proposition 187, two-thirds voted against it, and other Latino
groups appear to have voted similarly (413). In addition, 70 percent of the respondents in
a 1995 survey of Latinos in California, Florida, New York, and Texas did not support the
idea of denying undocumented immigrants access to social institutions, although this
percentage did dip as low as 56 percent for respondents in Texas (413). More recently,
78 percent of Latinos indicated in a 2010 survey that they thought undocumented
immigrants should be eligible for in-state tuition at public universities in their state of
residence (Lopez, Morin and Taylor 2010, 19)—an issue that admittedly does not have to
do with permitting or blocking the access of undocumented immigrants to educational
institutions in the strictest sense, as an undocumented immigrant could in principle still
attend a public university without being eligible for its in-state tuition rates. Nonetheless,
the high cost of out-of-state tuition at public universities makes this question very
relevant to the issue of access in practice. Overall, then, we do have considerable
evidence suggesting that most Latinos support policies granting undocumented
immigrants access to social institutions. At the same time, we also have a body of evidence that sends much more mixed messages about the preferences of the American public in general, as well as the preferences of Asian Americans and trade union members and constituents.

What does this evidence regarding the United States suggest to us about the first alternative explanation addressed in this study? In essence, it indicates that the members and constituents of some American organizations engaged in advocacy for the undocumented do not clearly, unambiguously support the policies for which these organizations advocate. The major exception here appears to be the members and constituents of Latino ethnic organizations. In these organizations, a clear congruence exists between their advocacy work for the undocumented and the apparent preferences of members and constituents; the fact that this congruence exists does support the first alternative explanation. However, the advocacy work of numerous organizations in the United States (including, in recent years, the Asian American Justice Center, the Organization of Chinese Americans, the Teamsters Union, and others) does not seem to

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46 I should note one piece of evidence to the contrary, which comes from a survey of Mexican Americans living in Hidalgo County, Texas in the early 1980s. Of the respondents to this survey, less than 45 percent of individuals favored policies that allow undocumented children to attend public schools (see Miller, Polinard, and Wrinkle 1984, 490). Although this finding is intriguing, Hidalgo County during this period appears to have been unusual for a number of reasons, including its very high levels of poverty (484), and its Mexican American population clearly cannot be regarded as representative of Mexican Americans (or Latinos) in general. Moreover, the vast bulk of the evidence points in the opposite direction as this evidence from Hidalgo County. As such, we appear to be on safe ground in concluding that Latinos tend to be supportive of policies that grant undocumented immigrants access to social institutions.

47 Unions with a principally Latino membership would also constitute an exception, but there is no union in the United States that clearly matches this description. UNITE HERE is known to represent many Latino workers, but the union has not made public information on the ethnic composition of its membership and I have read nothing to suggest that it is majority Latino. Another union known for having a strong Latino presence in its membership, the Service Employees International Union (SEIU), is 23 percent Latino in its ethnic composition (Joseph 2011).
fit with this first explanation. As such, we can say that the first alternative explanation offers only limited insight into the advocacy behavior of American organizations.

We will shortly turn to the question of how well the available data on German and UK organizations fit this explanation. First, however, I wish to make one final point regarding public opinion in the United States, as doing so helps to set the stage for my own explanation of the variations in advocacy that we observe. In considering the available data on Latino attitudes toward policies favorable to the undocumented, one might conclude that many Latinos have strong positive feelings toward undocumented immigrants. In fact, the available literature paints a more complicated picture. One major message that seems to emerge from this literature is that, as a group, Latino Americans and “documented” Latino immigrants may feel rather ambivalent toward undocumented immigrants from their ethnic group (Jiménez 2007; Miller, Polinard, and Wrinkle 1984). This ambivalence appears to stem from the mixture of advantages and disadvantages that undocumented immigrants confer on their coethnics. On the one hand, these coethnics may enjoy cultural, familial, and other ties with undocumented immigrants (Miller, Polinard, and Wrinkle 1984), and they may derive some benefit from being a member of a larger, more visible ethnic group (Jiménez 2007, 610-613). On the other hand, they may compete economically with undocumented arrivals (see, e.g., Miller, Polinard, and Wrinkle 1984, 483). They may also perceive that the presence of undocumented coethnics lowers the social status of their ethnic group (Jiménez 2007); as we will see, this issue of perceived loss of status proves especially important to this study, and I return to it below. These factors may cause some Latinos to embrace undocumented immigrants from their ethnic group and cause others to be wary of them,
with the particular reactions of many individuals being conditioned no doubt in part by factors like their economic position, citizenship status, and so on. These same factors may also lead to ambivalent feelings within a given individual (see de la Garza et al. 1991; Jiménez 2007; Miller, Polinard, and Wrinkle 1984). In essence, then, the strong Latino support for policies favorable to the undocumented should not be taken as a sign that most Latino Americans and Latino authorized immigrants hold unambiguously positive feelings toward Latino undocumented immigrants; instead, the emotional terrain here appears to be more complex and subtle.

Having considered data on attitudes in the United States, we can now turn to evidence related to Germany and the United Kingdom. Unfortunately, we have very little evidence to analyze with regard to these two countries. With regard to Germany, the only relevant public opinion data that we have come from a 2003 iteration of the Eurobarometer survey,48 which asked respondents whether they tended to agree or disagree with the statement that “all illegal immigrants should be sent back to their country of origin without exception” (European Commission 2003). 75.8 percent of the 913 survey respondents from the former West Germany agreed with this statement. At least in principle, one could support both large-scale deportations of undocumented immigrants and policies more favorable to such immigrants, in the sense that one could prefer both of these options to the status quo. Nonetheless, this statistic does seem to suggest that most Germans would not favor policies aimed at incorporating undocumented immigrants more fully into German society. I have found no evidence

48 I am grateful to Quinton Mayne for his assistance with data from this Eurobarometer survey.
suggesting that the members and constituents of German trade unions and immigrant-serving organizations diverge from the German public as a whole in this respect. With regard to individuals from recent immigration backgrounds in particular, the anthropologist Heide Castañeda offers a striking observation regarding individuals she interviewed while researching undocumented immigrants and health care in Berlin:

Except for a few NGO staff members, none of the “legal” foreigners I spoke with felt sympathy towards undocumented migrants. In interviews, rather than focus on the undocumented migrants, they often steered the conversation back to general discussions on (legal) migrant integration and inclusion, which they viewed as more “legitimate” issues. One person even politely suggested I was studying the wrong thing—after all, the real issue was discrimination towards foreigners who had every right to be in Germany, and not those “who are here against the law” (2007, 211).

These interviewees cannot be regarded as a representative sample of persons from a recent immigration background in Germany, and we cannot assume that a general lack of sympathy for the undocumented necessarily translates into a particular set of policy preferences regarding these immigrants. However, the existence of this perception that undocumented immigrants deserve less attention than other immigrants does seem suggestive, as it at least hints that some members and constituents of immigrant-serving organizations would regard state efforts to regularize undocumented immigrants and to offer them access to social institutions as an inappropriate use of public resources that might otherwise go toward more “worthy” groups of immigrants. All in all, then, we have very little evidence that we can use to assess how well the first alternative explanation works in the German context. However, the available data do seem to support this explanation: the members and constituents of German immigrant-serving and labor organizations do not appear to support policies favorable to undocumented
immigrants, and the organizations themselves do not engage in advocacy for the undocumented.

When we turn to the UK, however, we find that the available evidence does not offer as much support for this first alternative explanation. We have results from two surveys of the UK public available to analyze: the 2003 Eurobarometer study referenced above, and a 2007 survey by a polling firm commissioned by the “Strangers into Citizens” regularization campaign to put several questions about undocumented immigrants to the public. Perhaps unsurprisingly (given the survey results from the United States), these studies point us toward different conclusions about public opinion in the UK regarding policies favorable to the undocumented. In the Eurobarometer survey, 56.6 percent of the 1,174 UK respondents endorsed the view that all undocumented immigrants should be returned to their home countries (European Commission 2003). Even though the proportion of UK respondents who supported this view is notably smaller than the proportion of German respondents who did, we can nonetheless surmise from this finding that a majority of UK respondents most likely would not support policies favorable to the undocumented. The results from the Strangers into Citizens poll paint a different picture, however. In this poll, 1,004 respondents were asked whether they supported “deport[ing] all illegal immigrants back to their home countries,” “allow[ing] illegal immigrants to remain in the UK in order to work, but only for a limited amount of time,” or “allow[ing] illegal immigrants to remain in the UK and become UK citizens, but only if they meet criteria requirements over a period of time” (Opinion Research Business 2007). 31 percent of the respondents supported the first option, while 21 favored the second and 44 percent preferred the third. In essence, then,
we receive mixed messages about the preferences of the UK public as a whole from the available public opinion data. We have no evidence that suggests that surveys focused only on members and constituents of immigrant-serving and labor organizations would generate substantially different results. Indeed, we have at least one indication that they would not: in 1991, a survey of British people of Asian descent found that their attitudes toward recent immigrants did not differ substantively from the views of the white population (Saggar 2003, 184). This survey does not appear to have addressed attitudes toward undocumented immigrants specifically, but this finding is nonetheless suggestive. Overall, then, the available evidence does not unambiguously suggest that the members and constituents of UK immigrant-serving and labor organizations support policies favorable to the undocumented. At the same time, however, we can identify a number of immigrant-serving and labor organizations engaged in advocacy for the undocumented in the contemporary UK. As such, we can say that the first alternative explanation does not fit especially well with the advocacy behavior of UK organizations.

In sum, I have found only limited support for the first alternative explanation. While it seems to mesh rather nicely with the evidence on German organizations, it does not explain the political advocacy behavior of a number of US organizations and several UK organizations. As such, this first explanation does not appear to offer a fully adequate explanation for the variation on this study’s dependent variable.49

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49 One might note here that this conclusion broadly resonates with the perspective advanced in a number of classic studies of political organizations, including Michels’ treatment of political parties (1915) and Seymour Martin Lipset, Martin Trow, and James Coleman’s analysis of most trade unions (1956).
Second Alternative Explanation: Ideas about Justice and Undocumented Immigrants

Despite the challenges associated with advancing and testing ideational arguments (see Berman 1998, 14-37), many works in contemporary political science have emphasized the importance of ideas for explaining developments in politics (see, e.g., Berman 1998; Hall 1989, 383-6; McNamara 1998). An emphasis on the importance of ideas seems particularly likely to be appropriate for a study of the types of established intermediary organizations studied here, for the individuals that fund and staff such organizations generally do not understand themselves to be acting in politics to advance the narrow, parochial interests of some arbitrarily-chosen set of groups in society. Instead, they view themselves as seeking to obtain a more just settlement for groups that have been, or at least have the potential to be, treated unfairly by society. Of course, one might argue that these organizations actually do not serve the cause of justice, or that a rhetoric centered on justice actually cloaks a more elemental drive for power within these organizations. However, I do think it reasonable to posit that, at least on a conscious level, most of the individuals who work for most of these organizations do want to serve the cause of justice, however they may define it.50

In the context of such organizations, ideas about justice seem likely to be taken seriously, and to have the potential to influence advocacy behavior. At the same time, as compared with issues like slavery or forced prostitution, the moral ambiguities surrounding undocumented people may make it harder for organizations concerned with

50 In making this statement, I do not deny that corruption has been a significant problem for some of the U.S. labor unions that I study in this project.
justice to know exactly what “justice” is vis-à-vis these immigrants. Within developed
democratic societies, different political actors present organizations with very different
ideas about how these immigrants should be viewed and, relatedly, how governments
should respond to their presence. On the one hand, undocumented immigrants can be
viewed as exiles from undemocratic, conflict-ridden, and/or highly inegalitarian countries
who perform labor for their host societies that other individuals in these societies will not
perform. They can also be interpreted as victims of racist, xenophobic, and generally
unjust immigration laws that do not provide low-skilled immigrants with adequate
opportunities to settle lawfully in these societies. On the other hand, undocumented
immigrants can be viewed as individuals who have flouted the immigration laws of their
host societies, and, in so doing, the democratic process through which these laws came
into being and the state apparatus charged with enforcing these democratically-enacted
laws. They can also be seen as individuals whose actions knowingly or unknowingly
hurt other disadvantaged people, particularly the disadvantaged native workers of their
home societies who might otherwise fill the jobs that undocumented workers do.

These very different images of undocumented immigrants can be associated with
different ideas about how government policies should address these immigrants. The
first perspective does not seem to lead inevitably to support for the permanent inclusion
of undocumented immigrants in society through regularization programs (although it
might), but, at a minimum, it does seem to point toward the conclusion that
undocumented immigrants deserve particular moral consideration and good treatment
from their host societies—both as a result of the nature of the countries from which most
undocumented immigrants come, and as a result of the role that the undocumented have
played in their host societies. As such, this perspective would seem to support government policies that, for instance, provide undocumented immigrants with access to educational and other social institutions, and offer detained immigrants considerable opportunity to make a case for themselves before they are subject to deportation. For the purposes of this project, I will describe individuals and organizations that embrace the first perspective and these attendant policy prescriptions as espousing a relatively “sympathetic view” of undocumented immigrants. As for the second perspective, it emphasizes the (putative) harms caused by undocumented immigrants to their host societies. It would thus seem to favor policies that treat undocumented immigrants less favorably in the contexts of the societies in which they reside, and that seek to remove them from these societies as expeditiously as possible. We can regard this second perspective and its associated policy prescriptions as constituting the “unsympathetic view” of undocumented immigrants.

Clearly, then, one can find very different ideas about who undocumented immigrants are and how societies should respond to them in circulation throughout the developed democracies. In this study, I do not aim to explain why organizations come to espouse different views about the undocumented. How the staff of a given organization comes to think about justice and the undocumented would seem to be affected by a number of factors, ranging from the idiosyncratic (e.g., the opinions of individual members of its staff) to the broadly systemic (e.g., the nature of the discourses that surround immigration and immigrants in the society in which the organization operates). Sorting through these different factors could be a book-length project in its own right, and I do not wish to embark on such a project here. Nonetheless, I do think it useful to
consider how, if at all, the ideas regarding undocumented immigrants that predominate in an organization during a given period of time influence advocacy behavior. Given the importance of ideas about justice to the organizations examined in this study, I find it quite plausible to posit that these organizations decide whether or not to engage in advocacy on the basis of the ideas that their staff members generally hold about undocumented immigrants. Thus, one can hypothesize that, in circumstances in which an organization espouses a more sympathetic set of ideas about the undocumented, we should expect that view to lead the organization toward investing resources in advocacy for the undocumented. Similarly, in circumstances in which an organization adopts a less sympathetic set of ideas about the undocumented, we should expect the organization to decline to invest resources in advocacy for the undocumented, and perhaps even to invest resources in promoting policies unfavorable to these immigrants instead. If this hypothesis holds, one would expect to find high level of congruence between organizations’ stated views on undocumented immigrants and their actual advocacy behavior. One would also expect to find processual evidence supporting the claim that ideas drove organizations’ decisions about whether or not to invest in advocacy.

Examining this proposition empirically is tricky, of course. Inevitably, any organization that advocates for the undocumented will adopt a sympathetic rhetoric regarding these immigrants; one does not find organizational advocates that do not publically espouse sympathetic ideas about the undocumented. As such, we face the challenging task of assessing whether ideas about justice and undocumented immigrants led to advocacy in a given organization, or whether some other factor or set of factors caused the turn to advocacy, which then led the organization’s staff (consciously or
unconsciously) to adopt a particular set of ideas. In principle, a process-tracing approach could offer us a way around this problem, but in practice it often proves difficult to know what to make of processual data relevant to intermediary organizations and ideas about justice. Intermediary organizations often solicit support on the basis of their commitment to certain ethical principles. Thus, organizational representatives could (knowingly or unknowingly) mischaracterize the roles played by principles in determining precise political activities. At the same time, one cannot always find processual information dealing with ideas from sources other than interviews with organizational representatives. For this reason, studying those organizations that both express ideological sympathy for the undocumented and conduct advocacy proves problematic.

On a more positive note, we can gain more analytical traction by focusing on the subject of organizations that espouse a sympathetic view and yet do not invest resources in advocacy. If these organizations exist in considerable numbers, then we have fairly good reason to be skeptical about the ideational hypothesis that I have developed here, as the existence of these organizations suggests that ideological sympathy for the undocumented in itself is not a sufficient cause of political advocacy for these immigrants. And indeed, my research for this project identified many contemporary organizations in Germany, the UK, and the US that espouse essentially sympathetic views related to undocumented immigrants, yet do not invest resources in advocacy for these immigrants as a group. For instance, officials at the Deutscher Gewerkschaftsbund (German Trade Union Federation) and several major German trade unions expressed to me their organizations’ support for policies granting undocumented immigrants improved access to social institutions; in addition, while some of these officials criticized
employers of undocumented immigrants, none of them voiced criticisms of these immigrants themselves.\textsuperscript{51} This generally sympathetic perspective does not seem to have led German labor organizations to invest actual resources into political advocacy for the undocumented, however. One observes a similar pattern when considering UK refugee and asylee organizations. For example, an interviewee at the Refugee Council emphasized that organization officials actively avoid drawing a “good migrant/bad migrant” distinction in dealing with the issue of undocumented immigrants, meaning that they avoid framing refused asylum seekers and other undocumented immigrants as “bad migrants” who come to the UK for financial reasons (as compared with refugees and asylum seekers, who can be presented as coming to the UK out of dire necessity); in her view, many refused asylum seekers and other undocumented immigrants have strong moral, and potentially also legal, claims for protection in the UK.\textsuperscript{52} Nonetheless, the Refugee Council does not advocate for undocumented immigrants as such (although it does do advocacy work for refused asylum seekers who remain in the UK, a point that I will raise again later in this study). Finally, in the US context, we can identify numerous organizations that have voiced passive support for recent regularization proposals without devoting significant organizational resources to advocating for these proposals, including major unions like the American Federation of Teachers and Communications Workers of America (see American Federation of Teachers 2010; Communications Workers of America 2008).

\textsuperscript{51} Interview with Deutscher Gewerkschaftsbund (German Trade Union Federation) official, Berlin, October 4, 2006; interview with IG Metall (Metalworkers’ Union) official, Frankfurt, June 6, 2008; interview with Vereinte Dienstleistungsgewerkschaft (United Services Union) official, Berlin, May 30, 2008; and responses to written questions, Frank Schmidt-Hullmann, IG Bauen, Agrar, Umwelt (Union for Construction, Agriculture, and the Environment), September 15, 2006 and September 25, 2006.

\textsuperscript{52} Interview with Refugee Council official, London, November 29, 2006.
America 2006). In essence, then, we find numerous organizations in this project’s country cases that both espouse a sympathetic view of undocumented immigrants and do not engage in active advocacy for them as a group.

Based on this finding, we can surmise that sympathetic views of undocumented immigrants do not suffice on their own to bring organizations to invest in advocacy for this group. Such views may be necessary conditions for advocacy, but we face difficulties in testing that proposition empirically due to one of the issues raised above: presumably, no organization engaging in advocacy for the undocumented would publically espouse the less sympathetic view of these immigrants, regardless of whether or not individuals working for the organization actually supported that view. In any event, though, we can say that ideas about undocumented immigrants and justice seem to constitute distant background conditions for advocacy at most. In the next section of this chapter, I argue for the merits of an approach emphasizing other variables instead.

**Proposed Explanation: Variation in Undocumented Populations and in Organizational Political Roles**

The third argument, and the one that this study ultimately endorses, does not deny the possibility that ideas about justice matter a great deal to intermediary organizations serving the disadvantaged. However, it begins with the discouraging observation that human suffering is essentially infinite, while the resources of intermediary organizations are decidedly finite. Undocumented immigrants constitute only one of many disadvantaged groups that could plausibly serve as recipients of assistance from immigrant-serving and labor organizations. As such, we cannot expect ideas about
justice to motivate advocacy behavior on their own. Some type of process (be it conscious or unconscious) has to occur by which the staff members of these organizations filter through the many legitimate claims for aid and settle, in whole or in part, on using their resources to advocate for undocumented immigrants. Thus, we need to theorize about factors that would be capable of encouraging these organizations to focus on undocumented immigrants rather than other groups that could be viewed as worthy. The first alternative explanation that I discussed identifies such a factor—membership and constituency preferences—but this first explanation does not seem to sit well with the available data. We appear to need a perspective on established intermediary organizations that understands them as something other than simple aggregators of member and constituent preferences.

My proposed explanation offers us an alternative view of what drives established intermediary organizations. This explanation posits that, in the presence of an apparently substantial undocumented population, a given intermediary organization will tend to pursue political advocacy for the undocumented in those circumstances in which doing so fits in well with what I will call its “overarching political role.” As I will discuss again later in this chapter, an organization’s overarching political role relates to both the core constituency that the organization wishes to represent, as well as the dominant strategies adopted by the organization in its efforts to represent that constituency. The first factor that determines this fit with an organization’s political role is simply the nature of the role.

53 In the case of labor organizations, I understand the term “political role” to encompass not only these organizations’ role as representatives of workers vis-à-vis the state (i.e., their role in the formal policy-making process), but also their role as representatives of workers vis-à-vis employers (i.e., their role in the broader political economy).
itself, while the second factor is the apparent nature of the undocumented population. This argument explains advocacy behavior at the level of the single organization; however, it also offers us a path to understanding variation at the societal level, as the apparent nature of the undocumented population varies quite a bit across different societal contexts, as does the degree to which various types of organizations appear within the set of established immigrant-serving and labor organizations. Given an apparently substantial undocumented population, the interaction of what might be termed the “apparent population characteristics” variable and the “organizational roles” variable largely determines advocacy outcomes for the undocumented in a given context—or so I contend in this study.

The argument that I have just described appears to work well when applied to most of the contexts considered in this study. However, it requires some modification when applied to two settings characterized by undocumented populations of an apparently small size: Germany between 1973-1989, and the UK between 1973-1989. In the other contexts considered in this study, the undocumented population appears to have numbered approximately in the hundreds of thousands, if not the millions; in other words, what I referred to as a “substantial” undocumented population in the previous paragraph seems to have been present. With regard to these two contexts, however, we have no evidence of a population that large; indeed, we have very little evidence related to the undocumented population in general. On the basis of the evidence that does exist, though, the population size appears to have numbered approximately in the tens of thousands. In these two particular contexts of interest, we also find that the types of organizations that we would expect to engage in advocacy for the undocumented do in
fact take on work related to this group, but they do not actually undertake political advocacy as I have defined it in this project (i.e., political activity focused on improving the status of undocumented immigrants as a group). Instead, their work exclusively involves “casework,” by which I mean work focused on improving the situation of one undocumented immigrant or a small group of undocumented immigrants that does not have implications for the undocumented population as a whole. This focus on casework makes sense under the circumstances, as I will explain below. Overall, then, it seems that an undocumented population of an apparently substantial size essentially functions as a prerequisite for advocacy politics of the kind analyzed in this study. In circumstances where such a population does not exist, the apparent nature of the undocumented population, and specifically the apparently small size of this population, seems to be the dominant influence over advocacy outcomes; regardless of their overarching political roles, immigrant-serving and labor organizations operating in the context of an undocumented population perceived to be small do not seem to engage in political advocacy for the undocumented as I have conceptualized it in this project. While their overarching political roles might channel them toward some sort of work related to undocumented immigrants, this work does not take the form of political advocacy as defined in this study. We can readily understand why organizations concerned about the status of undocumented immigrants in society might focus purely on individuals or small groups (as opposed to taking on the cause of undocumented immigrants more generally) in the context of an apparently small undocumented population. With a comparatively small undocumented population in place, officials from immigrant-serving and labor
organizations may be more likely to consider assistance to individuals and small groups a plausible strategy for dealing with the issue of undocumented status. In addition, this “casework approach” seems likely to be viewed by organizations not only as a plausible strategy, but also as a relatively attractive one. It requires fewer resources from them, first of all. It also may stand a greater chance of success, in that the casework approach enables the fate of undocumented immigrants to be handled principally through negotiations within the political elite; as such, politicians and bureaucrats can undertake actions favorable to undocumented people without attracting much attention from a public that could be wary of such actions. By contrast, the passage of a major regularization program or change to the rules governing benefits would tend to attract far more public scrutiny. In essence, then, organizations have a number of reasons to adopt a strategy based entirely on casework in the context of an apparently small undocumented population. As an undocumented population appears to grow larger, however, organizations wishing to improve the position of undocumented immigrants will likely see no alternative but to turn to more systemic, “wholesale” approaches to the issues presented by these immigrants.

As I have suggested, most of the particular time periods considered in this study do feature undocumented populations of a substantial size; as such, they constitute settings in which we would expect organizations seeking to assist the undocumented to engage in political advocacy, rather than exclusively focusing on work related to individual immigrants. In the pages that follow, I sketch out the argument that best explains variations in advocacy outcomes in these contexts. As I have already suggested, this argument centers on the interaction of two explanatory variables, which I have
referred to as the “apparent population characteristics” variable and the “organizational roles” variable. In the pages that follow, I explain this argument more fully. I begin by discussing my two independent variables individually. These discussions explain how I conceptualize both of these explanatory variables; they also discuss the ways in which undocumented populations and organizational political roles differ across contexts. The discussions also consider why we find differences in undocumented populations and political roles in different contexts; departing from the study’s main line of argumentation, I spend some time treating my main independent variables as dependent variables. In so doing, I aim to dispel any sense that the reader might have that the differences in political roles and population characteristics discussed in this study have emerged due to simple chance; these differences are themselves the product of a complex and fascinating set of factors, including differences across space and time in state regimes for regulating immigration and for structuring capitalist markets. A full exploration of these more distal causes for the variation in advocacy outcomes is beyond the scope of this project. Nonetheless, I hope that the discussions that follow will at least convince the reader that the story of advocacy for the undocumented has much to do with some fundamental differences that exist between developed democratic countries, as well as with some central economic, social, and political transformations that have been underway within these societies in recent decades. Once I have completed discussing my two independent variables individually, I then go on to explain how differences in overarching organizational roles and in the apparent characteristics of undocumented populations can interact to produce distinctive advocacy outcomes. This set of
discussions starts with a consideration of the “apparent nature” of undocumented populations in various contexts.

*The First Explanatory Variable: The Apparent Nature of the Undocumented Population*

As I have previously suggested, a given intermediary organization might plausibly serve as an advocate for a number of disadvantaged populations. One factor that seems likely to shape an organization’s advocacy behavior toward a particular population is the nature of the population itself, as the work of Strolovitch (2007) and others suggests. Is the population comparatively large or small? To what types of resources does the population have access? Such factors seem likely to condition how an organization responds to a given population.

Importantly, though, established intermediary groups—and all of us—simply cannot know exactly what the undocumented population looks like in a given context; by their very nature, undocumented populations defy all efforts to render them completely legible. We can turn to data from a range of sources in our efforts to understand these populations, but even the most rigorous of these sources can provide only limited information, a point to which I will return in Chapter 4. Officials from intermediary organizations may also learn about specific groups of undocumented immigrants through personal interactions with them, but they gain their knowledge about the undocumented population in general from an unusually weak information base, just as the rest of us do. Due to this dearth of solid information, intermediary organizations and other political actors must act in politics on the basis of what appears to be potentially the case about
undocumented immigrants, rather than what is definitely the case about these immigrants. Put slightly differently, these actors must engage with what I will call the “apparent nature” of undocumented populations, as opposed to the actual nature of these populations.

One might remark that politics often has more to do with appearances than with realities, of course. And certainly, much political contention at the popular level revolves around incomplete or distorted images of particular groups; for instance, Martin Gilens has argued that many Americans “hate welfare” in part because they hold inaccurate ideas about the population of welfare recipients (1999). Politicians also often have, or at least profess to have, limited or misleading ideas about different populations, too. The situation with undocumented immigrants nonetheless strikes me as at least somewhat distinctive. In the case of American welfare recipients, for instance, we do have a set of facts about them that we can know (at least inasmuch as one accepts that “facts” about the world can be said to exist); indeed, this aspect of the situation is precisely what enables a researcher like Gilens to speak with relative certainty when characterizing certain images of this population as distorted. As a result, political actors contesting claims about welfare recipients can consult a body of knowledge that gives them reasonably solid information about these individuals. The situation proves rather different for political actors dealing with the issue of undocumented immigrants, though, as such a body of knowledge simply does not exist. As such, intermediary organizations must inevitably operate in politics with relatively poor information regarding undocumented people as a group. I thus emphasize that it is the apparent nature of the
undocumented population that shapes the advocacy behavior of intermediary organizations.

This argument raises an immediate question, of course, which is how we can know what intermediary organizations consider the “apparent nature” of the undocumented population to be. Viewed from one angle, this argument looks as if it might require the researcher to reconstruct how each individual organization examined in this project understood the undocumented population at various points in time—a very daunting task. In my view, however, these organizations will likely hold similar ideas about the undocumented in a given context, as they will tend to draw from the same pool of information about these immigrants. Although representations of undocumented populations in the popular and tabloid media may tend to exert a strong pull over many individuals, I suggest that the political elites who run established intermediary organizations will instead be most drawn to information produced and circulated by “expert” analysts within academic, government, and civil society organizations—including, in some cases, their own civil society organizations. 54 Despite its shortcomings, this body of knowledge constitutes the best resource available regarding these immigrants, 55 and these organizations would presumably seek out the strongest

54 My experiences conducting interviews for this study certainly reinforce this perspective on established intermediary organizations, as many interviewees made reference to information drawn from academic, civil society, and government sources in their responses to my questions. In addition, a number of my interviewees had been involved in the production of research relevant to the topic of unauthorized immigrants.

55 Some might contest this view of the usefulness of “expert” knowledge on undocumented populations. Without entering into a full discussion of the issues raised by this concern, I would note that one need not accept this view of expert knowledge to accept my broader argument. Instead, one could simply conceptualize the officials of intermediary organizations as part of a broader group of individuals who (like the author!) have been educated and socialized to regard certain types of information as particularly authoritative, and thus turn to these types of information in seeking knowledge about the world.
information they can find prior to directing institutional resources (or not directing institutional resources) toward advocacy for the undocumented. At the same time, of course, these officials can also be expected to develop their knowledge of the undocumented population and its evolution simply by monitoring major political developments; thus, for instance, an organization in a country that has held a large regularization program would certainly be aware of this program. In this study, then, I conceptualize established intermediary organizations as regular consumers of, and contributors to, a common body of expert knowledge relevant to undocumented immigrants, as well as regular monitors of political developments related to these immigrants. In speaking of the “apparent nature” of a given undocumented population, I thus mean simply the nature of the population as it would appear to organizations that learn about the undocumented principally through expert knowledge and major political events. In order to understand the apparent nature of the undocumented population in a given time and place, then, I pulled together information drawn from academic, civil society, and government sources, as well as information on major political developments relevant to the undocumented. Chapter 4 describes the types of sources that I used to gain insights into the undocumented population in greater detail.

In discussing the apparent character of the undocumented population in a given context, I focus on information relevant to three aspects of the undocumented population in particular. I pay attention to these aspects of the population because I regard them as

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56 Importantly, this study does not deny that these organizations function as advocates, and that their advocacy work could potentially involve presenting a selective portrait of undocumented immigrants to the outside world. It does suggest, though, that the officials in these organizations do want to have as much information about undocumented populations as possible for their own use, and that they turn to similar types of sources in their pursuit of information about these populations.
the most likely to influence actual advocacy outcomes. The first factor upon which I focus is the apparent size of the undocumented population. As I have suggested, this study delineates in particular between contexts in which the undocumented population seems to be relatively small (i.e., it appears to number approximately in the tens of thousands), and contexts in which the undocumented population seems to be more significant in size (i.e., it appears to number approximately in the hundreds of thousands or millions).

The second factor that I address is the apparent national and ethnic composition of the undocumented population. For each of the relevant time periods in each of the countries examined in this study, I consider the set of nationalities that appear to be represented within the undocumented population, as well as the apparent distribution of nationalities within that population. In speaking of a given person’s “nationality,” I mean an identity derived from the state(s) in which she holds legal citizenship. For instance, a recent immigrant to the United Kingdom holding a Japanese passport would be considered to be of Japanese nationality. In addition to focusing on groups of conationalists, the study also pays attention to the ethnic identities present in the undocumented population in a given context. Generally speaking, we can define a person’s ethnic identity as an identity rooted in the ascriptive group(s) from which society understands that person to have originated; such an identity may be entirely coterminous with that person’s national identity, but it may not be, which explains why I speak of both “national” and “ethnic” identities in this study. Applied to a population of immigrants, of course, this definition of ethnicity raises an immediate question: for any given immigrant, should we focus on her ethnic identity as her society of origin (and,
quite possibly, the immigrant herself) understands it, or should we focus on her ethnic identity as constructed by her society of residence? The two identities may be quite different, after all; for instance, a woman understood to be “Mayan” in her Mexican hometown would probably be viewed as “Latina” and “Mexican” upon moving to the United States. For the purposes of this study, I generally focus on ethnic identity as constructed in the context of immigrants’ host societies, as it is this form of identity that appears to be the most relevant to understanding the political dynamics present in these societies; nonetheless, I do remain mindful that undocumented immigrants themselves may not embrace the ethnic identities with which their host society associates them.

The third and final factor that I consider is the apparent role played by undocumented immigrants in the labor market. Taken as a group, undocumented immigrants tend to work in what Michael Piore has famously termed the “secondary labor market” (a characteristic that I will have reason to emphasize again below). As Peter Doeringer and Piore wrote in a 1971 publication, jobs in this market “tend to have low wages and fringe benefits, poor working conditions, high labor turnover, little chance of advancement, and often arbitrary and capricious supervision” (165). Such jobs can be unfavorably contrasted with positions in the “primary labor market,” which typically feature higher pay, better working conditions, more job security, and at least some opportunities to advance (165). One can also generalize a bit further about the position of undocumented immigrants in the labor market, as Franck Düvell has suggested; often,

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57 In framing the question in these terms, I do not mean to imply that the former cannot exert an influence over the latter. If immigrants act in politics on the basis of an ethnic identity derived from their society of origin, they may exert considerable influence over how their society of residence understands their ethnic identity.
though not always, the secondary labor market jobs that undocumented immigrants take consist of service sector positions that employers cannot “outsource” to less developed states (see Düvell 2006c, 32); the ideal-typical undocumented immigrant cleans a corporation’s headquarters in a wealthy country, while her sister back home works in a factory owned by the same corporation. As such, we can say that undocumented immigrants tend to occupy broadly similar positions in the economies of wealthy societies. At the same time, though, we do find apparent differences across time and space with regard to the particular economic sectors in which the undocumented tend to work and the extent to which they constitute a major segment of the workforce in these sectors. In Chapter 5, Chapter 6, and Appendix 2, I discuss how the apparent labor market positions of the German, UK, and US undocumented populations (respectively) have evolved between the 1970s and today, in addition to examining the apparent size and national and ethnic composition of the undocumented population as they have developed over time in these countries.

The aim of this study is to explain variations in advocacy outcomes related to undocumented immigrants, not to explain variations in the apparent size, national and ethnic composition, and labor market position of different undocumented populations. Nonetheless, I do think it useful to consider briefly why we observe these variations in the first place, as I discussed above. “Investigator effects” presumably do play a role here, as expert investigators have used different methods and applied different levels of effort and resources to the study of undocumented populations in different contexts. As a result, what seem to be differences in the undocumented population in different contexts may in fact simply be an artifact of variations in research practice. At the same time,
though, we can identify many factors that must surely cause actual differences in undocumented populations themselves, even if we have no way of observing precisely how much these factors influence the nature of undocumented populations in different contexts. Regularization programs and expansions of the European Union constitute the clearest example of forces that can shift the nature of a country’s undocumented population over time. As Chapter 2’s discussion of the formation of undocumented populations suggests, we can also explain both temporal and spatial variation in undocumented populations with reference to variables like the nature of immigration law, the character of “internal controls,” and the structure and demands of the labor market. Finally, undocumented populations presumably differ across countries in part because of the distinctive legacies of earlier eras of immigration; for this reason, we can regard the development of a country’s undocumented population as partially path-dependent.

Earlier periods of immigration history can potentially exert at least two forms of influence over a country’s undocumented population. First, and most obviously, some fraction of a country’s current set of undocumented immigrants will have entered the country during an earlier period of time. Second, and as I noted previously, early state policies permitting or encouraging authorized labor migration help to create “migration systems” between developed and less developed countries that can persist even if the policies themselves change. As Takeyuki Tsuda and Wayne Cornelius have observed, “migration [to a given country] never consists of an indiscriminate flood of peoples from any country with lower income and employment opportunities” (2004, 447). Instead, prospective labor immigrants tend to migrate to places where other immigrants from their families and communities have gone in the past. This tendency exists for several
powerful reasons, including the fact that settled immigrants from a similar background can facilitate new immigrants’ access to housing and jobs. As such, the end of a formal policy of legal labor immigration cannot be expected to stop entirely the process of labor immigration from a poorer country to a wealthier one. If family and community members remain in a wealthier state, and if prospective immigrants still have strong economic reasons to leave their home country, then immigration appears likely to continue and endure, albeit in a fashion that adds to the undocumented population.

To sum up, then, we can identify several factors to which differences in the apparent nature of the undocumented population can be attributed. In discussing the evolution of the undocumented populations of Germany, the United Kingdom, and the United States in subsequent parts of this study, I do highlight which of these factors seem to be driving particular shifts in the apparent nature of the population. Ultimately, though, the primary purpose of this study is not to account for changes within undocumented populations (which in any event strikes me as more the task of the demographer or sociologist than the political scientist), but rather to explain differences in political advocacy on behalf of such populations. I have now discussed at some length the first of the two independent variables used in my explanation for these differences in advocacy patterns; let us turn to the second of these variables.

**The Second Explanatory Variable: The Overarching Political Roles of Established Intermediary Organizations**

This study’s second explanatory variable has to do with the distinctive political niches occupied by established immigrant-serving and labor organizations. These
organizations do share certain broad political missions, of course: by definition, immigrant-serving organizations wish to improve the societal position of immigrants, while labor organizations want to better the societal position of workers. Nonetheless, differences in their overarching political roles do exist. In speaking of a given organization’s “overarching political role,” I have in mind both the way in which the organization defines its core constituency, as well as the dominant strategies adopted by the organization in its efforts to represent that constituency. With regard to established immigrant-serving organizations, the relevant difference in political roles ultimately has to do with organizational constituencies; as I will discuss below, some immigrant-serving organizations seek to represent particular legal classes of immigrants, while others aim to serve ethnic groups with a high proportion of immigrant members. Meanwhile, a third set of immigrant-serving organizations attempts to provide representation to all people of a recent immigration background. 58 As for established labor organizations, the critical distinction lies in the realm of strategy. In particular, some labor organizations have embraced the idea of organizing workers, particularly in the secondary labor market; others remain principally committed to different strategies. In the pages that follow, I discuss these variations in the overarching political roles espoused by established immigrant-serving and labor organizations. In so doing, I emphasize that the distribution of organizational types within the immigrant-serving and labor sectors varies quite a bit across different contexts, and seek to illuminate why this variation exists.

58 In speaking of a person from a “recent immigration background,” I refer to an individual who is an immigrant, or whose parents were immigrants.
The Overarching Political Roles of Immigrant-Serving Organizations: Organizations Representing Legal Classes, Ethnic Groups, and All Immigrants

Consider first established intermediary organizations that serve immigrants. I will divide these organizations into three main types for the purposes of this project. The first type of organization represents immigrants that hold a particular legal status in relationship to the state. Many of these organizations focus on refugees and asylum seekers, while others concentrate on applicants to family reunification programs, individuals with certain work visas, and so on. The common thread here is simply that these organizations reflect the various legal categories into which the state groups immigrants. The second set of organizations focuses on ethnic groups with many members from a recent immigration background. In keeping with this chapter’s previous discussion of ethnicity, I use the term “ethnic groups” here to denote people understood by their society of residence to have originated from the same ascriptive group; such ethnic groups may or may not also be groups of conationals. The final type of immigrant-serving organization can be termed an “encompassing” organization. Such an organization aims to represent all the individuals from a recent immigration background in a society, regardless of legal status, ethnic identity, and so on.

Developed democracies generally have both the first and second types of organizations present in their societies, and sometimes the third type as well, but the precise composition of the set of established immigrant-serving organizations differs quite a bit across different contexts. This study does not aim to explain this variation in any systematic way, but I do think it useful to consider briefly why the distribution of
these organizational types varies across time and space. Ultimately, the overall distribution of organizations in a given context has to do with the degree to which the political environment has encouraged the formation of each individual type of organization. I will thus consider some of the main factors likely to favor the formation of organizations of each type, basing my discussion principally on the history of immigrant-serving organizations in the three countries examined in this study.

Several factors appear to encourage the founding of the first type of organization. Consider first the refugee and asylee organizations that predominate within this category. Recent refugees and asylum seekers usually lack the resources to found such organizations themselves, so such organizations often prove to be founded either by natives or by more established immigrants. What might encourage such individuals to found these organizations? At a minimum, humanitarian concerns can, and do, motivate sympathetic natives and immigrants to form organizations oriented toward refugees and asylum seekers. At the same time, state action may encourage the establishment of such organizations as well. On occasion, states have opted to contract with civil society organizations to deliver various services to refugees and asylees, rather than directly offering the services through state bureaucracies; when states have engaged in this form of “contracting out,” individuals have founded new established organizations that seek to deliver government-funded services to refugees and asylum seekers, while also advocating in politics for these immigrants. Some preexisting grassroots organizations have also reconfigured themselves to play this sort of dual role, as well; in the process of doing so, they have emerged as more established entities. As for organizations focused on legal classes other than refugees and asylum seekers, these organizations often come
into existence as a result of various immigration programs created by the state for relatively advantaged people; once these programs for “highly-skilled migrants,” “immigrant investors,” and so on have been created, their beneficiaries may use their political resources to create organizations that press for the programs’ continuation and expansion. Overall, then, at least three factors appear to encourage the development of the first type of organization: 1) the existence of humanitarian concerns regarding refugees and asylum seekers in society, 2) the creation of state programs to “contract out” assistance to such immigrants, and 3) the state’s implementation of immigration programs that benefit the well-resourced.

As for the second type of organization, the relative presence or absence of these organizations in a society has much to do with the political resource base of ethnic groups with sizeable immigrant populations in that society. To borrow a helpful phrase from Floris Vermeulen, the first type of immigrant-serving organization is frequently only “established for immigrants” [italics in original] (2006, 21); this second type, however, generally emerges through the activity of immigrants and their coethnics themselves. Thus, the political resources available to a given ethnic group strongly influence the degree to which established organizations focused on that group will exist in a society. Perhaps the ultimate political resource is citizenship; if state policies permit and encourage immigrants to naturalize in significant numbers, then ethnic groups with many immigrant members will be better-equipped to build major organizations that voice their political concerns—because, for instance, citizenship enables such ethnic groups to be perceived as legitimate claimants for the state’s concern, and thus to attract more support from outsiders in their efforts to construct organizations. Moreover, the nature of a
state’s citizenship regime may help to determine whether or not groups populated heavily by immigrants even try to found organizations oriented toward politics in their state of residence at all. In places in which immigrants and their immediate descendants tend not to be citizens, they may very well focus principally on building transnational organizations focusing on political issues in their countries of origin instead (see Ögelman 2003). Alongside citizenship, certain other resources also facilitate the construction and maintenance of the second type of organization. In particular, if a given ethnic group has many members present in a society, as well as a reasonably well-developed base of material resources, then that group will be better able to launch and sustain established intermediary organizations reflective of its ethnic identity. Finally, the existence of foundations willing to provide financial support for ethnic organizations can certainly encourage the founding of such organizations; in the American context, for instance, financial support from the Ford Foundation proved essential to the founding of the Mexican American Legal Defense and Education Fund (MALDEF) and the National Council of La Raza (NCLR) in 1968 (Navarro 2004, 98). To sum up, then, relatively inclusive citizenship laws favor the formation of established intermediary organizations representing ethnic groups with many immigrant members. Such organizations are also more likely to emerge when the groups they represent are relatively large and have good access to material resources, and when foundations in a society prove willing to support their work.

The final organizational type of relevance to this study is the encompassing organization. Encompassing organizations, as I have suggested, seek to represent all people from an immigration background in society. Such organizations can come into
being through a variety of processes. Often, they emerge as a result of alliances between multiple ethnic organizations focused on heavily immigrant populations; these organizations opt to pool some of their resources and form an institution devoted to pressing the case of all immigrants as a group. Foundations have also sponsored the formation of such organizations; for example, funding from the Barrow Cadbury Trust played a critical role in the 2006 founding of the Migrants’ Rights Network in the UK. Overall, the presence of these encompassing organizations in a society appears to hinge on the willingness of organizations of the second type to institutionalize coalitional relationships with each other, as well as the willingness of foundations to support encompassing organizations financially.

In any given setting, then, numerous factors appear to influence the relative presence or absence of each of the three organizational types, and, ultimately, the distribution of the three organizational types within the immigrant-serving sector as a whole. Soon, I will turn to the question of how the relative presence or absence of different types of organizations within this sector influences patterns of advocacy. First, though, I must discuss the overarching political roles played by the second type of established intermediary organization addressed in this study: trade unions.

The Overarching Political Roles of Unions: Unions That Do (and Do Not) Organize in the Secondary Labor Market

Like immigrant-serving organizations, labor organizations also vary in their overarching political roles across contexts. In speaking of the “political roles” of labor organizations, I refer not only to their roles in the formulation of government policy
instruments, but also to their roles in negotiations with employers over wages and other resources (i.e., their roles in the broader political economy), as I have suggested above. For my purposes, the most relevant distinction between labor unions has to do in part with whether or not a union strongly embraces an “organizing” strategy in its efforts to represent workers. We can say that unions can pursue a number of different strategies as they seek to accomplish their goals; for instance, they can seek to become organizational “partners” of businesses, they can engage in intensive lobbying of politicians, and so on. The organizing strategy is distinctive in that it entails building up, and routinely using, labor’s capacity to deploy large numbers of people in strikes, protests, union recognition elections, and other forms of political activity. Put slightly differently, this broad approach heavily emphasizes recruiting new members, as well as politically mobilizing new and old members alike (see, e.g., Bronfenbrenner et al. 1997; Milkman and Voss 2004; Turner and Hurd 2001; Turner, Katz, and Hurd 2001). As analysts have suggested, contemporary unions deploying this organizing approach also often embrace the idea of “social movement unionism;” as part of their efforts to recruit and mobilize workers, unions influenced by the social movement approach characteristically form partnerships with community, religious, and other civil society actors, and rhetorically frame particular political conflicts in the context of broader concerns about the social inclusion of workers and other disadvantaged groups (e.g., ethnic minorities). This social movement approach may also entail a relative lack of emphasis on winning union recognition through formal legal routes like the National Labor Relations Board system.

59 For a related set of observations and ideas, see Johnston 2001.
in the United States, and a greater focus on using public protest and negative publicity to influence employer behavior (see Clawson 2003, 91). For the purposes of this study, however, the defining characteristic of a union following an “organizing” approach is simply that it places a very high priority on, and channels significant resources toward, the recruitment of new members and the mobilization of all of its members; while such social movement strategies may frequently accompany the organizing approach, they need not be present for a union to be considered an “organizing union” for the purposes of this project.

In this study, I will argue that this distinction between unions that do and do not follow the organizing approach proves critical to understanding political advocacy for undocumented immigrants. In particular, I will argue that whether or not a given union organizes in the secondary labor market strongly influences the likelihood that the union will engage in advocacy for undocumented immigrants. In making this argument, I am clearly not the first to link organizing plans to unions’ preferences vis-à-vis policies related to immigrants and immigration; in analyzing the behavior of US unions, Leah Haus (2002), Julie Watts (2002, 62-73), and other (academic and non-academic) observers have suggested that unions’ organizing ambitions may influence their preferences in these policy areas. However, this study’s treatment of the organizing issue can nonetheless be regarded as distinctive, as its precise description of the nature of the causal linkage between union organizing and advocacy is my own. The study also offers a more systematic analysis of the implications of the organizing strategy for trade union advocacy behavior than previous academic studies have provided. Earlier studies have analyzed trade union confederations and certain individual unions in detail (see, e.g.,
Haus 2002 and Watts 2002), but they have not systematically tested their claims about unions, organizing, and political activity related to immigrants using data on all of the unions present in the various contexts they address. This study does not examine every single union present in Germany, the UK, and the US between the 1970s and 2007, but (as I will discuss later on) the study does consider all of the larger unions that existed in these countries at the end of each time period that it addresses. As such, it examines the effects of the organizing approach more systematically than previous studies have.

Later on in this chapter, I explain why exactly a union’s adoption of the organizing approach may change its approach to policy issues related to undocumented immigrants. Here, however, I will briefly discuss why individual unions do and do not embrace the organizing strategy, and, by extension, why unions as a group appear to be much more engaged in organizing activity in some contexts than in others. In order to gain traction on this issue, we must first take a step back and consider the rather different levels of institutionalized power that trade unions have held in different times and places. In speaking of “institutionalized power,” I mean power that is secured by the rules and/or norms that govern a country’s main political institutions. The classic distinction between corporatist and pluralist systems of interest intermediation offers us a useful way to start thinking about this issue. Following in the tradition established by Schmitter (1974), we can define “corporatist” systems of interest intermediation as systems in which

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60 In discussing Germany, I also consider smaller unions as well (for reasons explained in Chapter 8 of this study).

61 One might wonder why this study does not also draw on the corporatist/pluralist distinction in its analysis of immigrant-serving organizations. The short answer is that, unlike organized economic interests, immigrant-serving organizations have often been essentially excluded from the corporatist arrangements present in generally corporatist countries. Such exclusion has certainly occurred in Germany (see Ögelman, Money, and Martin 2002, 154).
state recognizes particular organizations as authoritative representatives of certain segments of society, and, in so doing, assures these organizations a prominent, ongoing role in the society’s affairs. Schmitter contrasts these “corporatist” systems with “pluralist” systems, in which the state does not formally recognize particular organizations as representatives of segments of society, and thus in principle allows for more open competition between organizations for the attention of governments. (In practice, of course, this “open competition” between organizations often greatly advantages those organizations with more access to resources.) With regard to unions in particular, we can say that unions in a corporatist system have several forms of institutionalized power that their counterparts in a pluralist system do not. In particular, labor unions in a corporatist system possess a relatively established, secure position in the process of making economic policy. They also participate in state-facilitated systems of centralized wage bargaining, in which the union in a given sector negotiates, not with individual employers, but with the association of employers for that sector. By way of contrast, a union in a pluralist setting characteristically has little secure influence over the making of policy, and has to negotiate with—and, often, work to achieve recognition from—employers on an individual basis.

These concepts of “corporatism” and “pluralism” offer us a useful starting point as we consider differences in unions’ institutionalized power (and, ultimately, differences in unions’ political strategies). Importantly, though, the level of power held by unions in broadly “corporatist” regimes has varied significantly across space and, more relevantly
for our purposes, time.\textsuperscript{62} By the 1960s, many countries in Nordic and continental Europe had constructed—and, in some cases, reconstructed—systems of corporatist interest intermediation (see Wiarda 1996, 43).\textsuperscript{63} One of this study’s country cases, Germany, was part of this group of states. For a time, these states featured a robust version of corporatism in which unions enjoyed notably high levels of institutionalized power.

Eventually, however, a key component of these arrangements, centralized wage bargaining, came under significant pressure in these states. The precise point at which centralized bargaining came under strain varied somewhat across countries, as did the precise nature of the wage bargaining systems under stress (see Pontusson and Swenson 2000, 99-103). Nonetheless, similar factors appear to have triggered this pressure on centralized wage bargaining in different countries. In the face of changing technology and growing competitive pressures wrought in part by economic internationalization, many employers came to perceive wage flexibility as increasingly integral to the ability of their businesses to operate successfully. This situation led major employers to push—often successfully—for changes to the formal institutions of wage bargaining and/or to the substance of what was bargained in these institutions (see Kinderman 2005; 62

\textsuperscript{62} One finds a certain amount of variation in the levels of power enjoyed by trade unions in different pluralist contexts, as well; I do not emphasize those differences here because they do not appear to be consequential for the purposes of this study’s argument. Perhaps most notably, the UK system, while remaining broadly in the pluralist camp as a whole, had certain corporatist, or at least semi-corporatist, features in place between 1945 and the late 1970s; more specifically, it had in place a number of institutionalized mechanisms of tripartite consultation (see Hall 1986, 74, 108; and Upchurch, Taylor, and Mathers 2009, 89-92).

\textsuperscript{63} These systems of corporatist interest intermediation came into being for complex reasons and through a variety of different processes, which in some cases unfolded over centuries (see Prowe 1985, 453-4). Due to space constraints, I do not attempt to explicate why or how corporatism developed in Western European contexts here. For insights into the development of corporatism in Germany and Sweden (two countries often associated with this approach to interest intermediation), see Prowe (1985) and Rothstein (1992), respectively.
In certain contexts, some businesses also began to drop out of employers’ associations altogether. Judged relative to centralized wage bargaining in other North European countries, centralized wage bargaining remained stable for a fairly long period of time in this project’s one corporatist country case, Germany; German wage bargaining did not come under serious pressure until the mid-1990s (Schmidt 2002, 181), while centralized wage bargaining was under strain by the early 1980s in other countries. Regardless of the precise point in time at which they began to unfold, these shifts in the landscape of wage bargaining served to reduce the institutionalized power of unions in countries with corporatist systems. In thinking about union strategies in the corporatist context, then, we need to make a distinction between unions operating under what I will term the “robust corporatism” of earlier years, and unions attempting to maneuver within the current era of “attenuated corporatism.” As such, we can say that any given union examined within this study can be characterized as operating in one of three environments (i.e., robust corporatism, attenuated corporatism, or pluralism), with unions operating under robust corporatism having the most institutionalized power and unions operating under pluralism having the least.

The different levels of institutionalized power that unions possess in different contexts strongly influence the likelihood that they will adopt the organizing approach. Unions in all of these environments derive certain benefits from having a substantial

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64 They generally have not pressed for the outright demise of wage bargaining institutions, though (see Thelen 2001, 82-88).
65 This phenomenon has certainly occurred in Germany (see Silvia and Schroeder 2007).
membership; for instance, a large membership arguably gives a union more political and social authority to speak for workers in the public square. Unions also all benefit from the dues paid to them by members. As such, the declines in union membership that have been nearly universal in North America and Northern Europe in recent decades have been a concern for unions everywhere they have taken place. Nonetheless, unions in a robust corporatist environment have a secure place in political life regardless of their capacity to mobilize large numbers of people. The centralized bargaining system also provides union actors with a secure form of influence over the political economy that does not depend on membership size, for this system enables a given union to influence the wages of many workers in a given sector, even if relatively few of them have actually joined the union. Under the circumstances, unions in robust corporatist environments seem unlikely to engage in extensive, costly efforts to organize and mobilize members, and indeed they generally do not. The focus instead proves to be on using institutionalized power to accomplish goals and on tending to the preexisting union membership (which

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66 For data on union density in 1980 and 2000 in individual North American and North European countries, see Pontusson 2005, 99. As this table suggests, most of these countries experienced a significant drop in their unionization rate during this time period. It is true that the Nordic unions proved to be notably less affected by membership decline during this twenty-year period than their counterparts elsewhere, and that union membership numbers do remain high in absolute terms in the Nordic countries. Even in these societies, however, there is some recent evidence of relative membership decline; for instance, overall trade union density in Sweden dropped from 81 percent in 2000 to 77 percent in 2006, and then down to 72 percent in 2007 (Andersson and Brunk 2008). It is beyond the scope of this project to analyze the reasons for this widespread decline in union membership; suffice it to say that many analysts have linked this decline to a number of factors, including the shift away from employment in manufacturing and toward employment in services that has occurred in most developed countries—a shift that analysts have in turn linked to the phenomenon of economic internationalization (see Lee 2005, 72-73). (For an alternative perspective on the decline of unions in the US in particular, see Freeman 2007, Chpt. 5.) In some contexts, the introduction of laws and regulations unfavorable to unions have also notably contributed to declines in union membership (see, e.g., Thelen 2001, 92-98).

67 Union actors enjoy this influence because a centralized wage agreement usually binds all firms that hold membership in a sector’s association of employers, and many firms typically hold such membership. In addition, state rules may require wage agreements to apply to all firms in a sector, regardless of whether they have joined their sector’s employer association or not (see Pontusson 2005, 25-26).
tends to consist of relatively advantaged workers, given the power of unions to influence economic outcomes in these societies) (see Frege and Kelly 2004). In the context of attenuated corporatism, the adoption of an organizing strategy becomes more likely, though only somewhat. Here, unions struggle to hold on to the secure role that they have historically played in politics and the broader political economy; the emphasis has generally been on using, and fighting to maintain, traditional corporatist mechanisms of influence and on serving preexisting members, even as increasing numbers of workers outside of unions come to face unattractive terms of employment. In sectors in which corporatist arrangements have come under considerable strain, however, one may start to observe heightened interest in the organizing strategy, especially if other strategies have already been tried unsuccessfully (see, e.g., Greer 2008).

In the context of full-fledged pluralism, however, we find a set of circumstances more likely to encourage the adoption of an organizing strategy. Importantly, union actors operating under full-fledged corporatist regimes do not always adopt such an approach; we often find them using other strategies as they seek to achieve their ends. Indeed, we occasionally find pointed skepticism about the value of organizing as a political strategy from union actors operating in pluralist environments. For instance, George Meany, who served as president of the AFL-CIO between its 1955 creation and 1979, expressed a rather dim view of organizing in 1972:

"Why should we worry about organizing groups of people who do not appear to want to be organized?… I used to worry about… the size of the membership… I stopped worrying because to me it doesn't make any
difference… The organized fellow is the fellow that counts (Meany qtd. in Freeman 2007, 77).

Like some other labor leaders operating under the conditions of full-fledged pluralism, Meany preferred to use relationships with individual politicians as a means of advancing trade union interests (78). This strategy bears some resemblance to another strategy used by trade unions operating under full-fledged pluralism, particularly in the UK: to press trade union agendas through close linkages with a labor-oriented political party. Both of these strategies offer trade unions no guarantees, however. Politicians and parties sympathetic to the labor movement can lose political power; moreover, relationships between individual politicians and trade unions, and between political parties and trade unions, can evolve and become more distant over time (as is nicely illustrated by the relationship between UK trade unions and the Labour Party under “New Labour”). If unions with little institutionalized power find that strong relationships with politicians and political parties do not yield the outcomes they seek, recruiting and mobilizing members may very well emerge as a potentially important priority. In essence, a “logic of no alternative” appears to apply here: if unions lack their own institutionalized voice in politics and if sympathetic politicians and parties cannot or will not deliver the results that unions seek, then union organizations have little choice but to try to build up their membership and to deploy this membership directly in political activity, even though organizing work requires a great deal of effort and resources from them (see, e.g., Midwest Center for Labor Research 1986, 1-3). Importantly, the organizing strategy

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68 In addition to helping us understand Meany’s view of worker organizing, this passage also highlights the AFL-CIO’s traditional focus on “fellows” and relative neglect of female workers.
need not be adopted as a “standalone” approach; indeed, it can be used quite deliberately as a means of augmenting other strategies. Thus, for instance, a union might attempt to build and mobilize its membership base in part because doing so strengthens its hand in negotiations with politicians and political parties. To sum up, then, this study suggests that the adoption of the organizing approach can be understood as a strategic adaption by unions operating in environments in which they have declining or little institutionalized power, and in which other strategies do not appear to be working well. Such environments do not automatically or necessarily generate a focus on organizing, but they do at least create circumstances in which an organizing focus may develop.

As I have previously suggested, my argument in this study focuses in particular on unions that attempt to organize workers in the secondary labor market. Whether or not a union following the organizing approach takes on the secondary labor market appears to be essentially a straightforward function of the particular sector or professions on which it focuses; if a union organizes in a sector that consists to a considerable extent of secondary labor market jobs, then its organizing efforts will generally encompass workers in the secondary labor market. Thus, for instance, a union organizing in the hospitality sector would generally organize workers in the secondary labor market, while a union organizing airline pilots would not. This distinction between unions that do and do not organize in the secondary labor market anchors an important part of this study’s main argument, as will become more clear in the next section.
The Two Variables in Interaction

In the preceding pages, I have discussed at some length the two explanatory variables at the heart of this study: the apparent characteristics of undocumented populations, and overarching political roles of intermediary organizations. In the context of a substantial undocumented population, these two variables will interact to generate a particular advocacy outcome at the level of the individual organization; advocacy outcomes at the level of individual organizations then combine to produce distinctive patterns of advocacy in different times and places. We will begin here by considering how these variables shape advocacy outcomes at the level of individual organizations, and then move on to a consideration of variation in advocacy outcomes at the societal level.

At the level of the individual organization, these two factors prove critical because they shape the likelihood that organizational officials will perceive their organization’s constituency as a whole to have what I will term a “shared political and social fate” with undocumented immigrants. This concept of a “shared political and social fate” proves closely related to the idea of “linked fate” as it appears in the work of Michael Dawson (1995) and scholars influenced by him, but the concept is distinct enough that the use of a separate term seems necessary to avoid confusion. In analyzing the political behavior of African-Americans, Dawson has argued that many African-American individuals share a sense of “linked fate” with the broader black community, by which he means that these individuals consider their own prospects in life to be inextricably linked to the prospects of African-Americans as a group. He suggests that this concept of linked fate can help us understand why African-Americans as a group
vote overwhelmingly for the Democratic party despite the overall expansion of the African-American middle and upper classes in recent decades; even though their class interests might arguably be better served by voting Republican, many wealthy African-American voters prefer to vote for the Democrats because they perceive that that their fates are bound up with the fate of the African-American community as a whole, and that the fate of the African-American community as a whole is best served by voting for the Democrats. My use of the term “shared political and social fate” is used to describe a similar, though distinct, perception: the perception on the part of organizational officials that they will be unable to achieve fully their principal political and social goals vis-à-vis their constituency as a whole if they cannot improve the status of undocumented immigrants as a group. Ultimately, of course, organizational officials may be somewhat idiosyncratic in how they perceive the undocumented population and its relationship to organizational goals; nonetheless, the “external” conditions under which a group of officials operate—i.e., the apparent nature of the undocumented population and the overarching political role espoused by their organization—will also profoundly influence whether or not they perceive their organization to share a political and social fate with the undocumented. In sum, then, I contend that the particular interaction of an undocumented population’s characteristics and a given organization’s political role will help to shape whether or not that organization’s officials perceive its constituency as a whole to share a common fate with undocumented immigrants, and hence whether or not that organization engages in advocacy for the undocumented.

Let us first consider how this argument works in the context of individual immigrant-serving organizations. As I have suggested, some of these organizations focus
on particular ethnic groups with many members from a recent immigration background. Other organizations address the situation of immigrants that fit within particular legal categories established by the state (e.g., refugees), while a third set of organizations aims to serve all immigrants within a society. I will discuss each of these organizational types in turn.

With regard to ethnic organizations, such an organization does seem likely to understand its constituents to share a political and social fate with the undocumented and hence to engage in advocacy for them—but only if the undocumented population appears to contain a number of individuals from the ethnic group it represents. We can readily see why these organizations would not engage in advocacy if members of the ethnic group they target have little representation within the undocumented population, as the mission of these organizations orients them quite firmly toward representation along ethnic lines. The claim that the fate of an entire ethnic group can be seen as linked to its undocumented members requires elaboration, however. What mechanisms might link undocumented people to their coethnics in a society? The first reason why the fates of undocumented immigrants and their coethnics may be linked together is quite concrete: some of these individuals may be from the same immediate or extended families.

Ethnicity is a constructed identity, but at the same time actual blood ties may very well link the citizens and authorized residents of an “imagined” ethnic group with the undocumented immigrants of that ethnic group. Second, ethnic groups as a whole may derive certain concrete political benefits if the status (particularly the legal status) of their undocumented members changes, for undocumented immigrants given the opportunity to regularize may eventually become citizens; in so doing, they may enhance the electoral
weight of their ethnic group as a whole. Third, and perhaps most centrally, the presence of a sizeable number of undocumented immigrants within an ethnic group can exact certain tolls from all members of that ethnic group, as society as a whole may (sloppily) come to associate all members of that ethnic group with an undocumented status. The literature on immigration politics has not always recognized these types of costs; for instance, Gary Freeman’s prominent discussion of “modes of immigration politics” (1995) depicts ethnic organizations as seeking more expansionist, inclusive policies purely for the sake of deriving gains for the ethnic groups they represent, without acknowledging the losses that the status quo may impose upon these groups.

Nonetheless, being linked to immigrants of an undocumented status appears potentially to impose several negative social consequences on an ethnic group. Where laws exist to punish employers for hiring undocumented immigrants, individuals from ethnic groups linked to the undocumented population may experience difficulties on the labor market, regardless of their own particular legal status; for instance, several analysts have argued that the employer sanctions provisions of the US’s 1986 Immigration Reform and Control Act (IRCA) hurt the economic position of all persons of Mexican descent in the United States (see, e.g., Bansak 2005; Davila, Pagan, and Grau 1998), as the institution of sanctions appears to have discouraged employers from hiring people of Mexican descent and/or to have encouraged employers to pay them lower wages (Bansak 2005, 1279).69 Harder to measure, though often very keenly felt, can be the loss of social status or social esteem that accompanies an association with “illegality,” a category that carries many

69 IRCA did put in place anti-discrimination measures intended to forestall this type of outcome, but these measures do not appear to have been successful, or at least fully successful.
negative meanings and resonances in society. Consider, for instance, the following comment regarding undocumented immigrants from a businessman of Turkish descent who has been a Berlin resident since the 1960s:

I think that the German acceptance of foreigners has strongly declined because of all the “illegals”… There is no distinction made anymore. All of us foreigners get thrown into the same pot. That is really, really too bad. Now, we used to be second-class citizens, but now there are third-class citizens. It’s strange, we look down on these people too, they do the dirty work, but on the other hand, Germans see us as all the same mixture (Erzbischöflichen Ordinariat Berlin quoted in, and translated by, Castañeda 2007, 211).

The businessman’s interpretation of his environment is unambiguous: in his view, undocumented immigrants have brought a degradation of social status to immigrants in general. According to Mae Ngai’s historical analysis of undocumented immigrants in the US, American citizens of Mexican descent expressed similar concerns about the presence of Mexican undocumented immigrants in American society in the 1940s and 1950s (see Ngai 2004, 158-160). Overall, then, we can observe that several types of linkages exist between the political and social fates of ethnic groups as a whole and the political and social fates of their undocumented members.

In my view, these linkages generally encourage organizations that focus upon ethnic groups with sizeable representation in the undocumented population to engage in political advocacy for undocumented immigrants; motivated to improve the position of families, to gain in political power, and/or to address the issue of status degradation, these organizations become involved in advocacy activities. As we will see later on in this

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70 For somewhat related findings from a study focused on the contemporary era in the US, see Jiménez (2007, 605-609).
study, this argument does not appear to hold in the context of German ethnic organizations; in Germany, the distinctively weak political position of the few established ethnic organizations that exist appears to render them unable, or unwilling, to speak on behalf of undocumented immigrants. We might also note that this argument fails rather dramatically when applied to an important American ethnic organization, the League of United Latin American Citizens (LULAC), outside the time period considered in this study—a failure upon which it seems useful to dwell briefly, as doing so points us toward some potential scope conditions for this study’s argument about ethnic organizations. Although LULAC had evolved into an advocate for the undocumented by the 1970s, this organization, long “recognized by scholars as [part of] the leading front of the Mexican American civil rights struggle of the 1940s and 1950s” (Kaplowitz 2005, 4), actively pushed for the deportation of Mexican undocumented immigrants during the post-war period (Ngai 2004, 159-160). They do appear to have drawn certain distinctions between settled undocumented workers and more recent arrivals, but they advocated quite directly for the deportation of the latter (see Kaplowitz 2005, 50). At least in part, LULAC appears to have sought these deportations due to concerns that a large undocumented population from Mexico would reduce the social standing of American citizens of Mexican descent (Jiménez 2007, 603; Kaplowitz 2005, 47); in addition, the organization also appears to have been concerned about the implications of a growing undocumented Mexican population for wage levels among poor people of Mexican descent (Kaplowitz 2005, 47; Ngai 2004, 159-160). Interestingly, then, the concerns about social status that my argument presents as a catalyst for advocacy on behalf of the undocumented actually served in this instance to motivate advocacy aimed at removing undocumented
immigrants from society. In considering why LULAC changed its stance on undocumented immigrants over time, analysts have pointed in part to the influence of the Chicano movement in the 1960s (see Jiménez 2007, 603); with its emphasis on Mexican American identity, solidarity, and pride, this movement appears to have made it politically and ideologically untenable for an organization promoting Mexican American rights to press actively for the deportation of Mexican immigrants from the United States. This aspect of LULAC’s history may suggest that this study’s arguments about ethnic organizations serving immigrants do not “travel” very well to periods prior to the 1960s, with its particular emphasis on the politics of identity. Up until this point, urging deportation may have been one plausible strategy for ethnic organizations to deal with the loss of status they associated with undocumented immigrants; afterwards, the only viable path of action involved pressing for undocumented immigrants to be fully included in the polity, rather than excluded altogether. Given its focus on the period between the 1970s and 2007, this project’s research design does not enable us to test this proposition, and in any event we have relatively few ethnic organizations available for study prior to the 1960s. Nonetheless, we can at least note that the presence of a certain conception of ethnic politics may be a kind of deep background condition embedded within this study’s argument; when we attempt to apply the argument to time periods prior to the advent of “identity politics,” it may simply not work very well. In any event, though, the primary task at hand is to consider developments between the 1970s and 2007, and I do find that the argument presented above works reasonably well for ethnic organizations in the UK and US during this expanse of time—although it does fall short when applied to the politically-weak ethnic organizations of Germany, as I noted previously.
Having considered ethnic organizations, let us move on and consider the second major type of immigrant-serving organization addressed in this study: organizations focused on representing particular legal classifications of immigrants. In my view, these organizations will be much less likely to devote resources to political advocacy on behalf of the undocumented as a group, as undocumented immigrants by definition fall outside of nearly all of the categories of immigrants these organizations represent.\footnote{A few organizations in the contemporary UK do focus in particular on immigrants in legal trouble with the state (a category that can certainly include undocumented immigrants), but these organizations represent only individual immigrants or small groups of immigrants.}

Organizations representing refugees and asylees could be said to have some point of connection to the undocumented population, in the sense that refused asylum seekers constitute a significant part of the undocumented population in many countries. At most, though, this situation would likely encourage only advocacy for that particular subset of the larger undocumented population, rather than for undocumented immigrants as a group. Moreover, these institutions are organized to provide (and often receive government funding for the explicit purpose of providing) services to persons who currently fit within the “refugee” and “asylee” categories, a trait that tends to militate against any type of advocacy on behalf of immigrants without papers.

One might wonder whether the situation would be different in Australia and those other societies in which elite and popular discourse often conflate the categories of “asylum seeker” and “undocumented immigrant.” In such contexts, one might hypothesize that asylum seekers would face discrimination in the labor market, as well as a general social stigma, as a result of the presence of undocumented immigrants within the society; in such a setting, one might say that the political and social fates of the
asylum seeker and undocumented immigrant populations have become linked, and that such a situation might tend to encourage organizations representing asylum seekers to become advocates for the undocumented. However, this hypothesis does not closely consider the way that most asylum seekers live their lives. Normally, the state does not permit asylum seekers to enter the labor market; as such, these immigrants face more fundamental obstacles to participating in the labor market than societal discrimination. Moreover, being an asylum seeker carries its own social stigma in most societies, independent of any issues associated with illegality. As such, improvements in the situation of undocumented immigrants would not do much to resolve the difficulties of asylum seekers—a situation that does not seem likely to encourage organizations serving asylum applicants to take up advocacy for the undocumented.

The third and final type of immigrant-serving organization addressed in this study is the encompassing organization. As I have discussed above, this type of organization vows to represent all immigrants in a society, regardless of their ethnic identity or precise legal status. In my mind, the overarching political role adopted by these organizations seems to point straightforwardly in the direction of political advocacy for the undocumented. However, the nature of the undocumented population does make a difference here as well, at least inasmuch as these organizations, like the other organizations that I have discussed, seem likely to take on political advocacy only in circumstances in which a significant undocumented population exists; otherwise, these organizations seem likely to focus solely on casework for individuals and small groups instead.
Having discussed immigrant-serving organizations at some length, we can now turn to trade unions. The same basic logic underlies my explanation of the advocacy behavior of both of these organizational types. Like immigrant-serving organizations, trade unions seem most likely to advocate for undocumented immigrants in circumstances in which unions have, and perceive themselves to have, a political and social fate connected to the fate of these immigrants. In my view, unions can be said to have such a fate when 1) they engage in efforts to organize in the secondary labor market, and 2) a significant number of undocumented immigrants apparently work within one or more economic sectors in which they wish to organize.

To understand why I advance this claim, consider first that undocumented workers pose major challenges to unions seeking to organize in the sectors in which they work. Undocumented workers may unintentionally harm the wages and working conditions of other workers.\(^72\) They also raise unique issues for unions seeking to organize new workplaces and sectors, as employers may threaten to report undocumented people to immigration authorities if they attempt to unionize.\(^73\) Their situation thus

\(^{72}\) Economists have debated the degree to which undocumented and other immigrants actually do affect the wages of workers in the US context; some suggest that immigration has significantly depressed wage levels for some less advantaged workers in the US, while others disagree (see Borjas 2003; Friedberg and Hunt 1995). In any event, though, there does seem to be a very real possibility that undocumented and other immigrants can negatively affect the economic prospects of other workers, and the existence of this possibility in itself seems sufficient to attract unions’ attention and concern.

\(^{73}\) In his examination of efforts to unionize undocumented workers in Los Angeles in the mid-1980s, Delgado (1993) finds that such threats had relatively little impact on workers’ willingness to join unions. However, Delgado conducted his study at a time when internal immigration enforcement was relatively lax, and in which workers, if deported, could make their way back to the US fairly easily. Writing more recently, Johnston (2001) suggests that this context profoundly shaped Delgado’s findings; once immigration enforcement tightened in the US, Johnston writes, “in case after case, union organizers reported that the increased vulnerability of this [undocumented] segment of the workforce had a general demoralizing effect and undermined organizing efforts in workforces with mixed citizenship status” (51). Overall, then, organizing undocumented immigrants in the context of moderate to strict internal immigration controls presents unions with a formidable (though not impossible) task.
threatens fundamental union goals, and in so doing has the effect of weaving together the fate of unions with the fate of undocumented workers. In responding to this situation, unions could conceivably petition the state to step up immigration and/or labor enforcement efforts in areas of the economy in which they find undocumented workers, but, even if the state proves willing to accede to unions’ wishes in this respect, this strategy may alienate other workers they wish to organize; undocumented immigrants may very well have family members, friends, and coworkers of interest to union organizers.74 The difficulties with this “enforcement” strategy seem especially acute for a union employing the types of social movement “organizing” strategies discussed above. For unions that wish to build extensive ties with community organizations, to frame the struggles of workers in terms of broader concerns about social inclusion, and ultimately to recruit and mobilize large numbers of people, urging the deportation of workers and community members seems highly likely to be counterproductive, as well as ideologically inconsistent. As such, the organizing approach would seem to favor a more open strategy, in which unions try to recruit undocumented people as members, and, in so doing, to prevent them from unintentionally depressing wages and conditions for all workers. The task of political advocacy for the undocumented goes hand-in-hand with this organizing work: if unions wish to recruit and mobilize the undocumented, they must be understood as genuinely sympathetic to, and focused on, their concerns. Moreover, regularization programs may emerge as a particularly attractive policy option to unions, and one for which they are especially eager to advocate, for such programs remove the

74 One could also question the state’s capacity to police employment in a given sector as tightly as would be necessary for this strategy to have its intended effect.
biggest stumbling block to the organization of the undocumented: their legal status.

Overall, then, I think that unions will tend to become political advocates for the undocumented if they are engaging in efforts to organize in the secondary labor market, and if they find that significant numbers of undocumented immigrants apparently labor in economic sectors that they seek to target for organization.

Thus far, this section of my chapter has argued that the distinctive characteristics of undocumented populations and the distinctive political roles of established intermediary organizations combine to produce particular advocacy outcomes at the level of the individual organization (in those contexts in which a substantial undocumented population exists). However, this study ultimately focuses on variation in the behavior of immigrant-serving and labor organizations as a group in different national contexts. Thus, I must ultimately translate my initial propositions regarding individual organizations into propositions that speak to variation at the national level. These final national-level hypotheses can be expressed as follows:

**Proposition 1.** Assuming the existence of a substantial undocumented population, two varieties of immigrant-serving organizations seem likely to serve as advocates for the undocumented: 1) encompassing organizations, and 2) organizations focused on ethnic groups that appear to have a number of undocumented members. When such organizations comprise a significant proportion of the entire set of immigrant-serving organizations, then we would expect to see a significant proportion of immigrant-serving organizations investing resources in political advocacy for the undocumented. In circumstances in which fewer immigrant-serving organizations can be classified as
encompassing organizations or ethnic organizations with a significant number of undocumented constituents, then we would expect to see proportionately fewer immigrant-serving organizations engaged in advocacy.

**Proposition 2.** Assuming the existence of a substantial undocumented population, unions that 1) aim to organize in the secondary labor market, and 2) encounter a significant number of undocumented immigrants in the sectors in which they seek to organize and mobilize workers, seem likely to serve as advocates for the undocumented. In contexts in which unions meeting these two criteria comprise a significant proportion of the entire set of unions, then we would expect to see a significant proportion of unions investing resources in political advocacy for the undocumented. In circumstances in which fewer unions engage in organizing efforts in the secondary labor market, and/or in which undocumented immigrants do not work in significant numbers in sectors targeted by unions for organization, then we would expect to see proportionately fewer unions engaged in advocacy.

Propositions 1 and 2 address the subject of advocacy in the context of an apparently substantial undocumented population (i.e., a population that appears to number approximately in the hundreds of thousands or millions). As I have discussed earlier in this chapter, however, this study also considers advocacy behavior in the context of smaller undocumented populations (i.e., populations that seem to number approximately in the tens of thousands). We thus need to introduce a proposition dealing with advocacy in such contexts:
Proposition 3. In the context of a less substantial undocumented population, organizations that might otherwise engage in political advocacy for the undocumented will tend to undertake casework on behalf of undocumented individuals or small groups of undocumented individuals, rather than channeling resources toward advocacy for undocumented immigrants as a group. Thus, overall levels of political advocacy will be very low.

In the remaining parts of this study, I consider what the experiences of immigrant-serving and labor organizations in Germany, the United Kingdom, and the United States between the 1970s and today can tell us about these propositions. If my argument holds, we would expect to find a good deal of processual evidence that supports them. We would also expect to find advocacy outcomes that are generally congruent with what the argument would suggest. Ultimately, this study does indeed find considerable support for the explanation that I advance. The “fit” between actual outcomes and hypothesized outcomes is hardly perfect—and, as I suggested earlier, my general argument regarding ethnic organizations does not mesh very well with the German experience during the 1989-2004 and 2004-2007 periods. Nonetheless, the propositions that I introduce above do offer us useful insights into the phenomenon of advocacy for the undocumented, as we will see in the chapters to come.
Overview of Remainder of Study

This chapter and the two chapters that precede it constitute the first, introductory portion of this study. The remainder of the study is divided into two additional parts. Part II focuses on the first of my study’s two explanatory variables: the apparent nature of undocumented populations. Chapter 4 functions as an introduction to Part II; in it, I principally discuss the data that I used in my efforts to discern the apparent nature of the undocumented population in various contexts. In Chapters 5 and 6, I discuss the apparent nature of the undocumented populations present in Germany and the United Kingdom (respectively) between the 1970s and 2007. Appendix 2, which fits thematically within Part II despite its distance in the text from Chapters 4-6, examines the development of the US undocumented population during the same stretch of time. (Given the status of the US as a shadow case in this analysis, I present all of my evidence related to it in appendices rather than in the main body of this study.)

In the final section of the study, Part III, I present data related to my second explanatory variable: the overarching political roles of immigrant-serving and labor organizations. I also present data related to the variation on my dependent variable. In so doing, of course, my ultimate aim is to consider how well the overarching political roles of organizations, when coupled with the apparent characteristics of undocumented populations, can explain differences in levels of organizational advocacy for the undocumented. Chapter 7 addresses some initial issues related to the data used in Part III, while Chapter 8 focuses on Germany, Chapter 9 addresses the United Kingdom, and Appendix 3 deals with the United States. I summarize the project’s findings and
contributions to the literature in Chapter 10, and provide additional information related to
the US case in Appendices 1 and 4.
Part II: The Immigrants

Chapter 4

The Apparent Evolution of the Undocumented Populations of Germany, the United Kingdom, and the United States, 1970s-Present: An Introduction

In this part of my study, I describe the apparent nature of the undocumented populations of Germany, the United Kingdom, and the United States during the stretch of time between the 1970s and today. In speaking of the “apparent nature” of an undocumented population in a given context, I mean simply the nature of the undocumented population as it would have appeared to established intermediary organizations in that context, as I discussed in Chapter 3. In my view, these organizations base their understandings of undocumented populations on bodies of information generated by academic, civil society, and government experts. These organizations also monitor major political developments, and they thus change their understandings of the undocumented population after large regularization programs occur, as well as after other events that would inevitably reconfigure the characteristics of the undocumented population.

In considering the apparent nature of various undocumented populations, I focus in particular on the apparent size, national composition, and labor market position of these populations. As I suggested in Chapter 3, the apparent size of the undocumented population will shape advocacy outcomes in a given context because a larger undocumented population functions as a prerequisite for political advocacy on behalf of the undocumented. At the same time, the national composition and labor market position of the undocumented population will influence advocacy outcomes because these factors
help to determine whether or not immigrant-serving organizations and trade unions (respectively) become involved in advocacy.

I consider the apparent nature of the undocumented population in Germany in Chapter 5, while I examine the apparent nature of the UK undocumented population in Chapter 6 and the US undocumented population in Appendix 2. In all three discussions, I particularly emphasize historical points at which the apparent size, national composition, and/or labor market position of the undocumented population changed significantly in the particular country under consideration. I also explicitly identify points at which the ethnic composition of the undocumented population appears to have shifted in a way that the data on national composition cannot capture. In keeping with the periodization strategy that I have adopted, such points of change mark the beginnings of new periods in the study’s comparative-historical analysis.

In this brief introductory chapter, I discuss several general issues related to the analyses contained in Chapter 5, Chapter 6, and Appendix 2. I begin by discussing the data sources that I used in preparing these analyses, and then explain why these sources cannot be regarded as fully satisfactory guides to the nature of the undocumented population. I then address two issues related to the ways in which intermediary organizations “process” information that they receive about the undocumented population. The chapter concludes with a short overview of my findings from this part of the study.

Sources Used in Part II

Analysts have drawn on a range of sources in their efforts to understand the nature of undocumented immigrant populations (see, e.g., Cyrus 2008; Vollmer 2008). Based
on my readings of their work, I have come to identify four main clusters of source materials relevant to this part of my study. Sources drawn from these clusters all provide expert information relevant to the size, national composition, and/or labor market position of the undocumented population in a given country—although, as I will emphasize below, they cannot paint a fully satisfactory portrait of an undocumented population. The first cluster consists of studies that examine an (often relatively small) group of individuals from within a country’s undocumented population. Produced by academics and civil society organizations, such studies typically deploy ethnographic and/or survey methods to gain insight into the lives of their subjects. Inevitably, these studies focus upon a group of subjects that researchers did not randomly select for participation; typically, a researcher conducting this type of study locates participants by working with a health clinic, religious institution, or other organization with established links to undocumented people. In the second cluster of sources, we find government statistical data dealing with actual or would-be undocumented immigrants who have become known to the state in some way. For instance, a state might record the number and national background of all undocumented immigrants that it charges with a crime of some kind in a given year. In some circumstances, these statistics do not deal just with undocumented immigrants alone, but rather have to do with a larger population of which undocumented immigrants comprise a part. Consider deportation statistics, for example; one need not be an undocumented immigrant to be deported from a country, but undocumented immigrants will likely comprise a major share of a given country’s deportees. As for the third cluster of sources, it consists of certain government statistics regarding stocks and flows of “documented” immigrants. Numbers regarding asylum
seekers prove particularly relevant here. As I have already stressed, asylum seekers should not be confused with undocumented immigrants; at the same time, though, researchers have found evidence that unsuccessful asylum seekers sometimes continue to reside in an undocumented status in the countries in which they originally applied for asylum. Thus, we can consider statistics about asylum-related immigration in our efforts to understand the development of undocumented populations. As for the fourth and final cluster of source materials, it consists of estimates of an undocumented population’s size, national composition, and/or representation within particular occupational groups. Such estimates have been prepared by academics, civil society actors, and government agencies alike.

In the next section of this chapter, I will discuss some of the limitations associated with each of these four types of materials. First, however, I think it necessary to clarify one aspect of how I am using these materials in this part of my study. In attempting to discern the apparent nature of the undocumented population in a given context, I draw heavily on data and analyses generated by academics, civil society organizations, and government institutions—which are, of course, types of sources that I suggest that intermediary organizations themselves consult. Importantly, though, I do not mean to imply that the organizations discussed in this study would necessarily have been familiar with every source that I reference regarding a given context. (Similarly, I doubt that I make reference to every study with which these organizations would have been familiar, although I believe I have identified and referenced the most critical studies regarding

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75 One must keep in mind that states usually detain some, but not all, of the asylum applicants on their territory, a situation that provides some asylum seekers with the opportunity to try to “go underground.” For a discussion of recent detention practices in the three countries upon which I focus in this study (among other countries), see Welch and Shuster (2005).
each of the countries that I examine.) Rather, I use source materials in this part of my study to discern the information about undocumented immigrants that would have likely been in circulation in Germany, the UK, and the US during different time periods. Put slightly differently, I am using my sources to piece together an understanding of the overall informational environment in which the organizations in a particular context would have been operating. Officials from an organization might have learned a given piece of information from a report that I cite, from an earlier draft of that report, from some other document, from a talk at a conference, or from some other source altogether; I am not concerned here with the precise means by which the piece of information was transmitted, only with the information itself.

One implication of this approach is that I am not especially concerned with the precise publication date of many of the sources with which I work in this part of my study. Most of the information in this part of my study comes from sources written during or soon after the expanses of time they analyze, but I occasionally do draw upon certain types of retrospective analyses of earlier periods. For an illustration of my approach to such analyses, consider a (hypothetical) source published in 2000 that discusses undocumented immigrants in the United States during the 1980s. If this source contains previously-unknown data, a novel analysis of any data, or a distinctive interpretation of history, then I would not draw upon it in a discussion of advocacy in the 1980s. If, however, the source presents fairly general information that we can reasonably expect to have been in circulation in the 1980s, then I would draw information from that source in discussing advocacy behavior in the 1980s, even though the source itself would not have been available to organizations until 2000. Using this approach, I hope to
capture a good deal of the evidence that would have been present in the informational environments of the organizations studied here.

**Shortcomings of Sources**

As I have already noted, the four clusters of sources that I draw upon in this part of the dissertation do not serve as fully satisfactory guides to the nature of an undocumented population. In particular, each of these four clusters of sources can only offer limited insights into the nature of undocumented populations as a whole. This point is worth discussing in some detail, as doing so helps to explicate a core premise of this project: intermediary organizations (and everyone else) can only know what appears to be potentially the case about undocumented populations, as opposed to what is definitely the case about these populations.

Consider the first three clusters of sources. I consider these clusters of sources to provide limited insights because they do offer intriguing information about certain individuals within undocumented populations (and/or related populations), but they cannot be used to construct fully satisfactory estimates regarding the size or other characteristics of an entire undocumented population. With regard to estimating the size of the population, one simply could not base a viable estimate of the undocumented population’s size on the number of undocumented individuals observed in the studies from the first cluster; after all, ethnographers, survey researchers, and like analysts largely determine the number of persons participating in their studies themselves. The government statistics of the second and third clusters cannot easily be used to estimate

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76 Many of the problems that I consider in this section are also identified in Cyrus (2008), which I have drawn on in writing this discussion.
the number of undocumented immigrants in a society, either. One could hypothesize that a certain ratio exists between the number of undocumented immigrants recorded in certain state statistics and the total number of undocumented immigrants in a state, and indeed estimates from the fourth and final cluster of sources may be based on such hypotheses. Formulating a workable hypothesis proves quite difficult, however, particularly because the ratio of undocumented immigrants recorded in government statistics to undocumented immigrants in general would presumably fluctuate over time—a point nicely illustrated by government statistics on undocumented immigrants apprehended within a country’s interior. Upon reflection, it becomes quite clear that the number of persons detected by government officials (and thus recorded in these statistics) will be determined not simply by the total number of undocumented immigrants, but also by the number of immigration officers deployed within a country at a given point in time, as well as the particular tactics and countertactics that officers and migrants adopt at that time. Yet another problem with using statistics from the second and third clusters to estimate the undocumented population’s size is that these statistics often—and in the case of statistics from the third cluster, always—pertain to groups that contain both undocumented immigrants and other persons. As such, constructing satisfactory estimates on the basis of these statistics proves very difficult, if not impossible.

As we turn to the task of estimating the distribution of national backgrounds and occupations within undocumented populations, we encounter similar problems. In particular, the first three clusters of sources all prove less than fully helpful because the groups they highlight cannot be assumed to constitute representative samples of an entire undocumented population. Consider again government data dealing with undocumented
immigrants discovered by authorities within a country’s interior. Even if a state records
the national background of all of the persons it apprehends, we cannot use this evidence
to draw rigorous conclusions about the distribution of national backgrounds within the
undocumented population as a whole, as we cannot assume that the distribution of
national backgrounds in the population of apprehended undocumented immigrants equals
the distribution of national backgrounds in the entire undocumented population. We
cannot make this assumption because, for instance, state bureaucracies may tend to target
immigrants from certain national backgrounds for investigation more often than
immigrants from other national backgrounds. Overall, then, sources from the first three
clusters cannot be drawn upon to build fully reliable estimates related to the
undocumented population, although they do offer some limited insights into this
population.

The sources from the fourth cluster present us with difficulties, as well. Unlike
sources from the first three clusters, these sources ambitiously attempt to provide
information about entire undocumented populations; at the same time, though, the
estimates they offer cannot be fully counted upon to offer good estimates of these
populations. Importantly, they do vary in terms of their degree of unreliability. Analysts
have written a great deal about appropriate strategies for estimating the size and
characteristics of the undocumented population in the US (e.g., Bean et al., 2001;
Government Accountability Office 2006; Passel 2007), and the demographer Jeffrey
Passel and other analysts have been producing sophisticated estimates based on these
strategies for some time (e.g., Bean et al., 2001; Passel 2005; Passel 2007; Passel and
Cohn 2009). On the other hand, fewer estimates pertaining to undocumented immigrants
in Germany, the UK, and the other European countries have been developed, and, as Franck Düvell suggests, some of the estimates that do exist have been hamstrung by a lack of transparency regarding methods or the use of unsuitable methods (2006c, 35). With regard to Germany and the UK in particular, a major recent research project on undocumented immigrants in Europe, the Clandestino project, has recently released fairly critical assessments of the quality of the estimates available for both countries. The project’s analysts judge the quality of most of these estimates to be low, and do not evaluate the quality of any of the estimates as high (Hamburg Institute of International Economics 2009a, 2009b). They do identify one estimate regarding Germany’s population (Vogel 2009), and two estimates dealing with the UK’s population (Woodbridge 2005; Gordon et al. 2009), as being of medium quality (Hamburg Institute of International Economics 2009a, 2009b). Overall, then, the estimates most relevant to this project vary quite a bit in terms of their level of sophistication.

Ultimately, though, even the more sophisticated estimates have to be regarded as somewhat unreliable, as estimating the undocumented population proves to be a very difficult task regardless of the method one adopts. I cannot review here the difficulties associated with all of the estimation methods that have been developed, but the challenges associated with the so-called “residual method” can offer an illustration of the types of difficulties that researchers face. Used heavily in studies of the American undocumented population and recently applied to the study of the UK undocumented population (see Passel 2007; Woodbridge 2005), this approach entails estimating the total number of foreign-born individuals in a country, and then subtracting this estimate from an estimate of the total number of foreign-born individuals living as citizens or
authorized residents in that country. What remains is an estimate of the undocumented population’s size. As one might expect, the difficulty here is that researchers cannot easily estimate either the total number of foreign-born individuals or the number of authorized foreign-born individuals in a given country. In studies of the United States, researchers typically draw upon census and survey data collected by the US Census Bureau to determine the total number of foreign-born individuals. As for determining the number of authorized foreign-born individuals present in the US, researchers can obtain fairly precise numbers regarding the inward migration of authorized immigrants, but must rely upon uncertain estimates for other relevant figures (e.g., the number of authorized foreign-born residents who permanently leave the US in a given period of time). As a result of these complications, we cannot view estimates calculated using the residual method as fully reliable—and similar problems bedevil other approaches to estimating the undocumented population.

In sum, we can safely conclude that sources from the four clusters that I have identified offer only limited and/or unreliable information about undocumented populations. Officials in intermediary organizations undoubtedly know that they cannot draw firm conclusions about the undocumented population as a whole on the basis of such information. When coupled with knowledge of major political developments, this body of information nonetheless offers intermediary organizations and other political

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77 With regard to survey data, they often use the American Community Survey or the Current Population Survey in particular.
actors the best possible guide to the undocumented population that they can obtain. It is my view that these actors prefer to consult a map, however limited and potentially deceptive it may be, than to navigate in politics without any information at all. As such, this study must consider what established intermediary organizations can discern about undocumented immigrants from the body of information available to them. At the same time, though, we must keep in mind the profound shortcomings of this body of information.

How Organizations “Process” Information about the Undocumented Population

In considering this study’s argument, one might ask two questions having to do with how organizations “process” the data they receive about the undocumented population from the informational environment that surrounds them. The first question would be whether organizations prioritize certain types of information over others. I see no clear theoretical reason to think that one type of information per se would be generally preferred over another in all organizations, although individual officials from different organizations may focus on different sorts of information for idiosyncratic reasons. For this reason (among others), I aim to be as thorough as possible in documenting the information about the undocumented population that would have been circulating in a given context. However, I do not present government statistics originating in the second and third cluster of sources when discussing the United States. Sophisticated estimates of the size, national composition, and labor market position of the US undocumented population have been available to organizations for several decades, and these estimates appear to have largely preempted any role in the public debate that might have been
played by raw government data on “known” undocumented immigrants and certain flows of authorized immigrants. Certainly, none of my interviewees in the United States referenced such statistics. As such, I do not consider statistics related to the second and third clusters in my discussion of the United States.

The second question asks how organizations handle pieces of conflicting information about the undocumented population. This question is a difficult one to answer, but it has relatively little relevance to this study; the issue of conflicting information does not come up very often in practice here, perhaps because organizations have relatively little information to work with in the first place. We do find fundamentally different ideas among political actors about the size of the undocumented population of the UK in the 1970s; in this case, I think the organizations examined in this study would have clearly adopted one view over another, and I explain my reasoning for coming to this conclusion in Chapter 6. In addition, we find that deportation statistics for the UK between 1989-2004 do not necessarily point toward the same conclusions that other data sources regarding the period do, but I argue in Chapter 6 that political actors would have generally accepted the conclusion supported by the bulk of the evidence during this period. Finally, we see some differences in expert estimates of the undocumented population’s size in the US during certain periods. The differences between these estimates are generally not large, and we have no reason to think that an organization’s advocacy behavior would depend on whether it embraced one or another estimate. As such, I simply make note of the existence of multiple estimates when relevant, without suggesting that a particular estimate would have been preferred over another.
Overview of Findings, Part II

Chapter 5, Chapter 6, and Appendix 2 examine the apparent nature of the undocumented populations in Germany, the UK, and the US (respectively) between the 1970s and the present. I consider the historical development of these countries’ undocumented populations at some length in these discussions, but I also provide a table that briefly summarizes the essential points regarding each country’s undocumented population at the end of the discussion of that country. Throughout this part of my study, we will observe certain striking similarities and differences in the apparent nature of the undocumented population across the three countries, as well as within these countries across time. Here, I aim only to offer a brief summary of Part II’s key findings.

With regard to Germany and the UK, the story of the undocumented populations of these two countries proves to be broadly similar in some respects, as we will see. Between 1973 and 1989, both Germany and the UK appear to have had an undocumented population numbering in the tens of thousands, a size that can be regarded as relatively small for the purposes of this project. Each country also appears to have had a mix of national backgrounds represented in its undocumented population; in the relevant chapters, I discuss the specific national groups that appear to have been present in the undocumented populations of these two countries. My discussion of the UK also notes that some on the British left would have perceived many undocumented immigrants in the UK to be ethnically “black,” regardless of these immigrants’ particular countries of origin. With regard to the labor market position of undocumented immigrants during this time, undocumented immigrants appear to have been active in the hospitality sectors of both countries during this period. In the German context, undocumented immigrants also
appear to have worked at the margins of the agricultural and construction sectors, while undocumented immigrants in the UK appear to have eventually come to work not only in the hospitality sector, but also in private households and for contract cleaning and garment production firms.

As I will discuss in greater detail in subsequent chapters, the collapse of communism in Eastern Europe and the violent demise of the Socialist Federal Republic of Yugoslavia significantly changed patterns of migration into Western Europe. As such, I treat 1989 as the start of a new period in the history of the German and UK undocumented populations; this new period ran until 2004. This period is characterized, first of all, by what appear to have been major expansions in the size of the undocumented populations present in these two countries. The German undocumented population apparently came to number roughly in the hundreds of thousands, if not more than one million; the UK population appears to have grown into the hundreds of thousands as well. In addition, the national composition of these undocumented populations appears to have become even more diverse, with certain East European and other national groups becoming noticeable within them for the first time. We can also note that the undocumented population would have been linked to the Roma ethnic group in Germany, and to the Afro-British and South Asian ethnic groups in the UK. As for the labor market position of the German and UK undocumented populations during this period, undocumented immigrants appear to have worked in jobs related to agriculture, commercial and contract cleaning, construction, hospitality, and private households in both Germany and the UK. One also finds references to undocumented immigrants
working as sex workers in the German context, and to undocumented immigrants working for garment production, mini-cab, and courier firms in the UK.

The third and final period that I examine in discussing Germany and the UK runs between 2004 and 2007. This third period begins with the major expansion of the European Union that occurred in May 2004. The undocumented populations of Germany and the UK changed significantly as a result of this expansion, and experienced further change after the subsequent accessions of Bulgaria and Romania to the EU in January 2007. For reasons that I explain fully in Chapter 5, these expansions of the EU effectively removed all accession country nationals from the German and UK undocumented populations, a development that appears to have had important implications for the size of these populations; during the 2004-2007 period, the size of the undocumented population appears to have decreased in the German context and to have either decreased or stayed relatively stable in the UK, although the overall size of the undocumented population in both countries does appear to have been in the hundreds of thousands. The EU expansions of 2004 and 2007 also served to change the national composition of the German and UK undocumented populations, as one might expect. And finally, we detect no major change in the apparent labor market position of undocumented immigrants in either country during this period, although one source does suggest that the increased presence of accession country nationals in the UK’s labor market served to reduce the role that undocumented immigrants and other unauthorized workers played in certain economic sectors (Wills et al. 2008, 28, 30-32), as I will discuss in Chapter 6.
When we turn from this study’s two European country cases to the United States, we observe that the developmental trajectory of the US undocumented population looks rather different in some respects. As Appendix 2 makes clear, the US seems to have developed a significant undocumented population much earlier than Germany and the UK did. In addition, different events appear to have shaped the evolution of the American undocumented population. The first period in this population’s development that I consider in this study runs from 1970 to 1986. During this time, the undocumented population appears to have numbered in the millions; according to most estimates, the US had 3 million or more undocumented immigrants during these years. With regard to the national and ethnic composition of this undocumented population, most immigrants appear to have come from Mexico. Immigrants from elsewhere in Latin America appear to have constituted a major segment within the undocumented population, too; as such, we can say that a strong majority of undocumented immigrants would have been conceived of as ethnically “Latino” during this period. People understood to be ethnically “Asian” also seem to have been represented to a notable degree within the undocumented population between 1970 and 1986, as well. The members of this largely Latino and Asian undocumented population appear to have worked in a wide range of jobs in the secondary labor market, despite popular stereotypes linking undocumented immigrants with agricultural work in particular.

The passage of the Immigration Reform and Control Act (IRCA) in 1986 marks the beginning of a new time period in my analysis of the United States. A major “break point” in the history of the US undocumented population, IRCA sought to reduce the size of the undocumented population living in the US through a number of measures; in
particular, it increased spending on immigration enforcement and imposed sanctions on employers found to have hired undocumented immigrants, while also providing undocumented immigrants meeting certain criteria with the opportunity to regularize their residence status. As a result of its provisions for regularization, approximately 2.7 million undocumented immigrants became authorized residents of the US (see Baker 2009, 1; Orrenius and Zavodny 2003, 439). When combined with the other elements of IRCA, this regularization initiative could have conceivably served to shrink the undocumented population considerably; thus, for a time, intermediary organizations and other political actors would have been rather uncertain regarding the size (and other characteristics) of the post-IRCA undocumented population.

Their uncertainty would have lessened considerably by approximately 1990, as research into IRCA’s effects began to emerge around this point. For this reason, 1990 marks the end of the second period and the beginning of the third period considered in this study’s examination of the US. The research that emerged around this time suggested that the undocumented population still numbered in the millions (see Warren and Passel 1990; Woodrow 1991). In addition, subsequent estimates from the period also indicated that the size of the undocumented population grew a great deal between 1990 and the present (defined for our purposes here as 2007). Indeed, one estimate released in 2007 suggested that the undocumented population included approximately 11.5 million people in 2006 (Passel 2007). At the same time, analyses from throughout the 1990-2007 period indicated that this population’s national and ethnic composition and labor market position did not significantly change in the years after IRCA’s passage (see, e.g., Office
of Policy and Planning, Immigration and Naturalization Service 1997; Passel 2005a; Passel 2005b; Passel 2006; and Passel 2007).

In this overview of my findings from Part II, I have offered a very brief summary of a large amount of material related to the characteristics of the undocumented populations in Germany, the UK, and the US. The analyses in Chapter 5, Chapter 6, and Appendix 2 will review the available evidence much more closely. Part III of this study will then go on to connect the characteristics of the German, UK, and US undocumented populations to the advocacy outcomes that I seek to explain.
Chapter 5
The Apparent Evolution of the Undocumented Population in Germany, 1973-Present

The scholarly literature suggests that most North European countries first developed significant undocumented populations in the 1970s; in Chapter 2, I sketched the process by which analysts think these populations came into being. The (West) German experience does not seem to have deviated substantially from the North European norm. As has been extensively documented and analyzed elsewhere, Germany instituted numerous “guestworker” (Gastarbeiter) programs during its post-World War II boom years. These programs recruited immigrants from various Mediterranean countries to work in “unpopular and low-skill jobs” in the German economy (Herbert 1990, 220), most notably in the manufacturing sector (Martin 2004, 227). Although Greeks and Italians comprised much of Germany’s guestworker population during the early years of these programs, Turkish people came to be the single most populous group of guestworkers by the late 1960s (Green 2004, 32-33); in 1973, the year that the guestworker programs ended, Turks constituted 23 percent of all the

78 Throughout this study, I treat West Germany as the precursor state to today’s unified Germany. I thus use the terms “West Germany” and “Germany” interchangeably in discussing the period prior to the unification of East Germany and West Germany. I do attend to the fact, however, that East Germany experienced some inward labor migration of its own (principally from Vietnam), and that these migratory flows appear to have had implications for the post-unification undocumented population of Germany.
79 Reading about the types of labor performed by these guestworkers makes for an interesting contrast with the picture of the German economy painted by the “varieties of capitalism” literature. This literature has emphasized that Germany and other “coordinated” or “social” market economies particularly excel at the manufacturing of high-quality goods produced by skilled workers encouraged to be innovative in their work (see, e.g., Soskice 1999). The nature of the work being undertaken by guestworkers highlights another side of the German economy, however; as Ulrich Herbert writes, “foreigners during this period [i.e., the “guestworker” period] were employed principally as semiskilled or unskilled workers in industry, especially in branches where heavy or dirty work, piecework, shift work, and serial production methods requiring low worker-qualification levels (assembly line) were extremely common” (1990, 216). In both Switzerland and Germany, some worried that the use of such workers—who constituted, in relative terms, cheap labor for firms—impeded innovation and allowed less productive firms to stay in business; this concern, of course, will sound quite familiar to analysts of liberal market economies. (For a related discussion of the role of “cheap labor” in both coordinated and liberal political economies, see King and Rueda 2008.)
immigrant workers in Germany, while Yugoslavs comprised 21 percent, Italians 17 percent, Greeks 10 percent, Spaniards 7 percent, and Portuguese 3 percent (Rist 1978, 84).\footnote{Workers from numerous other states collectively constituted the remaining 19 percent of the guestworker population (Rist 1978, 84). For the purposes of this analysis, however, I use the term “guestworker’ countries” only to refer to the six countries that I have named here individually (i.e., Greece, Italy, Portugal, Spain, Turkey, and Yugoslavia), as citizens of these countries appear to have been the principal groups represented within the guestworker population.} In all, an estimated 14 million people from these and other national groups labored as guestworkers in Germany for some stretch of time between 1955-1973 (Green 2004, 33). Of these 14 million workers, roughly 2.6 million were still present in Germany at the time the state ended its recruitment programs (Martin 2004, 227; Rist 1978, 84). In establishing these guestworker programs, German officials had not intended for the immigrant workers that these programs recruited to become permanent settlers or citizens; instead, they had assumed that the guestworkers would eventually return to their home countries. Nonetheless, these workers did have various opportunities to settle in Germany, and some of them did opt to become long-term residents and to bring family members to the country, as well (Martin 2004, 225-9).

These settled immigrant workers and their family members held, and continue to hold, a perfectly legal residence status, but the programs that brought them to Germany play a role in historical accounts of the country’s undocumented population, for these programs appear to have established certain migratory patterns that did not disappear after Germany formally ended its guestworker programs in 1973. Instead, migration from Turkey, Yugoslavia, and other countries from which immigrant workers had been recruited continued. It is with the development of these post-guestworker migration flows that the story of the undocumented population in contemporary Germany appears
to begin in earnest. As such, 1973 marks the starting point of the first time period in German history that I consider in this study.

**Undocumented Immigrants in Germany, 1973-1989**

As I have just suggested, immigrants from Turkey, Yugoslavia, and other former guestworker countries continued to arrive in Germany in the years after the official conclusion of Germany’s labor immigration programs. Italian citizens had gained the right to seek work in Germany in 1968 as a result of the European Economic Community’s provisions for freedom of movement, and thus the Italians who immigrated to Germany after the end of the guestworker era did so with the state’s permission.

Similarly, immigrants from other former guestworker countries usually immigrated with state authorization as well, as they often came to Germany through “family reunification” programs (see Martin 2004, 230). At the same time, however, a noticeable subset of these immigrants from other guestworker countries appear to have been undocumented (see Karkayali 2008, 166; Martin 2004, 243; Rist 1979, 401, 404; Vogel and Cyrus 2001, 32). Presumably, most of the Greeks, Turks, and Yugoslavs among this group of undocumented immigrants would have flown to Germany and then entered as short-term visitors with either correct or falsified papers, given the difficulties associated with crossing land borders in Eastern Europe during the communist era.

Relatively little is known about the specific characteristics of this early undocumented population. We have no expert estimates of its size, although we can note one estimate regarding so-called “illegal workers” from 1974, which suggests that roughly 230,000 non-citizens worked without the correct employment permits in
Germany at that time (Vogel and Cyrus 2001, 32). Importantly, though, a strong majority of these individuals seem to have held valid residence permits (see Rist 1979, 404). As such, the population of actual undocumented residents would have appeared to be quite small; one could reasonably posit on the basis of this information on “illegal workers” that the undocumented population numbered in the low tens of thousands. With regard to national origin, many undocumented immigrants appear to have come from former guestworker countries, as I have suggested. Unlike many of their compatriots who entered through guestworker programs, though, most of these individuals do not seem to have worked at manufacturing plants; Serhat Karakayali has identified accounts from the 1970s of undocumented immigrants working at the margins of the agricultural, construction, and hospitality sectors instead (2008, 166). As noted previously, Germany has been classified as a “coordinated” or “social” market economy within the political economy literature (see Hall and Soskice 2001; Pontusson 2005); in part, it has been grouped into these categories because of its fairly high levels of labor market regulation. Despite the German state’s willingness and capacity to regulate the labor market, however, individuals without residence papers do seem to have been able to obtain work in parts of these three sectors. Overall, then, Germany’s established intermediary organizations during the 1970s would have operated alongside an undocumented population that appeared to be relatively small and to come largely from Turkey, Yugoslavia, and other former “guestworker” countries. This group of undocumented people would have also appeared to be working principally at the margins of the agricultural, construction, and hospitality sectors.
As time went on during this period, Germany’s initial undocumented population appears to have undergone certain gradual and relatively minor shifts in its size and national composition. (No available evidence points to significant changes in its labor market position during this period, however.) These shifts can be connected to the significant increase in new asylum applications that Germany experienced between 1978-1980, as well as a second such increase that occurred in the mid-to-late 1980s. As Table 5.1 suggests, Germany had relatively few asylum applications per year up until the late 1970s, but the number of new applications grew considerably as the 1970s came to an end.\(^81\) This increase can be attributed largely, though certainly not entirely, to a rise in new applications from citizens of Turkey.\(^82\) Tables 5.2-5.6, which indicate the national groups that filed the most asylum applications in Germany during each five-year period between 1965-1989, highlight this significant increase in asylum applications from Turkish citizens, while also suggesting that the citizens of India, Iran, Pakistan, Sri Lanka, and Yugoslavia filed numerous applications for asylum during the decade of the 1980s as well. As this study has already emphasized, asylum seekers should not be confused with...
## Table 5.1: Number of Asylum Applications Submitted in Federal Republic of Germany, 1965-1989.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Applications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1965</td>
<td>4,337</td>
</tr>
<tr>
<td>1966</td>
<td>4,370</td>
</tr>
<tr>
<td>1967</td>
<td>2,992</td>
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<tr>
<td>1968</td>
<td>5,606</td>
</tr>
<tr>
<td>1969</td>
<td>11,664</td>
</tr>
<tr>
<td>1970</td>
<td>8,645</td>
</tr>
<tr>
<td>1971</td>
<td>5,388</td>
</tr>
<tr>
<td>1972</td>
<td>5,289</td>
</tr>
<tr>
<td>1973</td>
<td>5,595</td>
</tr>
<tr>
<td>1974</td>
<td>9,424</td>
</tr>
<tr>
<td>1975</td>
<td>9,627</td>
</tr>
<tr>
<td>1976</td>
<td>11,123</td>
</tr>
<tr>
<td>1977</td>
<td>16,410</td>
</tr>
<tr>
<td>1978</td>
<td>33,136</td>
</tr>
<tr>
<td>1979</td>
<td>51,493</td>
</tr>
<tr>
<td>1980</td>
<td>107,818</td>
</tr>
<tr>
<td>1981</td>
<td>49,391</td>
</tr>
<tr>
<td>1982</td>
<td>37,423</td>
</tr>
<tr>
<td>1983</td>
<td>19,737</td>
</tr>
<tr>
<td>1984</td>
<td>35,278</td>
</tr>
<tr>
<td>1985</td>
<td>73,832</td>
</tr>
<tr>
<td>1986</td>
<td>99,649</td>
</tr>
<tr>
<td>1987</td>
<td>57,379</td>
</tr>
<tr>
<td>1988</td>
<td>103,076</td>
</tr>
<tr>
<td>1989</td>
<td>121,318</td>
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</table>

Table 5.2: Asylum Applications Submitted in Federal Republic of Germany, 1965-1969: Top Five Countries of Origin.\(^{83}\)

<table>
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<tr>
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</thead>
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<td>Czechoslovakia</td>
<td>-</td>
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<td>-</td>
<td>3,337</td>
<td>8,955</td>
<td>12,292</td>
</tr>
<tr>
<td>Yugoslavia</td>
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<td>-</td>
<td>-</td>
<td>829</td>
<td>679</td>
<td>1,508</td>
</tr>
<tr>
<td>Hungary</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>395</td>
<td>496</td>
<td>891</td>
</tr>
<tr>
<td>Greece</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>208</td>
<td>265</td>
<td>473</td>
</tr>
<tr>
<td>Romania</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>103</td>
<td>231</td>
<td>424</td>
</tr>
</tbody>
</table>


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</tr>
</thead>
<tbody>
<tr>
<td>Czechoslovakia</td>
<td>5,272</td>
<td>1,793</td>
<td>899</td>
<td>-</td>
<td>-</td>
<td>7,964</td>
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<td>306</td>
<td>525</td>
<td>503</td>
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<td>2,673</td>
</tr>
<tr>
<td>Hungary</td>
<td>786</td>
<td>605</td>
<td>888</td>
<td>-</td>
<td>-</td>
<td>2,279</td>
</tr>
<tr>
<td>Yugoslavia</td>
<td>570</td>
<td>380</td>
<td>401</td>
<td>-</td>
<td>-</td>
<td>1,351</td>
</tr>
<tr>
<td>Jordan</td>
<td>133</td>
<td>601</td>
<td>525</td>
<td>-</td>
<td>-</td>
<td>1,259</td>
</tr>
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</table>


Table 5.4: Asylum Applications Submitted in Federal Republic of Germany, 1975-1979: Top Five Countries of Origin.

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Turkey</td>
<td>-</td>
<td>809</td>
<td>1,168</td>
<td>7,419</td>
<td>18,044</td>
<td>27,440</td>
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<tr>
<td>Pakistan</td>
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<td>4,893</td>
<td>5,245</td>
<td>4,671</td>
<td>16,842</td>
</tr>
<tr>
<td>Stateless</td>
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<td>1,026</td>
<td>1,806</td>
<td>2,919</td>
<td>3,157</td>
<td>9,626</td>
</tr>
<tr>
<td>India</td>
<td>-</td>
<td>627</td>
<td>724</td>
<td>4,174</td>
<td>3,812</td>
<td>9,337</td>
</tr>
<tr>
<td>Lebanon</td>
<td>-</td>
<td>1,272</td>
<td>1,289</td>
<td>3,146</td>
<td>2,772</td>
<td>8,479</td>
</tr>
</tbody>
</table>


\(^{83}\) In keeping with the practices of the United Nations High Commissioner for Refugees—the source of the data displayed in this table and a number of other tables throughout Part II of this study—I have inserted a dash in cells for which we have no available or applicable data to report, or in which the numeric value of the cell is zero or rounds to zero (see United Nations High Commissioner for Refugees 2001, x). I follow this practice in all tables presented in Chapters 5-7.

<table>
<thead>
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</thead>
<tbody>
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<td>Turkey</td>
<td>57,913</td>
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<td>3,654</td>
<td>1,548</td>
<td>4,180</td>
<td>73,597</td>
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<td>6,627</td>
<td>1,949</td>
<td>4,240</td>
<td>24,807</td>
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<td>Sri Lanka</td>
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<td>2,750</td>
<td>1,406</td>
<td>2,645</td>
<td>8,063</td>
<td>17,537</td>
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<td>3,101</td>
<td>763</td>
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<td>17,463</td>
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<tr>
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<td>3,220</td>
<td>2,817</td>
<td>1,548</td>
<td>1,083</td>
<td>15,361</td>
</tr>
</tbody>
</table>


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</tr>
</thead>
<tbody>
<tr>
<td>Poland</td>
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<td>10,981</td>
<td>15,194</td>
<td>29,023</td>
<td>26,092</td>
<td>87,962</td>
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<tr>
<td>Turkey</td>
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<td>8,693</td>
<td>11,426</td>
<td>14,873</td>
<td>20,020</td>
<td>62,540</td>
</tr>
<tr>
<td>Iran</td>
<td>8,840</td>
<td>21,700</td>
<td>6,538</td>
<td>7,867</td>
<td>5,768</td>
<td>50,713</td>
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<td>4,713</td>
<td>20,812</td>
<td>19,423</td>
<td>46,948</td>
</tr>
<tr>
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<td>3,978</td>
<td>2,285</td>
<td>3,383</td>
<td>7,758</td>
<td>34,784</td>
</tr>
</tbody>
</table>

undocumented immigrants. At the same time, though, the literature suggests that asylum seeking can be linked to the development of undocumented populations in certain circumstances, as refused asylum seekers sometimes continue to live as undocumented immigrants in the countries from which they sought asylum. Such a development does appear to have occurred in Germany. The German state did take various measures intended to reduce new asylum applications and expedite the processing of asylum claims throughout the 1980s, but it focused relatively little energy on deporting failed asylum seekers until the end of the decade (Ellermann 2009, 20). As a result, the state did not compel many former asylum seekers to leave. Some of these immigrants may have moved internally within Western Europe, but others presumably stayed on in Germany (see Fijalkowski 1993, 853); in so doing, they would have gradually added to the small undocumented population already present in the country.

While these refused asylum seekers appear to have increased the size of the undocumented population during the 1980s, immigrants from certain other groups did leave the population during this time, as well. When Greece became part of the European Economic Community in 1981, Greek undocumented immigrants in Germany experienced a *de facto* regularization; when Portugal and Spain joined the EEC five years later, their undocumented citizens in Germany experienced such a regularization, as well. Unfortunately, no sources offer us insight into how many Greek, Portuguese, and Spanish undocumented immigrants lived in Germany prior to the EEC expansions, although we can posit that the numbers were relatively low, given that the entire population of undocumented immigrants from former guestworker and other countries likely numbered only in the low tens of thousands in the 1970s (as we saw earlier in this chapter).
Overall, then, the German undocumented population appears to have experienced both notable inflows and notable outflows of people over the course of the 1980s. We lack any estimates as to what the net increase or decrease in the size of the population was during this time; in the absence of such estimates, one may reasonably posit that the population may have appeared to grow slightly, given the seemingly small size of the Greek, Portuguese, and Spanish undocumented populations in Germany. Nonetheless, intermediary organizations did not have any clear evidence pointing toward a major expansion of the undocumented population during this period. As such, we can surmise that the undocumented population would have appeared to remain in the tens of thousands overall in the 1980s. At the same time, a slightly greater number of national groups would have appeared to be present within the undocumented population: although Greek, Portuguese, and Spanish citizens left the undocumented population in the 1980s, Tables 5.5 and 5.6 suggest that undocumented former asylum seekers from India, Iran, Pakistan, and Sri Lanka would have joined Turks and Yugoslavs within the population during this time.

In considering Tables 5.5 and 5.6, one might note that Germany also received many asylum applications from Polish people in the 1980s. The communist regime in Poland had relatively open emigration laws relative to its counterparts elsewhere in Eastern Europe, and many Poles left the country and came to Germany for short or more extended periods of time in the 1980s (Cyrus and Vogel 2006, 77). These Polish immigrants would not have joined the undocumented immigrant population in Germany, however, as Germany made it quite straightforward for Polish people to reside with
authorization in the country until 1988 (77-78). At the same time, however, Polish citizens were not given work permits, a situation that led many of them to undertake unauthorized work (78; Vogel and Cyrus 2001, 33). This surge in Polish migration in the 1980s proved to be a prelude of sorts to the tremendous increase in immigration from Eastern Europe that Germany experienced shortly thereafter, and that I discuss in the following section. The key point for our purposes here, however, is simply that the Polish asylum seekers identified in Tables 5.5 and 5.6 would not have become part of the undocumented population in the 1980s.

To sum up, then, German intermediary organizations in the years immediately following 1973 would have observed an undocumented population that appeared to number approximately in the low tens of thousands. The members of this population would have appeared to come principally from the former guestworker countries of Greece, Portugal, Spain, Turkey, and Yugoslavia; they would have also appeared to hold jobs at the margins of the agricultural, construction, and hospitality sectors. The major inflows of asylum seekers that Germany experienced between the late 1970s and 1980 and again in the mid-to-late 1980s appear to have eventually influenced the size and national composition of the undocumented population somewhat; these inflows likely led to a somewhat larger undocumented population, although we have no clear evidence suggesting that the population grew beyond the tens of thousands. The influx of asylum seekers during this time also appears to have ultimately brought about a slight expansion in the number of countries represented in the undocumented population: while Greek, Portuguese, and Spanish citizens exited the German undocumented population in the

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84 Notably, Germany did not require Polish people who wished to live in Germany to file individual applications for asylum until 1988 (Cyrus and Vogel 2006, 78). They could file such applications prior to that point, but they did not have to do so.
1980s, refused asylum seekers from India, Iran, Pakistan, and Sri Lanka appear to have become part of it. At the same time, though, Germany’s population of failed asylum seekers appears to have also contained numerous immigrants from Turkey and Yugoslavia, two countries that had been represented in the German undocumented population since its outset. Overall, then, the story of the undocumented population in Germany in the 1970s and 1980s can be broadly viewed as one of relative continuity amidst gradual change. As we will see, though, more radical change was soon to come.

**Undocumented Immigrants in Germany, 1989-2004**

The first critical “break point” in the history of Germany’s undocumented population can be regarded as the expanse of time between November 1989 and June 1991. In November 1989, the demise of the Berlin Wall signaled the end of Soviet control over large swathes of Eastern Europe; in June 1991, Croatia and Slovenia’s secession from Yugoslavia marked the starting point of the wars that devastated the Balkans in the 1990s. Along with all of the other changes that they wrought, these historic developments had significant implications for the migration dynamics present in Western Europe. In particular, the major armed conflicts and economic dislocations that occurred in Eastern Europe during this time, coupled with the differences in wage structures that existed between Eastern and Western Europe, gave many East Europeans particularly strong motives to move westward. At the same time, the end of communist control over Eastern Europe and its national borders made emigration to the west a far more realistic possibility for many, both within Eastern Europe and beyond. In the German context, these developments led to major increases in the number of ethnic
Germans moving (lawfully) from Eastern Europe to the Federal Republic (Martin 2004, 233-234); these developments also prompted considerable migration from the eastern regions of Germany to the western regions, a form of movement that became migration within a single state after German reunification in 1990. Moreover, the historic changes in Eastern Europe helped to stimulate other types of migration as well. Most importantly for this study, the number of new asylum seekers, “overstaying” immigrants, and unauthorized entrants in Germany appears to have shot up considerably in the new migratory environment engendered by communism’s collapse in Eastern Europe.85

For ease of exposition, I begin this discussion of the 1989-2004 period by considering developments related to the size and national composition of these three groups of immigrants individually.86 Although I initially discuss each of these groups separately, one should keep in mind that that populations of asylum seekers and unauthorized entrants can overlap, and they certainly did in Germany during this time period. Following my discussion of these individual groups, I then turn to a consideration of Germany’s undocumented population as a whole during this period. This discussion brings together the data we have at the level of individual undocumented groups with the data we have on undocumented immigrants as a single population.

85 I do not mean to imply here that we should attribute every individual choice to migrate to Germany during this period to the collapse of communism in Eastern Europe. At the same time, though, this collapse nonetheless does appear to have been largely responsible for the increases in asylum seekers, overstayers, and unauthorized entrants that Germany experienced in the 1989-2004 period.
86 I do not discuss the labor market position of these three individual groups, as we lack information related to the labor market that is specific to each individual group.
Consider first asylum-related immigration, about which I present a good deal of evidence in Tables 5.7-5.10 and Figure 5.1. Table 5.7 testifies to the sharp increase in asylum applications that occurred in Germany during the early 1990s, while Figure 5.1 visually highlights the extent to which this surge in asylum applications was unique in German history. This table and figure also show that the number of asylum applications dropped fairly quickly after peaking at 438,191 in 1992. Scholars debate why asylum flows to a given country increase and decrease over time, but this dramatic drop does appear to be attributable at least in part to the more restrictive rules governing asylum that Germany implemented in 1993 (see Hatton 2004, especially 29-42). Written in the wake of the Second World War and its horrors, the German Basic Law had for many years provided for an extensive set of rights related to asylum, but German parliamentarians ultimately modified these rights as part of a cross-party agreement covering numerous issues related to immigration and ethnic minorities (see Green 2001, 94). Even after the notable decline in asylum applications that accompanied this constitutional change, however, asylum applications nonetheless remained high in Germany (judged relative to pre-1989 levels) throughout most of the time period considered here.
Table 5.7: Number of Asylum Applications Submitted in Federal Republic of Germany, 1980-2004.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Applications Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>107,818</td>
</tr>
<tr>
<td>1981</td>
<td>49,391</td>
</tr>
<tr>
<td>1982</td>
<td>37,423</td>
</tr>
<tr>
<td>1983</td>
<td>19,737</td>
</tr>
<tr>
<td>1984</td>
<td>35,278</td>
</tr>
<tr>
<td>1985</td>
<td>73,832</td>
</tr>
<tr>
<td>1986</td>
<td>99,649</td>
</tr>
<tr>
<td>1987</td>
<td>57,379</td>
</tr>
<tr>
<td>1988</td>
<td>103,076</td>
</tr>
<tr>
<td>1989</td>
<td>121,318</td>
</tr>
<tr>
<td>1990</td>
<td>193,063</td>
</tr>
<tr>
<td>1991</td>
<td>256,112</td>
</tr>
<tr>
<td>1992</td>
<td>438,191</td>
</tr>
<tr>
<td>1993</td>
<td>322,614</td>
</tr>
<tr>
<td>1994</td>
<td>127,210</td>
</tr>
<tr>
<td>1995</td>
<td>127,937</td>
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<tr>
<td>1996</td>
<td>116,367</td>
</tr>
<tr>
<td>1997</td>
<td>104,353</td>
</tr>
<tr>
<td>1998</td>
<td>98,644</td>
</tr>
<tr>
<td>1999</td>
<td>95,113</td>
</tr>
<tr>
<td>2000</td>
<td>78,564</td>
</tr>
<tr>
<td>2001</td>
<td>88,287</td>
</tr>
<tr>
<td>2002</td>
<td>71,127</td>
</tr>
<tr>
<td>2003</td>
<td>50,563</td>
</tr>
<tr>
<td>2004</td>
<td>35,607</td>
</tr>
</tbody>
</table>

Figure 5.1: Number of Asylum Applications Submitted in Federal Republic of Germany, 1965-2006.

As for Tables 5.8-5.10, these tables help us understand the composition of the population of new asylum applicants in Germany during this period. As these tables suggest, Germany experienced a very large influx of asylum seekers from various republics that once been part of the Socialist Federal Republic of Yugoslavia in the early 1990s, as well as substantial inflows of asylum applicants from Bulgaria and Romania and a smaller inflow of asylum applicants from the Russian Federation. A considerable number of the asylum seekers from Bulgaria and Romania appear to have been members of the Roma ethnic group (Minority Rights Group 2010). Vietnamese citizens filed a number of asylum applications, as well; many of these individuals had studied and worked in East Germany and a variety of East European countries during the communist period, and then applied for political asylum in Germany once the communist regimes of Eastern Europe collapsed. At the same time, not all of the asylum flows that Germany experienced in the early 1990s originated in the former communist countries in Eastern Europe. Germany consistently received considerable numbers of asylum applications from Turkish citizens between 1989 and 2004, while a notable portion of applications also came from citizens of Afghanistan, Iraq, and Sri Lanka.

As we know, asylum applicants are not undocumented immigrants. However, an increase in the number of asylum seekers in a country may eventually trigger an increase in the size of the undocumented population, as unsuccessful asylum seekers sometimes continue to reside in the countries in which they applied for asylum. In considering Germany in this particular time period, the situation proves to be somewhat distinctive because the state had a practice of granting some asylum seekers a *Duldung* (“toleration”).

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yugoslav/Former Yugoslav Republics</td>
<td>22,114</td>
<td>74,854</td>
<td>115,395</td>
<td>3,476</td>
<td>30,404</td>
<td>316,243</td>
</tr>
<tr>
<td>Romania</td>
<td>35,345</td>
<td>40,504</td>
<td>103,787</td>
<td>73,717</td>
<td>9,581</td>
<td>262,934</td>
</tr>
<tr>
<td>Turkey</td>
<td>22,082</td>
<td>23,877</td>
<td>28,327</td>
<td>19,104</td>
<td>19,118</td>
<td>112,508</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>8,341</td>
<td>12,056</td>
<td>31,540</td>
<td>22,547</td>
<td>3,367</td>
<td>77,851</td>
</tr>
<tr>
<td>Vietnam</td>
<td>9,428</td>
<td>8,133</td>
<td>12,258</td>
<td>10,960</td>
<td>3,427</td>
<td>44,206</td>
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</tbody>
</table>


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<thead>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Yugoslav Republics</td>
<td>34,480</td>
<td>24,773</td>
<td>30,962</td>
<td>34,979</td>
<td>31,451</td>
<td>156,645</td>
</tr>
<tr>
<td>Turkey</td>
<td>33,750</td>
<td>31,732</td>
<td>25,937</td>
<td>11,754</td>
<td>9,065</td>
<td>112,238</td>
</tr>
<tr>
<td>Iraq</td>
<td>6,941</td>
<td>10,934</td>
<td>14,189</td>
<td>7,435</td>
<td>8,662</td>
<td>48,161</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>7,715</td>
<td>6,217</td>
<td>6,033</td>
<td>3,768</td>
<td>4,458</td>
<td>28,191</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>6,687</td>
<td>5,640</td>
<td>5,125</td>
<td>1,982</td>
<td>1,254</td>
<td>20,688</td>
</tr>
</tbody>
</table>


<table>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Iraq</td>
<td>11,601</td>
<td>17,167</td>
<td>10,242</td>
<td>3,850</td>
<td>1,293</td>
<td>44,153</td>
</tr>
<tr>
<td>Turkey</td>
<td>8,968</td>
<td>10,869</td>
<td>9,575</td>
<td>6,301</td>
<td>4,148</td>
<td>39,861</td>
</tr>
<tr>
<td>Serbia-Montenegro</td>
<td>11,121</td>
<td>7,758</td>
<td>6,679</td>
<td>4,909</td>
<td>3,855</td>
<td>34,322</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>2,763</td>
<td>4,523</td>
<td>4,058</td>
<td>3,383</td>
<td>2,757</td>
<td>17,484</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>5,380</td>
<td>5,837</td>
<td>2,772</td>
<td>1,473</td>
<td>918</td>
<td>16,380</td>
</tr>
</tbody>
</table>

which was a certificate that signified that the state would temporarily tolerate the holder’s presence in the country even though she or he was in principle subject to deportation (Vogel and Cyrus 2001, 14). This temporary status was granted to numerous residents of the former Yugoslavia who fled to Germany after the country’s collapse in the early 1990s, as German officials did not wish to offer the individual members of this large group of migrants the opportunity to be considered for full, longer-term refugee status (Dimova 2006, 2). As a result of this Duldung system, many individuals from the former Yugoslavia who might have eventually become undocumented former asylum seekers in Germany instead acquired a protected status recognized by the law, albeit a very precarious one. For this reason, refused asylum applicants did not comprise as large a group within the German undocumented population after communism’s collapse as they would have otherwise. Nonetheless, many asylum seekers from the former Yugoslavia held this status for a time only to lose it later, and the majority of asylum seekers in Germany did not receive any protected status at all during the early 1990s or the years that followed; the outright rejection rate for asylum applications in Germany was 78.1 percent in 1990, 76.7 percent in 1991, 75.6 percent in 1992, 67.8 percent in 1993, and 67.6 percent in 1994, and never dipped below 50 percent in the subsequent years of the period considered here (Bundesministerium des Innern 2007, 106). As such, hundreds of

87 In 2005, Germany passed a law that ended the practice of granting Duldung certificates. 88 In stating that holders of the Duldung have a status recognized by the law, I do not mean to imply that these immigrants should be considered documented residents per se. German law insists that the Duldung does not confer temporary legal residence on the person who holds it; the toleration certificate simply indicates that the state will not attempt to deport that individual for a time. (Interestingly, though, Germany did recently undertake a program designed to give legal residency to certain long-time holders of this certificate.) Nonetheless, I do not treat individuals with toleration certificates as undocumented immigrants in the context of this project, for the German state officially acknowledges their existence and continues to provide them with (very limited) benefits, even as they remain in a difficult legal and psychological limbo (see Dimova 2006). As such, the position held by an individual possessing a toleration certificate does seem meaningfully different from the position held by an undocumented immigrant.
thousands of individuals applied for asylum in Germany during this period without receiving any favorable result. Although the German state became more aggressive in its efforts to force refused asylum seekers to leave during this period (Ellermann 2009, 20-21), some unknown number of these immigrants appears to have then stayed on in Germany in an undocumented residence status (see, e.g., Castañeda 2007, 160-162; Cyrus 2008, 62, 88-89; Fijalkowski 1993, 853; Lederer 1999, 59). I discuss the implications of these rejected asylum seekers for the overall undocumented population in Germany later on in this chapter.

**Overstayers, 1989-2004**

While we can link the historical developments in Eastern Europe to increasing inflows of asylum-seeking political migrants, we can also link these developments to increases in the number of economic migrants coming to Germany. “Economic migrants” can be defined quite simply as migrants motivated to move for principally economic reasons.\(^8^9\) In particular, the collapse of communist regimes in Eastern Europe made it possible for large numbers of East Europeans to move to Germany (and other countries in Western Europe) for work on a temporary or longer-term basis. Many East Europeans came to Germany as legally-sanctioned seasonal or other workers during the

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\(^8^9\) In the view of some observers, a sizeable proportion of immigrants requesting asylum in Germany and elsewhere do not actually apply for asylum because they perceive themselves to need political protection, but rather because they wish to have the opportunity to work (without state permission) in the country in which they have sought asylum, and/or because they wish to have access to the (very limited) financial benefits provided to asylum seekers by their host states. This view underlies the criticisms of “bogus” asylum seekers that one hears in the United Kingdom, for instance (see Schuster 2003, 147-149; Welch and Shuster 2005, 344-345). From this perspective, I could be criticized for speaking of “asylum seekers” and “economic migrants” as two separate groups in this study. I thus should emphasize that I am using “asylum seekers” as a neutral term to describe a group of immigrants that have all sought a particular legal designation within a given state, rather than as a term that implies some theory of what their ultimate motivation for seeking this designation is. (Moreover, and as an aside, I think we have very good reasons to view the notion of “bogus asylum seekers” with skepticism.)
1989-2004 period (see Cyrus 1994; Hjarnø 2003, 109-110), for instance. Although many East Europeans entered through these and other authorized channels, others had no clear legal pathway to working in Germany, and appear to have come to Germany as authorized short-term visitors and then illicitly taken up employment. Polish people appear to have been represented prominently in this group of immigrants, particularly because they, along with the citizens of certain other East European countries, did not have to obtain a visa beforehand if they wished to enter Germany as tourists (see Hjarnø 2003, 110-111); they could thus simply arrive at a German border and request leave to enter on a short-term basis. Some Poles and other East Europeans—notably Czechs and Lithuanians—who requested short-term entry in this manner appear to have remained in Germany past the point at which they had authorization to stay (see Alscher, Münz, and Özcan 2001, 2; Cyrus 2004, 19-20), and thus should be considered undocumented residents as well as unauthorized workers.

Although many overstayers at this time appear to have come from East European countries granted “visa-free” entry into Germany, the available evidence suggests that Germany’s population of overstayers certainly included individuals from other countries as well (see, e.g., Pater 2005). Importantly, though, many individuals likely to be interested in unauthorized work in Germany would not have benefitted from the same entry rules that Poles and certain other East European groups enjoyed during this time; instead, they would have had to go through the formality of applying for a visa prior to travelling on to Germany in order to enter the country lawfully. Rather than undertaking this process, many prospective migrants may have simply tried to enter as unauthorized entrants instead. It is to this group of immigrants that I now turn.
Unauthorized Entrants, 1989-2004

“Unauthorized entrants” can be defined as individuals who enter a given country with false papers or without passing through immigration control at all. Importantly, not all unauthorized entrants should be considered undocumented immigrants, just as not all undocumented immigrants should be considered unauthorized entrants. One can be a documented resident of a country and still reenter that country outside of the usual channels, first of all—although, at least in the German context, the state’s data on border apprehensions indicate that the vast majority of people found to be entering without authorization also lack residence papers (see Vogel 2009, 8). Moreover, individuals sometimes enter countries without authorization and then subsequently file asylum applications, rather than applying at the time of entry. While the state considers their asylum applications, these individuals have a legal residence status; if the state grants them asylum, they continue to have such a status. Thus, “unauthorized entrant” does not equal “undocumented immigrant.” Nonetheless, we can establish a clear link between unauthorized entry and undocumented populations, as many unauthorized entrants do go on to become undocumented residents. I will refer to such individuals as “undocumented, unauthorized entrants” in this study.

After the end of communist rule in Eastern Europe, unauthorized entry emerged as a fairly significant issue in Germany. Germany’s borders with the countries to its east became far more porous than they had been in the past, a situation that appears to have encouraged individuals to attempt illicit crossings of the German border to a much

---

90 States have sought to curb the rights of individuals to apply for asylum after unauthorized entry in recent years, but unauthorized entrants do retain the option to apply for asylum in certain circumstances.
greater extent than had historically been the case. For this reason, we have good reason
to think that Germany’s population of undocumented, unauthorized entrants may have
grown during the 1989-2004 period.

We do not have very good data with which we can examine this population, but
traces of the undocumented, unauthorized entrant population can be found in certain
statistics maintained by the German state. The asylum statistics that I presented earlier
have some relevance to this population, as we know that some portion of undocumented,
unauthorized entrants applied for asylum and then went on to have their claims denied by
the state. The other relevant set of statistics records the number of episodes in which the
German Federal Police detected a “foreign citizen” attempting to cross the German
border outside of the legal channels between 1990-2004. The set of episodes captured in
the statistics include not only episodes of attempted entry into Germany, but also of
attempted exit from Germany. They include instances in which the police detected
undocumented, unauthorized entrants within the country’s interior as well, although only
in cases in which the detected individuals had been living in Germany for less than six
months. Table 5.11 and Figure 5.2 present the relevant data. The German state also
keeps track of the nationalities of the foreign citizens involved in episodes of detected
unauthorized crossing; in Tables 5.12-5.15, I highlight the nationalities most heavily
represented in such episodes during the time period under consideration.
Table 5.11: Number of Instances in Which a Foreign Citizen Illicitly Crossed the German Border and Was Apprehended, 1990-2004.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Instances</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>7,152</td>
</tr>
<tr>
<td>1991</td>
<td>23,587</td>
</tr>
<tr>
<td>1992</td>
<td>44,949</td>
</tr>
<tr>
<td>1993</td>
<td>54,298</td>
</tr>
<tr>
<td>1994</td>
<td>31,065</td>
</tr>
<tr>
<td>1995</td>
<td>29,604</td>
</tr>
<tr>
<td>1996</td>
<td>27,024</td>
</tr>
<tr>
<td>1997</td>
<td>35,205</td>
</tr>
<tr>
<td>1998</td>
<td>40,201</td>
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<tr>
<td>1999</td>
<td>37,789</td>
</tr>
<tr>
<td>2000</td>
<td>31,485</td>
</tr>
<tr>
<td>2001</td>
<td>28,560</td>
</tr>
<tr>
<td>2002</td>
<td>22,638</td>
</tr>
<tr>
<td>2003</td>
<td>19,974</td>
</tr>
<tr>
<td>2004</td>
<td>18,215</td>
</tr>
</tbody>
</table>


Figure 5.2: Number of Instances in Which a Foreign Citizen Illicitly Crossed the German Border and Was Apprehended, 1990-2004.

Table 5.12: Number of Instances in Which a Foreign Citizen Illicitly Crossed the German Border and Was Apprehended (by Country of Citizenship of Apprehended Person), 1991-2004.

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Albania</td>
<td>775</td>
<td>1,825</td>
<td>944</td>
<td>3,544</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>1,439</td>
<td>12,351</td>
<td>3,768</td>
<td>17,558</td>
</tr>
<tr>
<td>Armenia</td>
<td>1,682</td>
<td>2,333</td>
<td>1,473</td>
<td>5,488</td>
</tr>
<tr>
<td>Bosnia-Herzegovina</td>
<td>2,799</td>
<td>2,103</td>
<td>936</td>
<td>5,838</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>19,206</td>
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<td>30,567</td>
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<td>China</td>
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<td>3,317</td>
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<tr>
<td>India</td>
<td>-</td>
<td>4,588</td>
<td>3,251</td>
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</tr>
<tr>
<td>Macedonia</td>
<td>1,805</td>
<td>4,767</td>
<td>1,324</td>
<td>7,896</td>
</tr>
<tr>
<td>Moldova</td>
<td>-</td>
<td>6,626</td>
<td>2,953</td>
<td>9,579</td>
</tr>
<tr>
<td>Poland</td>
<td>1,694</td>
<td>3,228</td>
<td>832</td>
<td>5,754</td>
</tr>
<tr>
<td>Romania</td>
<td>75,044</td>
<td>24,056</td>
<td>6,447</td>
<td>105,547</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>1,468</td>
<td>2,951</td>
<td>5,192</td>
<td>9,611</td>
</tr>
<tr>
<td>Serbia-Montenegro</td>
<td>31,231</td>
<td>32,638</td>
<td>7,987</td>
<td>71,856</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>-</td>
<td>5,262</td>
<td>552</td>
<td>5,814</td>
</tr>
<tr>
<td>Turkey</td>
<td>5,135</td>
<td>7,955</td>
<td>6,730</td>
<td>19,820</td>
</tr>
<tr>
<td>Former USSR (no specific country identified)</td>
<td>1,274</td>
<td>-</td>
<td>-</td>
<td>1,274</td>
</tr>
<tr>
<td>Ukraine</td>
<td>1,656</td>
<td>4,320</td>
<td>5,548</td>
<td>11,524</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>183,503</strong></td>
<td><strong>171,704</strong></td>
<td><strong>89,387</strong></td>
<td><strong>444,594</strong></td>
</tr>
</tbody>
</table>

Source: Author’s calculations based on data from Bundesministerium des Innern, 2007.
Table 5.13: Top Five National Groups Represented in Unsuccessful Instances of Unauthorized Border Crossing in Germany, 1991-1995.

<table>
<thead>
<tr>
<th>Country of Citizenship</th>
<th>Number of Instances, 1991-1995</th>
</tr>
</thead>
<tbody>
<tr>
<td>Romania</td>
<td>75,044</td>
</tr>
<tr>
<td>Serbia-Montenegro</td>
<td>31,231</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>19,206</td>
</tr>
<tr>
<td>Turkey</td>
<td>5,135</td>
</tr>
<tr>
<td>Bosnia-Herzegovina</td>
<td>2,799</td>
</tr>
</tbody>
</table>

Source: Author’s calculations based on data from Bundesministerium des Innern, 2007.

Table 5.14: Top Five National Groups Represented in Unsuccessful Instances of Unauthorized Border Crossing in Germany, 1996-2000.

<table>
<thead>
<tr>
<th>Country of Citizenship</th>
<th>Number of Instances, 1996-2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serbia-Montenegro</td>
<td>32,638</td>
</tr>
<tr>
<td>Romania</td>
<td>24,056</td>
</tr>
<tr>
<td>Iraq</td>
<td>12,702</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>12,351</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>8,106</td>
</tr>
</tbody>
</table>

Source: Author’s calculations based on data from Bundesministerium des Innern, 2007.

Table 5.15: Top Five National Groups Represented in Unsuccessful Instances of Unauthorized Border Crossing in Germany, 2001-2004.

<table>
<thead>
<tr>
<th>Country of Citizenship</th>
<th>Number of Instances, 2001-2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serbia-Montenegro</td>
<td>7,987</td>
</tr>
<tr>
<td>Turkey</td>
<td>6,730</td>
</tr>
<tr>
<td>Romania</td>
<td>6,447</td>
</tr>
<tr>
<td>Ukraine</td>
<td>5,548</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>5,192</td>
</tr>
</tbody>
</table>

Source: Author’s calculations based on data from Bundesministerium des Innern, 2007.
In reviewing these data, we might first recall some of the difficulties associated with the second cluster of sources used in this chapter, which is the cluster under which these government statistics would fall. We would ideally like to know the number and national origin of those undocumented residents who lived in Germany after illicit entry during this time period, but, as Chapter 4 suggests, government statistics of the kind presented in the second cluster cannot be used to draw firm conclusions about the size and other characteristics of an undocumented population, or (by extension) a sub-group within such a population. This point seems particularly important to keep in mind when considering the potential size of the undocumented, unauthorized entrant population over the course of the 1989-2004 period, as we know that the German state’s administrative practices related to border control changed quite a bit during the 1990s. In 1990, Germany had around 400 border guards on its border with Poland; this number had grown to about 3,300 by the middle of 1996, however (Andreas 1998-99, 612). At the same time, the state increased spending on the Bundesgrenzschutz (Federal Border Police) in general by more than 100 percent between 1990-1995 (612). Due to the intensification of the state’s border control activities over the course of this period, we definitely cannot assume that a constant ratio existed over time between the number of episodes of detected illicit entry and the number of undocumented, unauthorized entrants resident on German territory; the state’s increased focus on border control may have very well caused it to detect a higher percentage of potential undocumented, unauthorized entrants later on in the 1989-2004 period than it did in the early 1990s. Another complication associated with statistics from the second cluster is that they also often blend information on undocumented immigrants with information on other groups—a
problem that does affect the statistics in Tables 5.11-5.15 and Figure 4.2, as they cover all episodes involving the illicit entry and exit of foreign citizens, not simply those episodes that have to do with people who became undocumented residents.

While they suffer from the problems generally associated with sources from the second cluster, the statistics that I reference here also have some additional attributes that limit their capacity to provide insight into the population of undocumented, unauthorized entrants. First, these statistics tell us the number of instances in which police detected foreign citizens who had attempted to cross the border illicitly, rather than the number of detected foreign citizens per se. Thus, for instance, if one individual attempted to enter Germany two times outside the legal channels and was apprehended two times in 1998, he or she would have been counted twice in the statistics for 1998, not once. Second, these statistics do not separate out episodes in which foreign citizens made an unsuccessful attempt to enter Germany from episodes in which foreign citizens successfully entered Germany and then resided there for a time; only persons involved in the latter set of episodes could potentially be classified as undocumented residents.

For all of these reasons, one must be especially careful in considering the government data displayed in Tables 5.11-5.15 and Figure 5.2; clearly, these data cannot offer a precise portrait of Germany’s population of undocumented, unauthorized entrants between 1989-2004. At the same time, though, established intermediary organizations and other political actors would have found the message conveyed by these data to be worthy of attention, as the data suggest that Germany experienced considerable illicit traffic across its newly-porous borders in the 1990s. Given the inherent difficulties states face in apprehending would-be unauthorized entrants, these data point strongly toward—
even though they cannot fully sustain—the conclusion that the number of unauthorized entrants residing in Germany in an undocumented status rose considerably in the 1990s.

In addition to meshing well with the available data, this conclusion certainly seems logical given the nature of the situation in which Germany found itself after the collapse of East European communism: a set of generally rigid emigration controls had just been removed in a number of less wealthy, economically-troubled countries located very near Germany. In the absence of a massive expansion of opportunities for legal labor migration, one would expect an increase in the number of undocumented, unauthorized entrants residing in Germany to occur.

In addition to offering insight into the size of Germany’s population of resident undocumented, unauthorized entrants, the government’s data—and specifically the data provided in Tables 5.12-5.15—also give us a limited sense of the national groups that may have been represented in this population. As we know, one cannot assume that the distribution of national backgrounds highlighted in these tables equals the distribution of national backgrounds in the population of undocumented, unauthorized entrants residing in Germany. The situation of immigrants from the former Yugoslavia makes such an assumption particularly problematic; although these tables suggest that individuals from Bosnia-Herzegovina and, especially, (what was then) Serbia-Montenegro likely constituted significant groups within the unauthorized entrant population, many of these individuals may have ultimately entered the asylum system and received a Duldung, at least initially. In the absence of better data, however, this information would have sent certain signals to intermediary organizations about the potential distribution of national backgrounds within this population. For instance, the fact that 105,547 of the 444,597
episodes of detected unauthorized crossing involved Romanians strongly hints that a significant number of episodes of successful unauthorized crossing would have also involved Romanians. Similar conclusions can be drawn regarding citizens of at least five other countries heavily represented in Tables 5.12-5.15: Afghanistan, Bulgaria, Iraq, Turkey, and Ukraine.\textsuperscript{91} Moreover, presumably some immigrants from Bosnia-Herzegovina and Serbia-Montenegro did not enter the asylum system or eventually lost their toleration certificates. As such, German intermediary organizations between 1989-2004 operated in an informational environment that would have encouraged them to view the unauthorized entrant population not only as much larger than it once was, but also as consisting to a considerable degree of individuals from Afghanistan, Bosnia-Herzegovina, Bulgaria, Iraq, Turkey, Romania, Serbia-Montenegro, and Ukraine.\textsuperscript{92}

\textit{The Undocumented Population as a Whole, 1989-2004}

Overall, then, the collapse of Eastern Europe’s old orders significantly changed patterns of migration to Germany. In particular, this development precipitated a major increase in the number of asylum seekers in Germany, and appears to have fostered a substantial increase in the number of overstayers and unauthorized entrants, as well. In the pages above, I discussed these three groups of immigrants individually; in this section of the chapter, I aim to paint a picture of the apparent nature of the undocumented population as a whole by synthesizing the evidence relevant to these individual groups of

\textsuperscript{91} I characterize citizens of these countries as being "heavily represented" in Tables 5.12-5.15 because they were involved in more than 10,000 episodes of detected unauthorized crossing between 1991-2004.

\textsuperscript{92} As discussed above, Roma people appear to have comprised a substantial portion of the population of Bulgarian and Romanian asylum seekers who came to Germany during this period. We do not have any evidence that explicitly suggests that Roma people also comprised a significant number of the Bulgarian and Romanian undocumented, unauthorized entrants noted here; they may very well have, however, given the apparent overlap between Germany’s population of asylum seekers and its population of undocumented, unauthorized entrants.
immigrants, and by introducing some further data that address the undocumented population in general.

Consider first some data pertaining to the size of the general undocumented population. Germany maintains records detailing the number of non-citizens suspected of crimes of any variety on German territory (including border regions) each year; it also provides a breakdown of this non-citizen population by alleged immigration status. As such, these records can provide us with the precise number of people without residence papers suspected of committing crimes in Germany during a given year. Importantly, this number includes unauthorized entrants apprehended at the German border, and thus it does not indicate precisely how many police suspects without residence papers actually lived in an undocumented status in Germany. At the same time, though, the data on these police suspects, which the second column of Table 5.16 displays, can offer rough insights into the minimum number of suspects who did reside in Germany if combined with the government data presented in Table 5.11. The data from Table 5.11, as we know, deal with instances of detected illicit entry and exit by foreign citizens, as well as episodes in which police located an undocumented person suspected of unauthorized entry within the German interior. They thus do not tell us precisely how many people without residence papers were apprehended at the border as unauthorized entrants. However, one can adopt the very conservative, and unrealistic, assumptions that each episode captured in Table 5.11 had to do with a different foreign citizen without residence papers, and that each episode involved foreign citizens caught on the border who had never resided on German territory. If we do so, we can simply subtract the number of episodes listed in Table 5.11
Table 5.16: Number of People Without Residence Papers Suspected of Committing Crimes in Germany (Including Border Regions), and Estimated Minimum Number of Undocumented Residents, 1993-2004

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of People Without Residence Papers Suspected of Committing Crimes</th>
<th>Estimated Minimum Number of Undocumented Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>103,529</td>
<td>49,231</td>
</tr>
<tr>
<td>1994</td>
<td>125,038</td>
<td>93,973</td>
</tr>
<tr>
<td>1995</td>
<td>131,456</td>
<td>101,852</td>
</tr>
<tr>
<td>1996</td>
<td>137,232</td>
<td>110,208</td>
</tr>
<tr>
<td>1997</td>
<td>138,146</td>
<td>102,941</td>
</tr>
<tr>
<td>1998</td>
<td>140,779</td>
<td>100,578</td>
</tr>
<tr>
<td>1999</td>
<td>128,320</td>
<td>90,531</td>
</tr>
<tr>
<td>2000</td>
<td>124,262</td>
<td>92,777</td>
</tr>
<tr>
<td>2001</td>
<td>122,583</td>
<td>94,023</td>
</tr>
<tr>
<td>2002</td>
<td>112,573</td>
<td>89,935</td>
</tr>
<tr>
<td>2003</td>
<td>96,197</td>
<td>76,223</td>
</tr>
<tr>
<td>2004</td>
<td>81,040</td>
<td>62,825</td>
</tr>
</tbody>
</table>

Source: Bundesamt für Migration und Flüchtlinge reprinted in Cyrus 2008, 41.

for a given year from the total number of police suspects without residence papers for that year; this procedure provides an (excessively low) minimum estimate of the number of undocumented immigrants residing on German soil in a given year. Government analysts from the Federal Office for Migration and Refugees prepared estimates on the implicit basis of these assumptions in 2008 (see Cyrus 2008, 39-41); in the third column of Table 5.16, I present the numbers that they calculated for the period between 1993 and 2004. We cannot assume that established intermediary organizations would have calculated similar estimates for themselves, but we can expect that these organizations had some broad understanding of the number of police suspects without papers and the number of people identified as unauthorized entrants. As a result, their uncertainty about the undocumented population would have been loosely bounded by an imprecise sense of the minimum size of this population.
The work of Jörg Alt would have also helped to shape how established intermediary organizations thought about the size of the overall undocumented population, at least in final years of the time period under consideration. A pioneer in the study of the German undocumented population (see Cyrus 2008, 18), Alt conducted detailed field research related to undocumented immigrants in Leipzig and Munich during the time period under consideration (see Alt 1999, 2003, 2005). Based on his findings regarding these two cities, he developed an estimate of the total undocumented population throughout Germany during this time period; in particular, he estimated that the undocumented population had eventually grown to stand at roughly 1-1.5 million people after the end of communism in Eastern Europe, or approximately 1.2 to 1.8 percent of the entire population (see Cyrus 2008, 38 and 39). The methods upon which Alt based this estimate can be regarded as problematic (see Hamburg Institute of International Economics 2009a), but the estimate nonetheless constitutes information that would have been in circulation during the time period under consideration, and thus would have helped to shape the broad impressions that established intermediary organizations had of the undocumented population.

Overall, then, both the available information regarding the undocumented population as a whole and the available information regarding refused asylum seekers, overstayers, and undocumented, unauthorized entrants as individual groups point in the same direction: during this period, Germany’s undocumented population appears to have

93 In addition to being a pioneer in the study of the German undocumented population, Alt has also been an active advocate for undocumented immigrants in German politics.
become considerably larger than it was between 1973 and 1989. Based on the data from Table 5.16 and Alt’s estimate, one could reasonably conclude that the population numbered approximately in the hundreds of thousands, if not over one million. We know that some members of the population of undocumented, unauthorized entrants may have also been members of the population of refused asylum seekers, and as such one should assume that whatever evidence we have regarding these two seemingly distinctive populations may in fact be capturing information about some of the same individuals. If we had more precise data dealing with the number of people in these two groups, one would worry about “double counting” when calculating the size of the entire undocumented population. This issue notwithstanding, Germany experienced such massive inflows of migration during this period that intermediary organizations would have perceived the undocumented population to have grown significantly, regardless of the assumptions they made about the degree of overlap between the two populations.

Having said that, these organizations may very well have perceived the undocumented population to have been at its largest relatively early on in the 1989-2004 period, and to have decreased somewhat in size afterwards. We know that asylum applications peaked in 1992 and then declined, while Table 5.16 suggests that the minimum number of undocumented immigrants in Germany peaked in 1996 and then declined, as well. As such, it may very well be the case that fewer undocumented immigrants lived in Germany at the end of this period than lived in Germany in, say, 1996. Nonetheless, we have no indication that the number of undocumented immigrants declined dramatically at any point in this time period. As such, established intermediary

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94 The data that point toward growing numbers of refused asylum seekers, overstayers, and unauthorized entrants can be said to support this conclusion because we have no evidence that an equivalent number of undocumented immigrants left Germany during this period.
organizations and other political actors would have been operating alongside an undocumented population that appeared notably larger than it did prior to 1989 throughout this entire period.

The post-1989 undocumented population would have appeared different with regard to its national composition, too. In particular, this population would have seemed to encompass an even wider array of national groups between 1989-2004 than it had previously. Based on my earlier discussions of refused asylum seekers, overstayers, and undocumented, unauthorized residents during this period, we can say that numerous countries appear to have been represented to a significant extent in Germany’s undocumented population: Afghanistan, Bulgaria, the Czech Republic, Iraq, Lithuania, Poland, Romania, the Russian Federation, Turkey, Ukraine, Vietnam, and Yugoslavia and various Yugoslav successor states. We can also reasonably posit that India, Iran, Pakistan, and Sri Lanka had significant representation within the undocumented population at this time, given that citizens of these countries appear to have been present within the population during the 1973-1989 period and probably would not have exited the undocumented population entirely after 1989. Finally, we can note that a transnational ethnic group, the Roma, also seems to have been present within the undocumented population of 1989-2004.95

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95 Beyond the countries that I have just named, we can identify still further countries that apparently had at least some minimal representation in the German undocumented population between 1989 and 2004. For instance, Siegfried Pater’s Menschen ohne Papiere (People Without Papers) (2005), a collection that briefly recounts the life stories of various undocumented immigrants in Germany, presents narratives about individual immigrants originally from Burkina Faso, Ecuador, and Morocco, among other countries. The existence of apparently very small national groups within the German undocumented population does not concern me directly in this chapter (as this study’s main argument leads me to focus on national groups that appear to have more substantial representation in the population), but the presence of these groups is nonetheless interesting to note.
How did this diverse set of undocumented immigrants appear to fit into the German economy? The information that we have on individual groups of undocumented immigrants does not speak to this question, as I indicated earlier. However, we do have some sources that address the apparent labor market position of undocumented immigrants in general during this time period. As I have already noted, we have reports of undocumented immigrants working at the margins of the agricultural, construction, and hospitality sectors between 1973 and 1989. Undocumented immigrants appear to have continued to work in these areas between 1989 and 2004 (see, e.g., Alt 2005; Anderson 2004, 67-69; Cyrus 2008, 55). At the same time, significant concentrations of undocumented immigrants appear to have been present in other segments of the economy, too. In particular, numerous undocumented immigrants, most of them women, appear to have taken up employment in private households as cleaners and as caregivers to the young and the elderly (see, e.g., Alt 2005; Anderson 2004, 67-69; Cyrus 2008, 58-60; Lutz 2008, 43-46)—a development that has occurred throughout Western Europe, and that Bridget Anderson has linked to population aging and women’s increased rates of participation in the paid labor force, as well as (in the case of caring work) limited public services and (in the case of cleaning) households’ concern with the adherence to social norms and with the expression of social status (2001b). In comparing the jobs held by undocumented immigrants in Berlin, Leipzig, and Munich, Jörg Alt unsurprisingly finds that the employment of undocumented immigrants in private homes seems to have been particularly prominent in Munich, with its high concentration of wealthy, two-income households (2005, 78-80). In addition to working in private households, undocumented women also appear to have been a significant presence within the sex industry (Cyrus
a sphere of economic activity in which workers born outside of Germany may currently outnumber German-born workers; one estimate suggests that 60 percent of women engaged in the industry have a migration background of some kind (60), although some portion of these individuals can be assumed to be citizens or legal residents. Finally, we have some evidence indicating that undocumented immigrants may have been active in other economic sectors as well during this time, including commercial cleaning (55). To sum up, then, undocumented immigrants appear to have become involved in household and commercial cleaning, care work, and the sex industry in the post-1989 period, while also continuing to work at the margins of the agricultural, construction, and hospitality sectors. In this respect, these immigrants appear to have worked in a somewhat broader range of jobs than they had previously, although one should also note that their work seems to have remained squarely within the realm of “secondary labor market” jobs discussed in Chapter 3. They also seem to have worked in jobs relatively “hidden” from the labor inspectors of the German social market economy.

In sum, intermediary organizations would have understood the undocumented population of Germany to have experienced major changes in the period after communism’s collapse in Eastern Europe. In particular, the undocumented population would have appeared to grow larger; specifically, it seems to have gone from numbering in the tens of thousands of people to numbering in the hundreds of thousands, if not over one million. At the same time, the group of countries with significant representation in the undocumented population would have appeared to grow larger as well. This chapter has identified a large number of countries that appear to have had a non-trivial presence in the German undocumented population of the period: Afghanistan, Bulgaria, the Czech
Republic, India, Iran, Iraq, Lithuania, Pakistan, Poland, Romania, the Russian Federation, Sri Lanka, Turkey, Ukraine, Vietnam, and Yugoslavia and various Yugoslav successor states. The Roma appear to have been a notable transnational ethnic group in this population, too. As for the labor market position of undocumented immigrants between 1989 and 2004, undocumented immigrants seem to have retained their roles in the agricultural, construction, and hospitality sectors during this period. They also appear to have become engaged in work as caregivers, sex workers, and household and office cleaners. Overall, then, we can characterize the 1989-2004 period as one in which the undocumented population apparently grew larger and more diverse, and also as one in which the role of undocumented immigrants in the German economy apparently expanded.

**Undocumented Immigrants in Germany, 2004-2007**

The next important “break point” in the history of Germany’s undocumented population occurred between May 2004-January 2007. On May 1, 2004, the European Union expanded to include ten new countries: Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia. Two additional countries, Bulgaria and Romania, joined the EU on January 1, 2007. These two events triggered important changes in the nature of Germany’s undocumented population—a statement that, unlike most other statements about the nature of undocumented populations, can be made with certainty. The labor market position of undocumented immigrants in Germany does not seem to have shifted significantly as a result of these
events, but they did clearly alter the size and national composition of the German undocumented population.

To understand why, one must first consider some of the rules that govern “freedom of movement” in the European Union.96 In brief, the citizens of any given EU state have the right to enter any other EU state without a visa and to remain in that country for up to three months. With some important exceptions (see below), citizens of EU states also have the right to be employed for an indefinite period of time in other EU countries. A right to long-term residence derives from this right to work; if the citizen of an EU state takes a job in another EU state, he or she has the right to reside within that state indefinitely while working. Individuals holding citizenship in an EU state can also reside long-term in another EU state if they are self-employed workers, or if they are students, retirees, or other people not engaged in paid employment; however, individuals not in paid employment must have enough resources to maintain themselves without recourse to their host state’s social institutions. Host states can require individuals who wish to stay longer than ninety days to register with them and, as part of the registration process, to demonstrate that they fall into one of these various categories of EU nationals permitted to stay long-term.

When the European Union expanded in 2004 and 2007, citizens of the new accession countries immediately gained some, but not all, of the rights associated with freedom of movement. In particular, citizens of these countries gained the opportunity to live as self-employed or self-supporting long-term residents in the preexisting EU member states. At the same time, however, the citizens of the new accession countries

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96 My summary of these rules draws on Directive 2004/38/EC of the European Parliament and Council, which was issued on April 29, 2004. In this summary, I aim to discuss only those aspects of “freedom of movement” that pertain most directly to this study.
did not immediately receive a guarantee of unfettered access to the regular employment markets of the preexisting member states. Instead, the preexisting member states had the option of restricting the access of these individuals to employment markets for a period of up to seven years. In 2004, Germany chose to exercise this option vis-à-vis the nationals of all of the accession countries save for Cyprus and Malta; the restrictions that it placed on workers from the remaining eight accession countries expired in spring of 2011. Germany also restricted the labor market access of workers from Bulgaria and Romania when these countries joined the EU in 2007, and its restrictions on these workers remain in place as of autumn 2011.

Despite the existence of these labor market restrictions, the process of EU enlargement immediately reconfigured the relationship between the German state and the citizens of the East European accession countries in at least two respects. It gave these individuals more opportunities to be in Germany lawfully, first of all. Second, and perhaps most fundamentally, the developments in 2004 and 2007 gave East Europeans from accession countries who were found to be unregistered with the state authorities and/or engaged in unauthorized work during the 2004-2007 period considerably more protection against deportation. In principle, such individuals still could have been deported for the latter offense; in practice, however, EU countries face significant legal hurdles in seeking to deport the citizens of other EU countries, and Western Europe’s EU countries generally do not attempt to deport unauthorized workers from accession countries. As a result, the enlargement of the EU created a situation in which accession country nationals could no longer be undocumented immigrants in Germany in any full sense of the term, for the accessions gave them far more security in their presence on
German territory than an undocumented resident usually has. As such, analysts of the German undocumented population have treated the 2004 and 2007 accessions as events that effectively caused all accession country citizens to exit this population (see, e.g., Alt 2004, 8; Cyrus 2008, 38, 47). In this study, I adopt this perspective on the accessions as well.

From this perspective, then, the accessions triggered major decreases in the number of East European people in the undocumented population in May 2004 and again in January 2007. The available evidence suggests that these outflows from the undocumented population were not matched by comparable inflows. In looking at data regarding individual immigrant groups relevant to the undocumented population, we find that Germany received 28,914 asylum applications in 2005, 21,029 asylum applications in 2006, and 19,164 asylum applications in 2007 (Bundesministerium des Innern 2007, 38). These numbers seem strikingly low in relative as well as absolute terms; in the twenty-year period between 1984 and 2004, Germany’s annual number of asylum applications never dropped below 30,000, and often proved to be far higher, as my discussion above suggests. Similarly, state officials appear to have discovered a relatively and absolutely low number of individuals during this time period who had attempted to cross the German border illicitly. When we extend the time series presented in Table 5.11, we find 15,551 episodes of attempted illicit entry in 2005, 17,992 episodes in 2006, and 15,445 episodes in 2007 (278)—the lowest number of episodes recorded since 1990. This development does not seem to have been primarily a product of changes in administrative practice, given that Germany does not appear to have substantially
modified its approach to border control at this time. As for the third individual group relevant to the undocumented population, overstayers, we have no data that can speak to the entrance of new overstayers into this population. Given that many overstayers in Germany during the 1989-2004 period appear to have come from countries that acceded to the EU in 2004, however, we might expect relatively few new overstayers to have become part of the undocumented population between 2004 and 2007. Of course, we have no way of knowing for sure the number of rejected asylum seekers, overstayers, and undocumented, unauthorized entrants who joined the undocumented population in Germany during this time, for all the reasons that I have discussed previously. However, nothing in the data on individual groups of relevance to the undocumented population suggests that Germany experienced a substantial surge of new undocumented people at this time. On the basis of the available evidence on individual groups relevant to the undocumented population, then, intermediary organizations would have likely concluded that Germany’s undocumented population decreased in size after the accessions of 2004 and 2007.

The available evidence related to the undocumented population as a whole would have reinforced this conclusion, while at the same time suggesting that the overall number of undocumented immigrants remained in at least the hundreds of thousands. In 2004, Jörg Alt updated his earlier estimate regarding the size of Germany’s

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97 One might wonder how the EU accessions of 2004 affected border control practices in Germany during the 2004-2007 period, given that these accessions involved two countries bordering Germany. The Czech Republic and Poland did not join the EU’s Schengen area until December 2007, the very end of this period; as such, Germany retained standard controls on its Czech and Polish borders for essentially the entire period under consideration here. At the same time, though, the issue of EU expansion does appear to have figured into German officials’ thinking about border control both prior to, and during, this time; starting in the 1990s, the East European candidates for accession to the EU came to be viewed as a useful “buffer zone” between Germany and prospective immigrants in countries to the east and south (Andreas 1998-99, 613)—a view that endured after these countries’ eventual accessions to the EU.
undocumented population, suggesting that the number of undocumented immigrants present in Germany dropped to between roughly 500,000-1 million after the May 2004 accessions (2004, 8). Alt has not subsequently produced an estimate that reflects the effects of the January 2007 accessions as well, however. More insight into the effects of these accessions can be derived from Dita Vogel’s recent estimates of the minimum and maximum size of the German undocumented population in 2005, 2006, and 2007 (2009); one must note, though, that intermediary organizations would not have had access to Vogel’s findings during the time period covered in this study (given that, as discussed previously, this study does not seek to address events after 2007). As such, I mention these findings briefly simply because they provide some interesting insights for the reader into the potential effects of the Bulgarian and Romanian accessions to the EU, while also representing the most rigorous attempt to date to develop estimates regarding Germany’s undocumented population. Table 5.17 presents these estimates, which are based on data drawn from police statistics. As this table makes clear, Vogel calculates two separate estimates of the maximum number of unauthorized immigrants, on the grounds that two different versions of her method can be plausibly applied to this issue. As one would expect, all of Vogel’s estimates suggest that the minimum and maximum number of undocumented immigrants in Germany dropped considerably between 2006 and 2007.98

98 More puzzling, though, are two other aspects of her estimates. First, the estimates indicate that the minimum number dropped roughly the same amount between 2005 and 2006 as it did between 2006 and 2007; second, one of her two estimates of the maximum number indicates that this number actually dropped more between 2005 and 2006 than it did between 2006 and 2007. (The other estimate of the maximum number, which shows a steep drop between 2006 and 2007 and only a small drop between 2005 and 2006, yields results more in keeping with expectations.) Vogel’s analysis does not explain these puzzling drops in the minimum and maximum numbers; they may be simply an artifact of an inevitably imprecise estimation procedure.

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>279,526</td>
<td>679,996</td>
<td>749,031</td>
</tr>
<tr>
<td>2006</td>
<td>238,798</td>
<td>562,357</td>
<td>724,272</td>
</tr>
<tr>
<td>2007</td>
<td>195,845</td>
<td>457,015</td>
<td>537,947</td>
</tr>
</tbody>
</table>

Source: Vogel 2009, 10-12.

In essence, then, the size of Germany’s undocumented population would have appeared to have decreased in the wake of the EU accession processes of 2004 and 2007, while still remaining in at least the hundreds of thousands. At the same time, of course, the EU expansions of 2004 and 2007 changed not only the size of this population, but also its national composition. As I have already suggested, Bulgarians, Czechs, Lithuanians, Poles, and Romanians appear to have been substantial national groups within Germany’s undocumented population before the EU’s enlargement. However, these national groups exited the undocumented population entirely after the accession process, as did the citizens of the other countries that joined the EU during this period. We can reasonably assume that most of the members of the Roma ethnic group also left the undocumented population in 2007, as many of them appear to have been Bulgarian and Romanian nationals. Importantly, though, the accessions would have had no effect on the status of immigrants from the other national groups that appeared to be significant within the undocumented population between 1989 and 2004, and we have no indication that other forces would have acted to shrink the ranks of these groups in the post-2004 era, either. As such, people from a number of countries would have appeared to be fairly prominent within the undocumented population in the wake of the accessions:
Afghanistan, India, Iran, Iraq, Pakistan, the Russian Federation, Sri Lanka, Turkey, Ukraine, Vietnam, and some former Yugoslav republics, particularly Serbia-Montenegro (which became two countries, Serbia and Montenegro, in 2006; for simplicity’s sake, I will generally treat Serbia and Montenegro as separate entities throughout the remainder of this discussion). The apparent position of people from Iraq, Montenegro, the Russian Federation, Serbia, Turkey, and Vietnam within the undocumented population would have also been reinforced by the composition of asylum inflows to Germany during this period, as individuals from these countries constituted the largest national groups represented in the set of asylum applications filed in 2005, 2006, and 2007 (Bundesamt für Migration und Flüchtlinge 2006, 18; Bundesamt für Migration und Flüchtlinge 2007, 17). People from Montenegro, the Russian Federation, Serbia, and Turkey also had significant representation within the population of individuals apprehended for illicit entry in 2005 and 2006, as did citizens of Ukraine (see Cyrus 2008, 71). To sum up, then, we can say that the number of countries represented in the undocumented population appears to have gone down somewhat in the wake of the 2004 and 2007 accessions, yet remained in the hundreds of thousands; in addition, the set of countries with (apparently) significant representation within the population would have continued to include Afghanistan, India, Iran, Iraq, Pakistan, the Russian Federation, Sri Lanka, Turkey, Ukraine, Vietnam, and certain former Yugoslav republics, particularly Montenegro and Serbia.

Overall, we can speak of three distinctive periods in the development of the German undocumented population: 1973-1989, 1989-2004, and 2004-present. (One must
keep in mind here that the “present” ends in 2007 for the purposes of this study.) In Table 5.18, I summarize the key apparent characteristics of this population during each of these three time periods. In Part III of this study, I will take up the question of how, if at all, the apparent nature of the undocumented population in these different periods helped to shape the advocacy behavior of trade union and immigrant organizations in Germany.
Table 5.18: Summary of the Apparent Characteristics of the German Undocumented Population, 1973-2007

<table>
<thead>
<tr>
<th>Period</th>
<th>Size</th>
<th>National and Ethnic Composition</th>
<th>Labor Market Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973-1989</td>
<td>The undocumented population appears to have been small in size in the years immediately after 1973, and to have grown incrementally in the 1980s. It does not appear to have grown beyond the tens of thousands (roughly) at any point during this period, though.</td>
<td>In the 1970s, the population appears to have mainly consisted of immigrants from several “guestworker” countries: Greece, Portugal, Spain, Turkey, and Yugoslavia. Greece, Portugal, and Spain all joined the EEC in the 1980s; when they did so, their citizens left the German undocumented population. People from Turkey and Yugoslavia remained a notable presence within the undocumented population during the 1980s, however, while Indians, Iranians, Pakistanis, and Sri Lankans joined the population in significant numbers during this time.</td>
<td>Undocumented immigrants appear to have been active at the margins of the agricultural, construction, and hospitality sectors.</td>
</tr>
<tr>
<td>1989-2004</td>
<td>The population appears to have grown larger than it was in the 1980s. In particular, it appears to have numbered approximately in the hundreds of thousands, if not over one million.</td>
<td>A large number of countries appear to have had significant representation within the undocumented population during this time: Afghanistan, Bulgaria, the Czech Republic, India, Iran, Iraq, Lithuania, Pakistan, Poland, Romania, the Russian Federation, Sri Lanka, Turkey, Ukraine, Vietnam, and Yugoslavia and various Yugoslav successor states. In addition, Roma people appear to have constituted a significant transnational ethnic group within the population.</td>
<td>In addition to maintaining their preexisting roles in the agricultural, construction, and hospitality sectors, undocumented immigrants appear to have been active in household work, sex work, and commercial cleaning during this time.</td>
</tr>
</tbody>
</table>
Table 5.18, Continued.

<table>
<thead>
<tr>
<th>Period</th>
<th>Size</th>
<th>National and Ethnic Composition</th>
<th>Labor Market Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-2007</td>
<td>The undocumented population of this time appears to have been smaller than the undocumented population of the 1989-2004 period. Nonetheless, the population appears to have numbered approximately in at least the hundreds of thousands.</td>
<td>The population seems to have encompassed fewer national groups overall in the wake of the European Union accessions of 2004 and 2007. The following countries appear to have had significant representation in the undocumented population during this time period: Afghanistan, India, Iran, Iraq, Pakistan, the Russian Federation, Sri Lanka, Turkey, Ukraine, Vietnam, and certain former Yugoslav republics, particularly Montenegro and Serbia.</td>
<td>Undocumented immigrants appear to have continued working in the same economic sectors in which they worked during the 1989-2004 period.</td>
</tr>
</tbody>
</table>
Chapter 6

The Apparent Evolution of the Undocumented Population in the United Kingdom, 1973-Present

In some respects, the history of post-war immigration to the UK broadly resembles the history of post-war immigration to Germany recounted in Chapter 5. Like Germany, the United Kingdom pursued a relatively open immigration policy during the years following World War II, and experienced a considerable influx of labor immigrants from less developed countries as a result. At the same time, though, the history of post-war migration to the UK is in many ways quite distinctive, a fact that has much to do with the UK’s status as a (waning) imperial power during this time period. Until the early 1960s, the UK did not regulate inward migration from its colonies or from states in the Commonwealth (Layton-Henry 2004, 301); UK law thus essentially treated individuals from these locations as people moving within a single political space, rather than as international migrants in any usual sense of the term.99 As a result, many people from countries linked to the British Empire moved to the UK during the post-war period, with people from India, Pakistan, and various nations in the Caribbean emerging as particularly prominent immigrant groups during these years (see Green 2007, 97). At the same time, the UK did offer considerable opportunities for European migrants to enter the country for work after World War II, and a number of Italians and Poles, among other Europeans, migrated to the UK during the post-war years, too (see Klug and Gordon 1985, 3; Layton-Henry 2004, 301). Nonetheless, imperial ties heavily shaped the composition of post-war immigration flows to United Kingdom. They also helped to influence the relatively attractive terms under which many post-war migrants entered the

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99 The UK also did not regulate immigration from another country deeply enmeshed in the history of British empire: Ireland (Layton-Henry 2004, 301).
UK; unlike their German counterparts, the UK’s post-war immigrants often enjoyed easy access to permanent residency and citizenship, a situation linked to their status as subjects of the British Empire or Commonwealth (Green 2007, 97).

This fairly open post-war immigration regime did not endure in the UK. Indeed, the transition from a relatively open post-war immigration regime to a notably more restrictive one occurred earlier in the UK than it did in most North European countries, as Chapter 2 suggests. The UK introduced its first major piece of restrictive legislation, the Commonwealth Immigrants Act, in 1962; this law established a system in which most would-be immigrants from British colonies and the Commonwealth had to gain an entry voucher from the Ministry of Labour prior to entering the UK (Layton-Henry 2004, 301). The state went on to impose further restrictions on immigrants with imperial links to the UK in 1965 and 1968 (see Gordon and Klug 1986, 5-6). This period of restrictionist policymaking culminated in the Immigration Act of 1971, which, upon its implementation on January 1, 1973, rendered all persons except for so-called “patrials” subject to fairly strict immigration controls. An individual could qualify as a “patrial” on the basis of several criteria; perhaps most notably, one could gain patrial status on the basis of having a parent or grandparent who held UK citizenship, a provision that favored prospective immigrants from “Old Commonwealth” settler countries like Australia and Canada over potential immigrants from “New Commonwealth” countries like India and Jamaica (Gordon and Klug 1986, 7). Analysts have debated why this restrictionist turn occurred and why legislation passed during this period targeted non-white prospective immigrants in particular; while some authors have identified elite racism as the critical
causal factor (e.g., Paul 1997), others—perhaps most notably Randall Hansen—have criticized this view (see Hansen 2004).

For the purposes of this study, what matters most is not precisely why the UK adopted restrictionist policies toward colonial and Commonwealth immigrants between 1962-1971, but rather simply that the UK adopted these policies in the first place. When a state imposes restrictions on immigration flows previously subject to little or no regulation, a significant undocumented population often seems to develop, as Chapter 2 suggests. In the case of the UK, a non-trivial undocumented population does indeed appear to have developed after the country became more restrictionist in orientation, although I have found no information suggesting that a notable undocumented population existed in the 1960s, despite the restrictions imposed on immigration in 1962, 1965, and 1968. Instead, the UK’s undocumented population appears to have initially taken shape in the 1970s, as I discuss in this chapter’s next section. This time lag seems readily explicable; one does not expect an undocumented population to form and become known instantly, after all, and the control provisions introduced earlier in this restrictionist period were not especially comprehensive in their scope.100 Given that the UK does not appear to have had a significant undocumented population in the 1960s, this study begins its discussion of the UK in 1973, the year in which the Immigration Act of 1971 came into effect.

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100 For instance, one ethnographic study of Pakistani immigrant communities in Birmingham and Bradford in the 1960s reports stories of Pakistani sailors entering the UK simply by “jumping ship” while anchored in the UK (Dahya 1973, 241-2). Under the terms of the 1962 Commonwealth Immigrants Act, this practice would actually have not led to these immigrants being unlawfully present in any long-term sense. As Paul Gordon and Francesca Klug suggest, the 1962 law “did not impose any duty on… [immigrants with imperial ties to the UK] to present themselves for examination” (and possible refusal) by immigration officers; as such, “an immigrant who managed to avoid contact with immigration control for one day was guilty of no offense and could not be deported or removed” (1985, 5). These immigrants only acquired an affirmative obligation to enter through official immigration channels in 1968 (6).
Perhaps unsurprisingly, we have relatively little specific information about the UK’s undocumented population in the 1970s, and only somewhat more information related to this population in the 1980s. With regard to the 1970s, the available sources agree that the UK did have undocumented immigrants present in its society during this time (e.g., Ashtiany 1976, 10; Labour Party Research Department 1976, 11; Minority Rights Group 1976, 25), although some disagreement existed at the time as to how large the undocumented population was. In May of 1976, an unknown official leaked a confidential Foreign Office report addressing the subject of unauthorized immigration to Enoch Powell, the infamously anti-immigration politician and former Conservative minister who was at that time a member of parliament for the Ulster Unionist Party. Authored by an Assistant Under-Secretary of State, Donald Hawley, this document alleged—in the words of one commentator—that “fraud, use of false documents, and abuse of immigration rules were common practices in India, Pakistan, and Bangladesh” (Slack 1977, 77). As such, the report implied that a large number of immigrants from the Indian subcontinent had entered the UK on false pretenses, and thus should be viewed as irregular immigrants—a suggestion that proved to be quite inflammatory politically (Miles and Phizacklea 1977, 506). Importantly, though, the report met with sharp criticism in many quarters, with organizations sympathetic to immigrants and workers proving to be among its most notable critics. For instance, the then-head of the Runnymede Trust, a research organization focused on issues related to immigration and ethnic minorities, characterized the report as being “based on gossip and hearsay” (Lyon...
The Joint Council for the Welfare of Immigrants, another major civil society organization focused on immigration and ethnic minorities, also proved skeptical of the Hawley Report (McHardy 1976; Slack 1977, 77), while an analysis prepared by the Labour Party Research Department largely endorsed the critical conclusions of a newspaper investigation into Hawley’s findings (1976, 11-14). I think it unlikely that other organizations focused on immigrants and labor issues would have adopted a very different perspective; rather than turning to the ideas publicized by a politician of a very different political orientation than their own, these organizations would have looked to other available information about the undocumented population instead. 

Taken as a whole, this information would have encouraged intermediary organizations to conclude that the UK had a relatively small undocumented population in the 1970s. In particular, the evidence would have likely suggested to them that the UK’s undocumented population numbered approximately in the low tens of thousands, rather than the hundreds of thousands or millions. Consider first some statistics regarding two small-scale regularization programs in the 1970s that targeted a subset of irregular Commonwealth and Pakistani immigrants. (I speak of Commonwealth and Pakistani immigrants as separate categories here because Pakistan did not hold membership in the Commonwealth between 1972-1989.) The UK launched the first of these programs in 1974, and the second in 1978. The first program garnered 1,840-1,860 successful

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101 One additional analysis from the period does advance a claim that could be interpreted as suggesting otherwise. According to Sue Ashtiany, the UK had only “some hundreds” of persons present on its soil who had entered the country without any authorization, but “a far larger group” of immigrants worked without permission, many of whom had overstayed their visas (1976, 10). Ultimately, I am not sure what to make of this claim, as a number “far larger” than “some hundreds” could still be small in relative terms. Overall, this source seems too vague to be of much relevance to the discussion here.
applications out of a total of 2,470, while the second garnered 550-650 successful applications out of a total of 830 (Home Office 1981, 54-55). Ultimately, then, undocumented Commonwealth and Pakistani immigrants filed a total of 3,300 applications for regularization through these programs, of which 2,390-2,510 applications met with a favorable response from the UK state. One must keep in mind that these two programs had restrictive eligibility criteria, and as such they would not have been relevant to some undocumented immigrants in the UK. In addition, one report produced by the Birmingham Community Development Project indicates that the 1974 regularization “was received with reluctance and caution by immigrant communities” (1977, 23); some potentially eligible individuals hesitated to apply for regularization, as they feared that an unsuccessful application could potentially attract unwanted attention from the immigration authorities (23). This dynamic, which presumably continued to operate during the 1978 program as well, would have served to suppress the number of applications. In sum, then, we can say that the UK state came into contact with 3,300 undocumented immigrants as a result of its regularization programs in the 1970s; moreover, we can posit that additional undocumented immigrants lived in the UK during this time who did not apply to these programs.

Along with this information regarding the 1974 and 1978 regularization programs, other relevant government statistics would have also been part of intermediary organizations’ informational environment during this time period. The UK does not

102 I am unable to provide the precise number of successful applications to these programs because UK Home Office records do not indicate the fate of 20 applications to the 1974 program and 100 applications to the 1978 program (see Home Office 1981, 54-5).
103 I should note that the numbers presented in one source offer a somewhat different picture, suggesting that the two programs garnered a total of 3,071 applications, and that 2,271 of these applications met with success (see Levinson 2005, 29). The provenance of these numbers is unclear; in any event, I use here the numbers that the Home Office itself has reported.
routinely make available some of the more helpful types of statistics that Germany does, but the Home Office does at least publish relevant data regarding deportations and what it terms (in an ugly choice of words) “removals.” We can define “removals” as processes by which the UK state summarily forces non-citizens alleged to meet certain criteria to leave its territory (Gordon and Klug 1985, 18). During the 1970s, a non-citizen could be summarily forced to leave the UK only if he or she had been judged by a state official to be a so-called “illegal entrant.” The state initially defined “illegal entrants” as persons who entered the country without any authorization, but over the course of the 1970s this definition expanded to encompass individuals who (knowingly or unknowingly) presented incorrect or incomplete papers or information to an immigration officer at the time of entry (18; Nicol 1981, 8, 29-39; Plummer 1979, 7). This broader definition of “illegal entrant” matches with my usage of the term “unauthorized entrant” throughout this chapter. Like removals, deportations also entail the forced departure of non-citizens, but individuals facing deportation have more opportunity to appeal the state’s initial decisions regarding their departure while remaining in the country (Gordon and Klug 1985, 18). In the 1970s, all non-citizens who initially entered the UK with authorization and accurate and complete papers were subject to deportation rather than removal procedures. Thus, for instance, the state would seek to deport an “overstayer” with an expired visa in the 1970s, rather than subjecting her or him to removal procedures. Importantly, though, the state did not reserve deportation exclusively for undocumented immigrants; if an individual with a valid visa worked in breach of the conditions of that visa or committed a serious crime, he or she might also be subject to deportation as well (17).
Before we turn to the available evidence regarding these removal and deportation procedures during the 1973-1989 period, I must first note one frustrating aspect of working with the Home Office data related to these topics: one observes numerous minor discrepancies in the Home Office data for this period. To take one example, the Home Office data presented in Table 6.2 below would lead one to think that the UK “removed” 844 people in 1985, and 1,566 people in 1987. Based on the Home Office statistics in Table 6.3, however, one would think that these numbers should be 823 and 1,454, respectively. In some cases, this type of discrepancy can be found within a single Home Office publication (e.g., Home Office 1983, 50-53). The Home Office’s data can still be used for my purposes here; I am interested only in establishing some very general sense of the apparent size of the undocumented population between 1973 and 1989, and thus minor discrepancies in the data constitute no real problem for my analysis. Nonetheless, they may unfortunately prove an irritant to the reader as this section proceeds.

In Table 6.1, I present an initial set of Home Office data regarding removals and deportations for consideration. This table highlights in particular the number of removals undertaken and the number of deportation orders promulgated in the UK between the implementation of the Immigration Act and the close of the 1970s. Several points of clarification should be made about these data. First, the statistics dealing with removals include information on individuals accused of illegal entry who in essence “removed” themselves; in other words, they departed the state in a manner judged by the state to be voluntary. Second, the data on deportation orders should not be confused with data on actual deportations. If a state issues a deportation order, it simply signals that the individual to whom the order was issued has been judged someone who should be
Table 6.1: Number of “Removals” and Deportation Orders in the UK, 1973-1979

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of (Forced and Voluntary) “Removals”</th>
<th>Number of Deportation Orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973</td>
<td>80</td>
<td>465</td>
</tr>
<tr>
<td>1974</td>
<td>110</td>
<td>427</td>
</tr>
<tr>
<td>1975</td>
<td>150</td>
<td>545</td>
</tr>
<tr>
<td>1976</td>
<td>260</td>
<td>789</td>
</tr>
<tr>
<td>1977</td>
<td>500</td>
<td>1,157</td>
</tr>
<tr>
<td>1978</td>
<td>540</td>
<td>1,234</td>
</tr>
<tr>
<td>1979</td>
<td>580</td>
<td>1,275</td>
</tr>
<tr>
<td>Total, 1973-1979</td>
<td>2,200</td>
<td>5,892</td>
</tr>
</tbody>
</table>


States do not, and indeed cannot, enforce all of the deportation orders they promulgate. They may fail to deport a given person because the person cannot be located, because of activism on her or his behalf, and so on; at the same time, the number of deportations that occur in a given country also may be (quietly) influenced by cost issues, given that deportations can be very expensive (see Gibney and Hansen 2003, 10-13). Third, the statistics that we have on deportation orders suffer from a limitation quite common to evidence that fits within the second cluster of sources described in Chapter 4, as these statistics do: as suggested earlier, these statistics intermingle information on undocumented immigrants with information on other groups.

When combined with the data on the 1974 and 1978 regularization programs, these data from Table 6.1 suggest that the UK state crossed paths with relatively few undocumented immigrants during the 1970s. Immigration authorities appear to have encountered 11,392 undocumented immigrants at most—i.e., 3,300 immigrants who applied for regularization, and 8,092 who faced removal or deportation. Moreover, the actual number of undocumented immigrants with which the state came into contact

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104 At the same time, states do appear to exhibit some variation with regard to their capacity to enforce these orders (see Ellermann 2009).
would have only equaled 11,392 if 1) the population of individuals facing removal or deportation did not overlap at all with the population of applicants for regularization, and 2) all of the immigrants subject to deportation held an undocumented status. Given that neither of these conditions likely obtained, the actual number of undocumented immigrants encountered by state officials was almost certainly lower than 11,392.

These data on regularization programs, removals, and deportations would have encouraged intermediary organizations to view the undocumented population as fairly small; in particular, it would have suggested to them that the population numbered approximately in the low tens of thousands. Of course, organizations would have had no way to know for sure how many undocumented immigrants went undetected by the UK state during the 1970s. Moreover, one might argue that low removal and deportation numbers could actually be a symptom of a large undocumented population; if a state is forcing relatively few undocumented people to depart its territory, then it actually might have a substantial number of undocumented immigrants residing there. The UK state did actively engage in immigration enforcement activities during the 1970s (see Plummer 1979), though, and it presumably would not have entirely “missed” a large undocumented population, even if the members of that population were fairly adept at maintaining a low profile. In the absence of estimates or analyses suggesting otherwise, then, organizations would have tended to think that the state had crossed paths with many, if not most, of the undocumented immigrants living in the UK during this period. As such, the undocumented population would have appeared to number in the low tens of thousands.

The available evidence suggests that the population would have seemed to grow incrementally larger during the 1980s, although the population’s size would not have
Table 6.2: Number of “Removals” and Deportation Orders in the UK, 1980-1989

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of (Forced and Voluntary) “Removals”</th>
<th>Number of Deportation Orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>908</td>
<td>2,472</td>
</tr>
<tr>
<td>1981</td>
<td>640</td>
<td>2,195</td>
</tr>
<tr>
<td>1982</td>
<td>612</td>
<td>1,986</td>
</tr>
<tr>
<td>1983</td>
<td>550</td>
<td>2,242</td>
</tr>
<tr>
<td>1984</td>
<td>627</td>
<td>2,218</td>
</tr>
<tr>
<td>1985</td>
<td>844</td>
<td>2,145</td>
</tr>
<tr>
<td>1986</td>
<td>1,142</td>
<td>1,078</td>
</tr>
<tr>
<td>1987</td>
<td>1,566</td>
<td>963</td>
</tr>
<tr>
<td>1988</td>
<td>2,196</td>
<td>858</td>
</tr>
<tr>
<td>1989</td>
<td>2,357</td>
<td>1,210</td>
</tr>
<tr>
<td>Total, 1980-1989</td>
<td>11,442</td>
<td>17,367</td>
</tr>
</tbody>
</table>


appeared to have changed dramatically. This incremental growth appears to have occurred due to the persistence of migration systems between the UK and other countries, as well as the UK’s continuing espousal of a tight labor migration policy, among other factors. In considering the size of this population, established intermediary organizations would have had little information upon which to draw except for the Home Office’s data regarding removals and deportation orders; I present the data for the 1980s in Table 6.2.

As this table and Table 6.1 suggest, the number of removals went from 2,200 between 1973-1979 to 11,442 between 1980-1989, while the number of deportation orders rose from 5,892 between 1973-1979 to 17,367 between 1980-1989. In short, both numbers increased, although one must keep in mind that the statistics on deportation

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105 The UK had adopted a fairly restrictive approach to labor migration after the passage of the 1971 Immigration Act, as noted above, and the number of work permits issued to labor migrants in the UK dropped still further during the early Thatcher years. Indeed, the UK state issued roughly 15,000 permits a year in the early 1980s; by way of contrast, the state was issuing 60,000-70,000 work permits annually in the years immediately before the Immigration Act, and over 30,000 in the years immediately after it (see Clarke and Salt 2003, 564). One should also note that a special program had made work permits available to foreign workers in the hospitality industry throughout much of the 1970s; eventually, however, this program was curtailed (Ardill and Cross 1989, 59; Clarke and Salt 2003, 574n2).
orders presumably encompass some individuals who had valid visas. We have no evidence suggesting that the administrative practices of the UK state vis-à-vis undocumented immigrants changed dramatically between the 1970s and 1980s; as such, the undocumented population would have appeared somewhat larger overall during the later years of the 1973-1989 period. Still, the numbers would have seemed to remain approximately in the tens of thousands overall.

With regard to the national composition of the undocumented population during this period, we lack for good data related to the subject. We can say that a significant number of immigrants who experienced removal or a deportation order during this time came from current and former Commonwealth countries, though, and we can reasonably assume that the vast bulk of these individuals came from current and former New Commonwealth countries in particular, given the favorable treatment accorded Old Commonwealth “patrials” in UK immigration law during this time. As Tables 6.3 and 6.4 indicate, Home Office data suggest that 4,623 of the 8,996 illegal entrants removed between 1973-1987 came from countries that held active membership in the Commonwealth, while 3,076 of the 5,892 individuals served with a deportation order between 1973-1979 also came from such countries (Home Office 1983, 50-53). One should emphasize here that these figures on Commonwealth immigrants do not include immigrants from Pakistan, which was not a member of the Commonwealth between 1972-1989, as I noted previously. Given the historic ties and migration systems that link Pakistan and the UK (as well as certain data reported in the next paragraph), we can reasonably posit that Pakistani immigrants constituted some non-trivial portion of the

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106 I do not present data on the origins of individuals who faced removal or a deportation order in 1988 and 1989 because the Home Office has not published such data.
non-Commonwealth immigrants highlighted in Tables 6.3 and 6.4. As for data on deportation orders between 1980 and 1987, the Home Office used different categories in reporting these data than it used in reporting data for the 1973-1979 period; in particular, it grouped Pakistani immigrants with Commonwealth immigrants rather than with non-Commonwealth immigrants. These data suggest that 10,092 of the 15,293 individuals facing a deportation order between 1980 and 1987 came from current members of the Commonwealth or Pakistan, as Table 6.5 makes clear. Of course, the distribution of Commonwealth and non-Commonwealth immigrants within the entire undocumented population might not have mirrored the distribution of these groups within the set of immigrants facing removal or deportation orders during the 1973-1989 period. Nonetheless, these statistics would have offered organizations some sense of what the undocumented population as a whole looked like in the absence of better data; in particular, the statistics would have suggested that a considerable, though not overwhelming, percentage of undocumented immigrants in the UK during this period came from current and former Commonwealth countries.

As for the individual countries represented within the undocumented population between 1973 and 1989, the Home Office’s official publications do not list the nationalities of the various Commonwealth and non-Commonwealth immigrants who faced removal or a deportation order during this time. However, members of Parliament did request relevant data from the Home Office for certain years within this period, and one can obtain the Home Office’s responses to their queries in the parliamentary Hansard. Consider first some data reported to Parliament in the 1970s. In 1975, the Home Office
Table 6.3: Number of “Removals” of Commonwealth Immigrants and Other (Including Pakistani) Immigrants in the UK, 1973-87

<table>
<thead>
<tr>
<th>Year</th>
<th>Commonwealth Immigrants</th>
<th>Other (Including Pakistani) Immigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>1974</td>
<td>80</td>
<td>30</td>
</tr>
<tr>
<td>1975</td>
<td>80</td>
<td>80</td>
</tr>
<tr>
<td>1976</td>
<td>140</td>
<td>130</td>
</tr>
<tr>
<td>1977</td>
<td>310</td>
<td>180</td>
</tr>
<tr>
<td>1978</td>
<td>260</td>
<td>280</td>
</tr>
<tr>
<td>1979</td>
<td>260</td>
<td>330</td>
</tr>
<tr>
<td>1980</td>
<td>319</td>
<td>589</td>
</tr>
<tr>
<td>1981</td>
<td>283</td>
<td>357</td>
</tr>
<tr>
<td>1982</td>
<td>281</td>
<td>331</td>
</tr>
<tr>
<td>1983</td>
<td>281</td>
<td>269</td>
</tr>
<tr>
<td>1984</td>
<td>329</td>
<td>298</td>
</tr>
<tr>
<td>1985</td>
<td>425</td>
<td>398</td>
</tr>
<tr>
<td>1986</td>
<td>676</td>
<td>466</td>
</tr>
<tr>
<td>1987</td>
<td>859</td>
<td>595</td>
</tr>
</tbody>
</table>

**Total, 1973-1987**

<table>
<thead>
<tr>
<th></th>
<th>Commonwealth Immigrants</th>
<th>Other (Including Pakistani) Immigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total, 1973-1987</strong></td>
<td><strong>4,623</strong></td>
<td><strong>4,373</strong></td>
</tr>
</tbody>
</table>


Table 6.4: Number of Deportation Orders Issued to New Commonwealth Immigrants and Other (Including Pakistani) Immigrants in the UK, 1973-1979

<table>
<thead>
<tr>
<th>Year</th>
<th>New Commonwealth Immigrants</th>
<th>Other (Including Pakistani) Immigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973</td>
<td>214</td>
<td>251</td>
</tr>
<tr>
<td>1974</td>
<td>211</td>
<td>216</td>
</tr>
<tr>
<td>1975</td>
<td>271</td>
<td>274</td>
</tr>
<tr>
<td>1976</td>
<td>400</td>
<td>389</td>
</tr>
<tr>
<td>1977</td>
<td>662</td>
<td>495</td>
</tr>
<tr>
<td>1978</td>
<td>745</td>
<td>489</td>
</tr>
<tr>
<td>1979</td>
<td>573</td>
<td>702</td>
</tr>
</tbody>
</table>

**Total, 1973-1979**

<table>
<thead>
<tr>
<th></th>
<th>New Commonwealth Immigrants</th>
<th>Other (Including Pakistani) Immigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total, 1973-1979</strong></td>
<td><strong>3,076</strong></td>
<td><strong>2,816</strong></td>
</tr>
</tbody>
</table>

Table 6.5: Number of Deportation Orders Issued to New Commonwealth and Pakistani Immigrants and Other Immigrants in the UK, 1980-87

<table>
<thead>
<tr>
<th>Year</th>
<th>New Commonwealth and Pakistani Immigrants</th>
<th>Other Immigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>1,755</td>
<td>717</td>
</tr>
<tr>
<td>1981</td>
<td>1,445</td>
<td>750</td>
</tr>
<tr>
<td>1982</td>
<td>1,452</td>
<td>534</td>
</tr>
<tr>
<td>1983</td>
<td>1,354</td>
<td>888</td>
</tr>
<tr>
<td>1984</td>
<td>1,353</td>
<td>865</td>
</tr>
<tr>
<td>1985</td>
<td>1,365</td>
<td>780</td>
</tr>
<tr>
<td>1986</td>
<td>699</td>
<td>379</td>
</tr>
<tr>
<td>1987</td>
<td>669</td>
<td>288</td>
</tr>
<tr>
<td><strong>Total, 1980-1987</strong></td>
<td><strong>10,092</strong></td>
<td><strong>5,201</strong></td>
</tr>
</tbody>
</table>


indicated that it removed 139 immigrants in 1973 and another 139 immigrants in 1974, and that citizens of India and Pakistan comprised the strong majority of its “removees” in both 1973 and 1974. The Home Office also indicated that it issued deportation orders for 460 persons in 1973 and 427 persons in 1974; within the diverse population of individuals reported to have received deportation orders during these years, we can identify particularly large clusters of people from Cyprus, Ghana, India, and Pakistan (Hansard 1975, vol. 892, cols. 539-545W). In 1986, a member of Parliament submitted another request for data related to undocumented immigrants; in response to this request, the Home Office provided Parliament with relevant statistics for 1984, 1985, and the first three months of 1986. These statistics focus on immigrants identified by the state as unauthorized entrants; such persons may or may not have been detained or forced to leave the UK. Remarkably, no less than 99 countries have some representation within these statistics. Of these 99 countries, six prove to be the most prominent: Columbia, Ghana, India, Nigeria, Pakistan, and Turkey (Hansard 1986, vol. 102, cols. 40-42W). Of course, the most prominent national groups within the statistics for 1973, 1974, 1984,
1985 and 1986 may not have been the most prominent national groups within the Home Office’s (unreported) statistics for other years during the 1973-1989 period. Moreover, the distribution of national groups within the Home Office’s statistics related to undocumented immigrants may not mirror the distribution of national groups within the actual undocumented population, as we know. In the absence of better data, however, these Home Office data would have suggested to intermediary organizations and other political actors that at least seven countries had significant representation within the UK’s undocumented population during the 1973-1989 period: Columbia, Cyprus, Ghana, India, Nigeria, Pakistan, and Turkey. Other sources of information from the period also underscore the apparent presence and significance of undocumented immigrants from these countries; we have several reports and studies from the period that fit within the first cluster of sources discussed in Chapter 4, and, taken as a group, these sources suggest that all seven of these countries had representation within the UK’s undocumented population (see Ardill and Cross 1988; Minority Rights Group, 25; Plummer 1979).

While intermediary organizations and other political actors would have likely perceived several national groups to hold a prominent place in the UK’s undocumented population between 1973 and 1989, they also would have perceived one additional group to have such a place in this population as well, due to the British left’s tendency during this period to conceptualize people from a wide range of (generally New Commonwealth) countries as being members of a single ethnic group. Stuart Hall has spoken of what he terms an “extremely important” idea in the context of the UK’s “anti-racist struggles of the 1970s:” the idea that people of African, Asian, and Caribbean descent in the UK all
could, and indeed should, be thought of as ethnically black due to their common experiences in British society (1997, 55). Perhaps as a result of the many cleavages within this group of people (see 56-57), this idea of a shared black identity appears to have become less prominent after the 1970s, although it by no means disappeared entirely during the 1980s. As I explained in Chapter 3, I am interested in not only the particular national groups that exist within the undocumented population in a given context, but also in the particular ethnic groups present in this population. As such, the fact that numerous undocumented immigrants would have been understood by many on the British left to be members of a single black ethnicity needs to be emphasized here\textsuperscript{107}—although, as we will see in Chapter 10, the dearth of established intermediary organizations focused specifically on serving black people during this period meant that this situation had relatively little impact on political contention related to undocumented immigrants.

With regard to the labor market position of undocumented immigrants between 1973 and 1989, the available evidence indicates that these immigrants principally worked within a few segments of the British economy. The very patchy evidence that we have from the 1970s suggests that a notable fraction of undocumented immigrants worked in the hospitality sector; in an analysis published in 1976, Sue Ashtiany writes that “a large proportion of the ‘illegal’ migrant workers [present in the UK] seem to be concentrated in the catering industry” (11),\textsuperscript{108} an assertion that appears to be based in part on the

\textsuperscript{107} I should also note that Hall characterizes this common black identity as one antithetical to an ethnic identity, which (if I read him correctly) he considers to be a type of identity linked to the cultural customs and traditions found in a person’s country of origin (see Hall 1997, 55-56). As Chapter 3 makes clear, however, this study conceptualizes ethnic identity in different terms.

\textsuperscript{108} In UK English, the phrase “catering industry” encompasses all firms that provide food and drink, including restaurants, pubs, and so on.
observations and experiences of trade union officials familiar with the industry (see 11). Similarly, a 1976 report from the Minority Rights Group suggests that undocumented immigrants in the UK often worked “back-end” jobs in restaurants and hotels (25).

When we look to sources from the 1980s, we find references to undocumented immigrants working not only in the hospitality sector (Ardill and Cross 1988, 41-61), but also in jobs in private households (see Anderson 2001a; Anderson 2001b), garment production, and contract cleaning (Ardill and Cross 1988, 41-61). Ultimately, this apparent expansion in the range of jobs undertaken by undocumented immigrants may simply be an artifact of differences in research practice among analysts, and in any event the extent of the apparent change is not dramatic. Given broader economic, political, and social developments in the UK during the 1980s, though, we can plausibly posit that undocumented immigrants did in fact move into contract cleaning, garment production, and household jobs for the first time during the 1980s, or at least that undocumented immigrants came to hold jobs in those areas in significantly greater numbers than they did in the 1970s. These developments also give us good reason to think that more undocumented immigrants may have taken up work in the hospitality sector, as well.

This apparent shift in the economic role of these immigrants can be linked to several specific forms of societal change. The previous chapter has already identified the broad social trends that encouraged private households in the UK and elsewhere in Western Europe to employ undocumented immigrants during this period. As for firms

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109 As Anderson (2001a) notes, a number of undocumented domestic workers actually initially entered the UK with permission to reside and work; a particular immigration rule allowed wealthy individuals to bring household workers with them when immigrating to the UK, and many chose to do so. However, this rule required household employees to continue to work for the individuals with whom they entered the UK. As a result, if a domestic worker left a position as a result of poor working conditions or other issues and took up another position in the UK instead, he or she became undocumented. As I will note again later on in this chapter, Tony Blair’s government eventually implemented a very small-scale regularization program for domestic workers who became unauthorized as a result of this type of situation (676).
operating in the contract cleaning, garment production, and hospitality sectors, such firms share certain key characteristics: as Nony Ardill and Nigel Cross suggest, these firms all operate in “labor-intensive areas of the private economy” characterized by a high level of secondary labor market employment, while they also face strong competitive pressures from similar firms bidding for contracts and customers (41). Firms operating under such circumstances generally want access to inexpensive and flexible labor. However, the perceived need for cheap, flexible labor seems to have become particularly intense in all three of these sectors during the 1980s, albeit for somewhat distinctive reasons. In the contract cleaning and hospitality sectors, firms proved to be especially pressured by certain changes that occurred after the 1979 election victory of Margaret Thatcher’s Conservatives. Under Thatcher, public sector organizations acquired the obligation to “contract out” for certain services (see Marsh 1991), including cleaning and the provision of food and drink (Ardill and Cross 1988, 41-42). At the same time, the Thatcher government also ended a longstanding rule requiring employees of private firms doing work in the public sector to be paid wages comparable to the wages of public sector employees doing similar work. These developments led to a proliferation of cleaning and hospitality firms competing intensely on the basis of price for government contracts (42).

As for the garment sector, A. Sivanandan nicely captures the pressures on firms engaging in garment production in the 1980s in a 1989 analysis:

The computerization of distribution and sales has allowed big stores like Marks & Spencer to do away with warehousing and middle-men. Instead, they have at their bidding a number of small manufacturers and suppliers whose contracts (and therefore livelihood) depend upon their ability to change production according to the demands and vagaries of the market. They must be able, as in the garments industry for instance, to switch from one fast-fashion to another, discard a pattern today, produce
a new one tomorrow. And that demands a completely flexible workforce which can be taken on or laid off at will, which will be prepared to work long and unsocial hours to fulfill a particular contract (1989, 87). 110

As a result of these developments, firms in the garment sector, like their counterparts in the contract cleaning and hospitality sectors, appear to have been particularly interested in securing a source of cheap, flexible labor. Firms seeking such labor need not necessarily hire undocumented immigrants, of course; they might also hire authorized immigrants or disadvantaged native-born people. However, Thatcher’s government permitted little authorized labor migration in its earlier years, as I suggested above, and native-born persons with access to social welfare programs unsurprisingly proved reluctant to accept the difficult, low-paying jobs offered by firms in the sectors under consideration. 111 The end result of this situation appears to have been the entrance of undocumented immigrants into the contract cleaning and garment production sectors of the economy. We also have good reason to think that this situation led to an increase in the number of undocumented immigrants working in hospitality jobs. Overall, then, the changes in the undocumented population’s labor market position that occurred between 1973 and 1989, though relatively minor in themselves, can be linked to certain major societal transformations that occurred in the UK during those years.

To sum up, the undocumented population appears to have numbered approximately in the tens of thousands throughout the 1973-1989 period, although it also does seem to have grown marginally larger as the period progressed. As for its national

110 While this quote helps us understand the economic pressures on garment production firms during the 1980s (and during later periods, as well), it also helps us think about why garment production firms existed in the UK at all; while clothing can be, and often is, cheaply produced in developing countries, UK stores likely wanted immediate access to at least some of the clothing they purchased from contractors in an era of “fast fashion” (see also Düvell 2006c).

111 Ardill and Cross note that the Thatcher government had hoped unemployed British people would take up these jobs, but the wages provided by these positions appear to have been too low to attract people with access to even the limited unemployment and other benefits available in the Thatcher years (1989, 42-3).
and ethnic composition, we can say that a considerable portion of the undocumented immigrants present in the UK between 1973 and 1989 appear to have come from current and former New Commonwealth countries, and that seven individual countries—Columbia, Cyprus, Ghana, India, Nigeria, Pakistan, and Turkey—appear to have had substantial representation within the undocumented population. In addition, many on the British left conceptualized people of African, Asian, and Caribbean descent as ethnically “black” during the 1973-1989 period, and, as such, immigrant-serving and labor organizations may have understood many undocumented immigrants to share a black ethnic identity during this time. Finally, members of the undocumented population appear to have worked principally in the hospitality sector during the 1970s; in the 1980s, they also seem to have worked in jobs in the contract cleaning and garment production sectors, and in private households. Thus, we can say that the economic role of undocumented immigrants appears to have incrementally expanded over the course of the 1973-1989 period. As we will see in the next section of this chapter, this expansion of undocumented immigrants’ economic role in UK society continued after 1989, as well.

**Undocumented Immigrants in the United Kingdom, 1989-2004**

The next major set of changes in the UK’s undocumented population can be linked primarily to the dramatic shifts that occurred in Eastern Europe starting at the end of the 1980s. Like Germany, the UK experienced a significant increase in its inward migration flows after the fall of the Soviet Bloc and the dissolution of Yugoslavia. The changes experienced in the UK did not unfold as quickly as the changes in Germany did, and in some respects proved less dramatic. Nonetheless, the years between 1989 and
1991 clearly represent an important “break point” in the development of the UK undocumented population as well as in the development of the German one.

When discussing developments in the German context, I had highlighted how the changes in Eastern Europe helped to foster an increase in Germany’s population of asylum seekers, as well as apparent increases in the country’s populations of overstayers and unauthorized entrants; I had also suggested that these increases appear to have had important implications for Germany’s undocumented population as a whole. A broadly similar process of change seems to have occurred in the UK, although the UK state unfortunately makes available even fewer statistics with which to gain insight into this process, as suggested above. Nonetheless, we do have access to at least some relevant information, both from the state and from other sources. In keeping with the approach that I adopted in Chapter 5 when discussing Germany’s experiences during this period of complex change, I begin my discussion here by recounting what we know about the size and national composition of the UK’s individual populations of asylum applicants, overstayers, and unauthorized entrants between 1989 and 2004. In reviewing this information, one should keep in mind that these three categories are not always mutually exclusive of each other; in particular, an immigrant can be both an asylum seeker and an unauthorized entrant. I then bring together these data at the level of individual groups with the data that we have regarding undocumented immigrants as a single, undifferentiated population; in so doing, my aim is to paint as clear a picture as possible of the undocumented population as a whole.

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112 I do not discuss the labor market position of these three groups individually, as we lack for data that can speak to that topic.
Asylum Applicants, 1989-2004

One type of evidence the UK state does offer analysts is statistics related to asylum immigration. Table 6.6 indicates the number of new asylum applicants who came to the UK each year between 1975-1984, while Table 6.7 and Figure 6.1 display the number of asylum applications filed in the UK each year between 1985-2004. As I noted earlier, the distinction between asylum applicants and asylum applications is a meaningful one, as more than one person may be included on a single asylum application; in 2001, a United Nations publication reported that the UK had an average of 1.3 persons per asylum application, although it unfortunately did not specify the precise period of time for which this average holds (United Nations High Commissioner for Refugees 2001, xi). Ideally, of course, we would have directly comparable data for the entire stretch of time between 1975-2004, but such data have not been made available. Regardless of this issue, though, Tables 6.6-6.7 and Figure 6.1 clearly suggest that the UK received very small numbers of asylum applicants up until the very end of the 1980s. Compared with Germany, then, the UK began its era of mass asylum-seeking significantly later in time. Once this era began, however, the number of asylum applications began to climb fairly quickly, although some drops did occur along the way, as Table 6.7 and Figure 6.1 suggest. Ultimately, the number of applications peaked in 2002 at 84,130, and then began to decline fairly dramatically thereafter. As I noted

\[113\] In some circumstances, the sources that I consulted when preparing Table 6.7 gave two conflicting numbers for a given year. In those circumstances, I have presented both numbers in the table. In addition, one should note here that the UK Home Office’s data on asylum applications between 1985-2007 have certain unusual characteristics; these characteristics are reflected both in this table and in subsequent tables and figures in this study that draw upon the Home Office’s asylum data for this expanse of time. In particular, the Home Office has reported that its asylum figures for 1999 and 2000 may not capture all of the applications filed at local offices focused on immigration during those years, and that some of its figures from 1985 onwards have been rounded to the nearest number ending in zero or five (Home Office 2004a, 29; Home Office 2008a, 29).
Table 6.6: Number of New Asylum Applicants in the United Kingdom, 1975-1984

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Applicants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975</td>
<td>1,800</td>
</tr>
<tr>
<td>1976</td>
<td>-</td>
</tr>
<tr>
<td>1977</td>
<td>-</td>
</tr>
<tr>
<td>1978</td>
<td>-</td>
</tr>
<tr>
<td>1979</td>
<td>1,563</td>
</tr>
<tr>
<td>1980</td>
<td>2,352</td>
</tr>
<tr>
<td>1981</td>
<td>2,425</td>
</tr>
<tr>
<td>1982</td>
<td>4,223</td>
</tr>
<tr>
<td>1983</td>
<td>4,296</td>
</tr>
<tr>
<td>1984</td>
<td>4,171</td>
</tr>
</tbody>
</table>


Table 6.7: Number of Asylum Applications Submitted in the United Kingdom, 1985-2004

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Applications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985</td>
<td>4,389</td>
</tr>
<tr>
<td>1986</td>
<td>4,266</td>
</tr>
<tr>
<td>1987</td>
<td>4,256</td>
</tr>
<tr>
<td>1988</td>
<td>3,998</td>
</tr>
<tr>
<td>1989</td>
<td>11,640</td>
</tr>
<tr>
<td>1990</td>
<td>26,205</td>
</tr>
<tr>
<td>1991</td>
<td>44,840</td>
</tr>
<tr>
<td>1992</td>
<td>24,625</td>
</tr>
<tr>
<td>1993</td>
<td>22,345</td>
</tr>
<tr>
<td>1994</td>
<td>32,830</td>
</tr>
<tr>
<td>1995</td>
<td>43,925-43,965</td>
</tr>
<tr>
<td>1996</td>
<td>29,640</td>
</tr>
<tr>
<td>1997</td>
<td>32,500</td>
</tr>
<tr>
<td>1998</td>
<td>46,015-46,020</td>
</tr>
<tr>
<td>1999</td>
<td>71,145-71,160</td>
</tr>
<tr>
<td>2000</td>
<td>80,315</td>
</tr>
<tr>
<td>2001</td>
<td>71,025</td>
</tr>
<tr>
<td>2002</td>
<td>84,130</td>
</tr>
<tr>
<td>2003</td>
<td>49,405</td>
</tr>
<tr>
<td>2004</td>
<td>33,960</td>
</tr>
</tbody>
</table>

earlier, analysts have made reference to a range of variables in seeking to explain fluctuations in the number of asylum seekers coming to a given country; in the UK case, several factors can help to account for the waxing and waning of asylum flows over time (see Hatton 2004), including Germany’s decision to change its refugee law in 1993, which may have diverted asylum seekers who would have once sought asylum in Germany to other countries in Europe instead. What matters for our purposes is simply that the number of asylum applications grew quite dramatically during the 1990s and early 2000s, and then dropped downward again.

This dramatic increase in asylum applications appears to have had important implications for the UK’s undocumented population. We have two lengthy studies that
fit within the first cluster of sources on undocumented immigrants discussed in Chapter 4 and that address undocumented life in the UK during this period, Philip Anderson’s “In a Twilight World” and Bill Jordan and Franck Düvell’s *Irregular Migration*;\(^{114}\) the authors of both studies report the presence of refused asylum seekers in the groups of immigrants that they examined (Anderson 1999, Chapter 5; Jordan and Düvell 2002, 79-111, 116-122). In addition, Timothy J. Hatton wrote in 2004 that “it is generally believed” that only about 15-30 percent of rejected asylum seekers were leaving the UK following the adjudications of their claims (2004, 15n6), a claim that reinforces the broad picture painted in the Anderson and Jordan and Düvell studies: once the era of mass asylum-seeking dawned in the UK, the country appears to have developed a notable population of former asylum seekers living in an undocumented status. An estimate published after the end of the 1989-2004 period offers further backing for this point; in a sophisticated study published in 2005, the UK’s National Audit Office (NAO) found that the country had a population of between 155,000-283,500 refused asylum applicants who could in principle be removed or deported as of May 2004 (2).\(^{115}\)

Even prior to the publication of this NAO estimate, the available evidence would have likely suggested to political actors that the UK’s population of refused asylum seekers had come to number in the hundreds of thousands. This conclusion seems

\(^{114}\) Jordan and Düvell’s research did not focus precisely on undocumented immigrants per se, but rather on immigrants who had worked despite holding an immigration status prohibiting their employment, or who had worked beyond the number of hours per week permitted by their visas (2002, 86, 106). Some of these individuals did have authorization to reside in the UK, but many others did not; those aspects of Jordan and Düvell’s study that relate to the latter set of immigrants thus constitute a very useful source for this chapter. As for the Anderson study, its introduction frames the study as an analysis focused exclusively on undocumented immigrants (1999, Chapter 1), but in fact a few of the immigrants that Anderson studied did have an (insecure) residence status of some kind (Chapter 5). I do not draw upon Anderson’s findings regarding these immigrants in this chapter.

\(^{115}\) In addition to this group, the UK also would have had some further refused asylum seekers who could not be forced to leave by the state due to difficult conditions in their home countries.
reasonable when one considers that most asylum applications in the UK meet with outright refusal, and that most refused asylum applicants apparently did not leave the UK during the 1989-2004 period (as we saw above). As such, a considerable proportion of the more than 700,000 asylum applications recorded in Table 6.7 for the 1989-2004 period would have ultimately resulted in one or more immigrants joining the population of refused asylum seekers. Importantly, this population would have shrunk somewhat as a result of an initiative introduced by the UK state in 2003. This initiative focused on certain individuals with unresolved asylum cases, as well as refused asylum seekers who had children and who had been resident in the UK for at least four years as of 2003; it offered such individuals a one-time opportunity to apply for indefinite leave to remain (26). This so-called “Family ILR” program saw a total of roughly 35,855 immigrants gain indefinite leave by the end of 2004 (Home Office 2008a, 78)—a significant development by any measure, and one that would have somewhat offset the growth of the UK’s population of refused asylum seekers during the 1989-2004 period. Nonetheless, this population’s size can still be estimated in the hundreds of thousands, given the large number of asylum seekers who came to the UK during this time.

In Tables 6.8-6.11, I present some Home Office data that can speak to the composition of this apparently rather large population. Table 6.8, Table 6.9, Table 6.10, and Table 6.11 indicate the top five countries of origin represented in the set of new asylum applications during the 1985-1989, 1990-1994, 1995-1999, and 2000-2004 periods, respectively. As we know, we cannot be confident that the distribution of nationalities in the full population of asylum seekers mirrors the distribution of nationalities in the new asylum applications. However, we can observe some trends. For instance, the UK declined to offer refugee status or any other form of protection in response to 58 percent of asylum applications considered in 2001 (Home Office 2002a, 9), 60 percent in 2002, 73 percent in 2003, and 75 percent in 2004 (Home Office 2006a, 18).
### Table 6.8: Asylum Applications Submitted in the United Kingdom, 1985-1989: Top Five Countries of Origin.

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sri Lanka</td>
<td>1,893</td>
<td>1,275</td>
<td>992</td>
<td>402</td>
<td>1,790</td>
<td>6,352</td>
</tr>
<tr>
<td>Iran</td>
<td>861</td>
<td>897</td>
<td>649</td>
<td>393</td>
<td>350</td>
<td>3,150</td>
</tr>
<tr>
<td>Turkey</td>
<td>27</td>
<td>86</td>
<td>121</td>
<td>337</td>
<td>2,415</td>
<td>2,986</td>
</tr>
<tr>
<td>Somalia</td>
<td>192</td>
<td>152</td>
<td>202</td>
<td>305</td>
<td>1,850</td>
<td>2,701</td>
</tr>
<tr>
<td>Uganda</td>
<td>170</td>
<td>174</td>
<td>318</td>
<td>414</td>
<td>1,235</td>
<td>2,311</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Sri Lanka</td>
<td>3,330</td>
<td>3,765</td>
<td>2,085</td>
<td>1,960</td>
<td>2,350</td>
<td>13,490</td>
</tr>
<tr>
<td>Congo</td>
<td>2,590</td>
<td>7,010</td>
<td>880</td>
<td>630</td>
<td>775</td>
<td>11,885</td>
</tr>
<tr>
<td>Pakistan</td>
<td>1,475</td>
<td>3,245</td>
<td>1,700</td>
<td>1,115</td>
<td>1,810</td>
<td>9,345</td>
</tr>
<tr>
<td>Yugoslavia/Former Yugoslav Republics</td>
<td>15</td>
<td>320</td>
<td>5,635</td>
<td>1,825</td>
<td>1,385</td>
<td>9,180</td>
</tr>
<tr>
<td>Ghana</td>
<td>1,330</td>
<td>2,405</td>
<td>1,600</td>
<td>1,785</td>
<td>2,035</td>
<td>9,155</td>
</tr>
</tbody>
</table>


### Table 6.10: Asylum Applications Submitted in United Kingdom, 1995-1999: Top Five Countries of Origin.

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Yugoslav Republics</td>
<td>1,565</td>
<td>1,030</td>
<td>2,245</td>
<td>7,420</td>
<td>14,180</td>
<td>26,440</td>
</tr>
<tr>
<td>Somalia</td>
<td>3,465</td>
<td>1,780</td>
<td>2,730</td>
<td>4,685</td>
<td>7,495</td>
<td>20,155</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>2,070</td>
<td>1,260</td>
<td>1,830</td>
<td>3,505</td>
<td>5,130</td>
<td>13,795</td>
</tr>
<tr>
<td>Nigeria</td>
<td>5,825</td>
<td>2,540</td>
<td>1,480</td>
<td>1,380</td>
<td>945</td>
<td>12,170</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>795</td>
<td>1,340</td>
<td>2,015</td>
<td>2,820</td>
<td>4,105</td>
<td>11,075</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Iraq</td>
<td>7,475</td>
<td>6,680</td>
<td>14,570</td>
<td>4,015</td>
<td>1,695</td>
<td>34,435</td>
</tr>
<tr>
<td>Somalia</td>
<td>5,020</td>
<td>6,420</td>
<td>6,540</td>
<td>5,090</td>
<td>2,585</td>
<td>25,655</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>5,555</td>
<td>8,920</td>
<td>7,205</td>
<td>2,280</td>
<td>1,395</td>
<td>25,355</td>
</tr>
<tr>
<td>Iran</td>
<td>5,610</td>
<td>3,420</td>
<td>2,630</td>
<td>2,875</td>
<td>3,455</td>
<td>17,990</td>
</tr>
<tr>
<td>Zimbabwe</td>
<td>1,010</td>
<td>2,140</td>
<td>7,655</td>
<td>3,295</td>
<td>2,065</td>
<td>16,165</td>
</tr>
</tbody>
</table>

Source: Author’s calculations based on Home Office 2008a, 29.

nationalities in the set of refused asylum seekers; in the absence of better data, though, the information in Tables 6.8-6.11 can be consulted for further insights into the national backgrounds of refused asylum seekers during this time period. These tables suggest that the UK received heavy flows of asylum seekers from a considerable number of politically and/or economically troubled countries during the 1989-2004 period: Afghanistan, Congo, Ghana, Iran, Iraq, Nigeria, Pakistan, the Russian Federation, Somalia, Sri Lanka, Turkey, Uganda, and Zimbabwe, as well as Yugoslavia and its successor republics. One might note that a significant portion of these sending countries had historical links to the British Empire—a situation that does not seem surprising, given that familial and/or cultural ties may influence an asylum seeker’s decision to apply for asylum in one country over others (if he or she has any choice in countries at all) (Hatton 2004, 17).

As for the issue of ethnic groups, the system of ethnic understandings prevalent in the UK at this time would have certainly linked individuals from some of the countries identified in Tables 6.8-6.11 to broader ethnic identities. The British left’s practice of conceptualizing people of African, Asian, and Caribbean descent as members of a single black ethnic group appears to have waned by the 1989-2004 period, but other forms of
ethnic identity remained politically relevant in the UK. During the 1989-2004 period, people from Pakistan and Sri Lanka would have been likely been viewed in particular as “South Asian,” while many asylum seekers from the African countries identified in Tables 6.8-6.11 would have been linked to a more narrowly-construed “black” or “Afro-British” ethnic grouping understood to encompass people of African, but not South Asian, descent. In essence, then, we can say that a sizeable number of people within the asylum-seeking population during the 1989-2004 period would have been linked to the UK’s South Asian and Afro-British ethnic groups.

For most of the years in the 1989-2004 period, we can also consult a second type of government statistic as we seek to understand the national and ethnic composition of the UK’s population of refused asylum seekers. In particular, Home Office publications can tell us the total number of asylum applications submitted by residents of various world regions for each year between 1993-2004; Table 6.12 and Table 6.14 present the data for the 1993-1999 and 2000-2004 periods, respectively, while Table 6.13 and Table 6.15 indicate the percentage of applications coming from different world regions during these two periods of time. These data cannot tell us much about the specific national groups that may have been present in the UK’s population of refused asylum seekers, but they follow the data from Tables 6.8-6.11 in suggesting that individuals from a range of countries likely had a presence within this population. They also reinforce the view that a sizeable number of asylum seekers from the period could be perceived as part of the “Afro-British” population.
Table 6.12: Asylum Applications Submitted in the United Kingdom, by Principal Applicant’s Region of Origin, 1993-1999

<table>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>4,535</td>
<td>5,360</td>
<td>7,050</td>
<td>6,475</td>
<td>9,145</td>
<td>17,745</td>
<td>28,280</td>
<td>78,590</td>
</tr>
<tr>
<td>North and South America</td>
<td>745</td>
<td>890</td>
<td>1,340</td>
<td>1,765</td>
<td>2,825</td>
<td>975</td>
<td>2,025</td>
<td>10,565</td>
</tr>
<tr>
<td>Africa (including North Africa)</td>
<td>10,295</td>
<td>16,960</td>
<td>22,545</td>
<td>11,290</td>
<td>9,515</td>
<td>12,380</td>
<td>18,435</td>
<td>101,420</td>
</tr>
<tr>
<td>Middle East</td>
<td>1,520</td>
<td>1,985</td>
<td>2,295</td>
<td>2,150</td>
<td>2,335</td>
<td>2,785</td>
<td>4,165</td>
<td>17,235</td>
</tr>
<tr>
<td>Asia</td>
<td>5,175</td>
<td>7,515</td>
<td>10,685</td>
<td>7,885</td>
<td>8,570</td>
<td>11,940</td>
<td>17,465</td>
<td>69,235</td>
</tr>
<tr>
<td>Other/Not Known</td>
<td>100</td>
<td>125</td>
<td>50</td>
<td>80</td>
<td>105</td>
<td>190</td>
<td>785</td>
<td>1,435</td>
</tr>
</tbody>
</table>


Table 6.13: Distribution of Asylum Applications Submitted in the United Kingdom by Principal Applicant’s Region of Origin, 1993-1999

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>78,590</td>
<td>28.2%</td>
</tr>
<tr>
<td>North and South America</td>
<td>10,565</td>
<td>3.8%</td>
</tr>
<tr>
<td>Africa (including North Africa)</td>
<td>101,420</td>
<td>36.4%</td>
</tr>
<tr>
<td>Middle East</td>
<td>17,235</td>
<td>6.2%</td>
</tr>
<tr>
<td>Asia</td>
<td>69,235</td>
<td>24.9%</td>
</tr>
<tr>
<td>Other/Not Known</td>
<td>1,435</td>
<td>0.01%</td>
</tr>
</tbody>
</table>

Source: Author’s calculations based on Home Office 2002a.
Table 6.14: Asylum Applications Submitted in the United Kingdom by Principal Applicant’s Region of Origin, 2000-2004

<table>
<thead>
<tr>
<th>Region of Origin</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>22,880</td>
<td>14,215</td>
<td>13,235</td>
<td>6,295</td>
<td>3,025</td>
<td>59,650</td>
</tr>
<tr>
<td>North and South America</td>
<td>1,420</td>
<td>1,315</td>
<td>2,290</td>
<td>1,560</td>
<td>740</td>
<td>7,325</td>
</tr>
<tr>
<td>Sub-Saharan Africa</td>
<td>17,920</td>
<td>20,590</td>
<td>29,390</td>
<td>20,370</td>
<td>14,745</td>
<td>103,015</td>
</tr>
<tr>
<td>Middle East and North Africa</td>
<td>14,415</td>
<td>11,265</td>
<td>18,315</td>
<td>7,970</td>
<td>6,525</td>
<td>58,490</td>
</tr>
<tr>
<td>Asia</td>
<td>23,230</td>
<td>23,480</td>
<td>20,755</td>
<td>13,150</td>
<td>8,850</td>
<td>89,465</td>
</tr>
<tr>
<td>Other/Not Known</td>
<td>450</td>
<td>160</td>
<td>150</td>
<td>55</td>
<td>70</td>
<td>885</td>
</tr>
</tbody>
</table>

Source: Home Office 2008a, 29.

Table 6.15: Distribution of Asylum Applications Submitted in the United Kingdom by Principal Applicant’s Region of Origin, 2000-2004

<table>
<thead>
<tr>
<th>Region of Origin</th>
<th>Total Number of Applications, 2000-2004</th>
<th>Percentage of Total Applications, 2000-2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>59,650</td>
<td>18.7%</td>
</tr>
<tr>
<td>North and South America</td>
<td>7,325</td>
<td>3.0%</td>
</tr>
<tr>
<td>Sub-Saharan Africa</td>
<td>103,015</td>
<td>32.3%</td>
</tr>
<tr>
<td>Middle East and North Africa</td>
<td>58,490</td>
<td>18.3%</td>
</tr>
<tr>
<td>Asia</td>
<td>89,465</td>
<td>28.1%</td>
</tr>
<tr>
<td>Other/Not Known</td>
<td>885</td>
<td>0.3%</td>
</tr>
</tbody>
</table>

Source: Author’s calculations based on Home Office 2008a, 29.
Overstayers, 1989-2004

We do not have quantitative data that can speak to the size of the UK’s population of visa overstayers between 1989 and 2004.\footnote{We do have quantitative data regarding the number of individuals tried and convicted of overstaying in Magistrates’ Courts, but the UK chose to pursue very few cases against alleged overstayers through these courts for much of this period (and, as one would expect, it did not win all of the cases that were tried). In particular, the UK prosecuted less than eighteen cases each year between 1992-2001; 1989 saw the single largest number of prosecutions in a single year in this period, at 87 (see Home Office 1993, 108; Home Office 1995, 105; Home Office 1999, 100; Home Office 2001, 95; Home Office 2005b, 81; and Home Office 2007, 88). By way of contrast, Home Office statistics indicate that the UK prosecuted between 509-663 cases related to overstaying each year between 1983-1986, of which it won between 446-599 (Home Office 1988, 72), even though we have no historical reason to think that the overstaying population would have been much larger during the pre-1989 period than it was after the fall of communism in Eastern Europe. Overall, then, the numbers for the 1989-2004 period strike me as too low to be at all revealing here.} Other types of evidence would have signaled that overstayers constituted a significant population during this time period, however. Repeated references to overstaying immigrants can be found in major Home Office policy papers that address developments in this period (see Home Office 2002c, 68, 76; Home Office 2005a, 8, 13, 27, 29); along the same lines, both the Anderson study and the Jordan and Düvell study report the presence of overstayers in the groups of immigrants upon which they focus (Anderson 1999, Chapter 5; Jordan and Düvell 2002, 79-111, 116-122).

We have even less information about the national backgrounds represented in the population of overstayers during this time period. We can say, however, that Jordan and Düvell found a number of overstayers in the groups of Brazilian, Polish, and Turkish immigrants examined in their study (2002, 112-149). In a subsequent discussion, Jordan and Düvell return to the topic of Polish immigrants to the UK; they suggest that both immigration officials and the UK public associated Polish people with irregular residence and work in the post-1989 period (Düvell and Jordan 2006, 50-51), and that Polish
immigrants appear to have been largely entering the UK on short-term visas, which some individuals seem to have then overstayed (see 54-55). One should also note that overstaying does not appear to have been the exclusive domain of people from lower- and middle-income countries during this time period; according to Bastian Vollmer, the Joint Council for the Welfare of Immigrants estimated in 1999 that as many as 40,000 Australians had an irregular work and/or residence status in the UK at that time (2008, 41-42). Presumably, some of these individuals were simply working in violation of the terms of valid “working holidaymaker” visas, but others may have overstayed such visas as well. Overall, then, the literature links immigrants from least four countries with overstaying in the 1989-2004 period: Australia, Brazil, Poland, and Turkey.

Unauthorized Entrants, 1989-2004

Unauthorized entrants would have appeared to constitute a significantly larger group by the end of this period than they did at its outset. Unlike Germany, the UK does not routinely publish detailed statistics regarding apprehensions of individuals found attempting to enter its territory without authorization or with false papers. However, one Home Office publication does indicate that state officials discovered 3,300 individuals attempting to enter the country without passing through immigration control in 1990, while they found more than 47,000 people attempting to enter in the same fashion in 2000 (2002c, 76). As the Home Office itself notes, this difference may be attributable in some part to changes in the practices of immigration officers (76). Nonetheless, the dramatic difference in these numbers would have suggested to political actors that more

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118 For many years, the UK issued “working holidaymaker” visas to Commonwealth citizens who met certain criteria. These visas allowed them to stay in the UK for two years and to work for a portion of their stay.
people were attempting unauthorized entries than had historically been the case, especially given the circumstances in which this increase in would-be unauthorized entrants occurred. Of relevance here is not only communism’s collapse in Eastern Europe, but also the 1994 opening of the Channel Tunnel link between the UK and mainland Europe; in light of these events, one would expect the number of would-be unauthorized entrants to go up considerably. Some of the individuals who successfully entered without authorization during this time would have filed for asylum and eventually received it; nonetheless, others would have gone on to live in the UK without papers. As such, intermediary organizations would have likely perceived the number of unauthorized entrants living in the UK in an undocumented status to have increased overall during this period, as we have no evidence of large-scale outflows of undocumented, unauthorized entrants to accompany this evidence of increased inflows.

Like its data on apprehensions, the Home Office’s data regarding removals from this period also point toward the conclusion that the population of undocumented, unauthorized entrants increased. Up until the passage of the Immigration and Asylum Act of 1999 in November of that year, the UK only subjected immigrants that it judged to be undocumented, unauthorized entrants to removal procedures; thus, the data on removals tell us precisely how many of these individuals left the UK after being identified by the state between 1990-1999. The Immigration and Asylum Act of 1999 widened the range of circumstances under which the state could remove an immigrant, rendering the data on removals after 1999 more suitable for our discussion of the undocumented population as a whole. Thus, I present only the data on removals for the period between 1990-1999 in Table 6.16. As this table makes clear, the number of
removals climbed steadily throughout the 1990s, save for one dip between 1994 and 1996 and another at the very end of the period. Figure 6.2 puts the increase in removals over the course of the 1990s into a more historical perspective, highlighting how this increase fits into a broader long-term rise in the overall number of removals being undertaken by the UK state. In my view, the data from Table 6.16 and Figure 6.2 would have suggested to intermediary organizations and other political actors that the number of undocumented, unauthorized entrants present in the UK had grown notably larger over time, and that this number had certainly increased quite a bit during the 1990s. Clearly, the patterns that we observe may be due in whole or in part to changes in administrative practice rather than an increase in the actual number of undocumented, unauthorized entrants. In the absence of more complete information, however, these data seem suggestive of such an increase, particularly when coupled with the data on unsuccessful attempts at unauthorized entry that I discussed above.
Table 6.16: Number of “Removals” from the United Kingdom, 1990-1999

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of (Forced and Voluntary) “Removals”</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>2,340</td>
</tr>
<tr>
<td>1991</td>
<td>3,190</td>
</tr>
<tr>
<td>1992</td>
<td>3,630</td>
</tr>
<tr>
<td>1993</td>
<td>3,790</td>
</tr>
<tr>
<td>1994</td>
<td>3,280</td>
</tr>
<tr>
<td>1995</td>
<td>3,160</td>
</tr>
<tr>
<td>1996</td>
<td>3,460</td>
</tr>
<tr>
<td>1997</td>
<td>4,540</td>
</tr>
<tr>
<td>1998</td>
<td>5,585</td>
</tr>
<tr>
<td>1999</td>
<td>5,225</td>
</tr>
<tr>
<td><strong>Total, 1990-1999</strong></td>
<td><strong>38,200</strong></td>
</tr>
</tbody>
</table>

Sources: Home Office 2001, 91; Home Office 2003, 94.

Figure 6.2: Number of “Removals” from the United Kingdom, 1973-1999

The Home Office data on removals can also be examined for insights into the origins of people in the undocumented, unauthorized entrant population during the 1990s. Table 6.17 and Table 6.18 indicate the number of immigrants from various world regions who experienced removal, as well as the percentage of the entire “removee” population that immigrants from each region comprised between 1990-1994, 1994-1998, and 1990-1998. Unlike the data on removals cited previously in this chapter, these data pertain only to forced removals, rather than both forced and voluntary removals. In addition to excluding information relevant to voluntary removals, the tables also omit data for 1999, as the UK has not made data for that year available. These tables point toward a conclusion that echoes our conclusions about rejected asylum seekers and overstayers in the UK at this time: the population of undocumented, unauthorized entrants appears to have likely encompassed individuals from a range of national backgrounds. No single world region predominates in these tables; instead, we find that 31.9 percent of people who faced removal between 1990-1998 came from Africa, while approximately a quarter came from Europe and roughly another quarter came from the Indian subcontinent (defined here as Bangladesh, India, and Pakistan). Individuals from elsewhere in Asia and from North and South America comprised the bulk of the remaining removees. These data cannot give us much insight into specific national groups present in the undocumented population, but they do lend support to the view that people considered to be ethnically African and South Asian occupied a significant position in the UK’s undocumented, unauthorized population. As we know, the distribution of regional, national, and ethnic backgrounds within the entire population of undocumented,
Table 6.17: Immigrants (Forcibly) “Removed” from the United Kingdom by Region of Origin, 1990-1994

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe</td>
<td>170</td>
<td>320</td>
<td>300</td>
<td>670</td>
<td>600</td>
<td>2,060</td>
<td>14.3%</td>
</tr>
<tr>
<td>North and South America</td>
<td>320</td>
<td>480</td>
<td>440</td>
<td>420</td>
<td>300</td>
<td>1,960</td>
<td>13.6%</td>
</tr>
<tr>
<td>Africa</td>
<td>980</td>
<td>1,300</td>
<td>1,630</td>
<td>1,380</td>
<td>810</td>
<td>6,100</td>
<td>42.5%</td>
</tr>
<tr>
<td>Indian subcontinent</td>
<td>240</td>
<td>380</td>
<td>480</td>
<td>600</td>
<td>750</td>
<td>2,450</td>
<td>17.1%</td>
</tr>
<tr>
<td>(defined as Bangladesh, India, and Pakistan)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asia</td>
<td>160</td>
<td>260</td>
<td>280</td>
<td>230</td>
<td>240</td>
<td>1,170</td>
<td>8.1%</td>
</tr>
<tr>
<td>(excluding Bangladesh, India, and Pakistan)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oceania</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>20</td>
<td>20</td>
<td>70</td>
<td>0.5%</td>
</tr>
<tr>
<td>Other</td>
<td>90</td>
<td>150</td>
<td>190</td>
<td>90</td>
<td>20</td>
<td>540</td>
<td>3.8%</td>
</tr>
</tbody>
</table>

Sources: Home Office 2001, 92, 103; Home Office 2002b, 93, 106, 111; and author’s calculations.

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Europe</td>
<td>750</td>
<td>900</td>
<td>1,100</td>
<td>1,835</td>
<td>4,585</td>
<td>32.9%</td>
<td>6,645</td>
<td>23.5%</td>
</tr>
<tr>
<td>North and South America</td>
<td>280</td>
<td>230</td>
<td>180</td>
<td>240</td>
<td>930</td>
<td>6.7%</td>
<td>2,890</td>
<td>10.2%</td>
</tr>
<tr>
<td>Africa</td>
<td>580</td>
<td>630</td>
<td>880</td>
<td>835</td>
<td>2,925</td>
<td>21.0%</td>
<td>9,025</td>
<td>31.9%</td>
</tr>
<tr>
<td>Indian subcontinent</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(defined as Bangladesh, India, and Pakistan)</td>
<td>720</td>
<td>920</td>
<td>1,240</td>
<td>1,410</td>
<td>4,290</td>
<td>30.7%</td>
<td>6,740</td>
<td>23.8%</td>
</tr>
<tr>
<td>Asia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(excluding Bangladesh, India, and Pakistan)</td>
<td>230</td>
<td>200</td>
<td>260</td>
<td>350</td>
<td>1,040</td>
<td>7.5%</td>
<td>2,210</td>
<td>7.9%</td>
</tr>
<tr>
<td>Oceania</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>35</td>
<td>0.3%</td>
<td>105</td>
<td>3.7%</td>
</tr>
<tr>
<td>Other</td>
<td>10</td>
<td>10</td>
<td>40</td>
<td>70</td>
<td>130</td>
<td>0.9%</td>
<td>670</td>
<td>2.4%</td>
</tr>
</tbody>
</table>

Source: Home Office 2001, 92, 103; Home Office 2002b, 93, 106, 111; and author’s calculations.
unauthorized entrants may not mirror this distribution within the population of removees, as immigrants from different backgrounds may be more or less likely to attract scrutiny from immigration officials. At the same time, though, these data constitute the only available source that can speak at all to the national and ethnic affiliations of the UK’s undocumented, unauthorized entrants during this time period; as such, these data can be regarded as a significant part of the overall informational environment in which political actors operated during this time.

**The Undocumented Population as a Whole, 1989-2004**

In this section, I aim to integrate the information discussed above regarding specific groups of immigrants with data pertaining to undocumented immigrants in general. In so doing, I seek to improve our understanding of the size and other characteristics of the undocumented population as a whole during this period. With regard to the size of the undocumented population, the statistics on removals from 2000 onwards constitute the first available set of data that pertains to the undocumented population as a whole, rather than specific groups within it. As I noted earlier, the Immigration and Asylum Act of 1999 changed the circumstances under which the UK state could simply remove immigrants rather than going through the more complicated deportation process. Previously, the state could only subject individuals judged to have entered the country without any authorization or with false papers to removal. After the Immigration and Asylum Act of 1999, however, the state began to remove all failed asylum seekers and overstayers, as well; as such, all undocumented immigrants became subject to removal rather than deportation. As Table 6.19 suggests, the available Home
<table>
<thead>
<tr>
<th>Year</th>
<th>Number of (Forced and Voluntary) “Removals”</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>6,540</td>
</tr>
<tr>
<td>2001</td>
<td>9,840 (estimated).</td>
</tr>
<tr>
<td>2002</td>
<td>13,785 (estimated).</td>
</tr>
<tr>
<td>2003</td>
<td>No data.</td>
</tr>
<tr>
<td>2004</td>
<td>No data.</td>
</tr>
<tr>
<td><strong>Total, 2000-2002</strong></td>
<td><strong>30,165 (approximately).</strong></td>
</tr>
</tbody>
</table>


Office data indicate that the number of removals went up fairly sharply in the years immediately following the passage of this law. Importantly, these data can be regarded as exceptionally limited; the Home Office offers only estimated figures for 2001 and 2002, and no data at all for 2003 or 2004. Moreover, we experience particularly acute difficulties in attempting to make sense of these data. The expansion in the number of groups eligible for removal muddies the water, as does the fact that the Blair government set a specific numeric target for removing failed asylum seekers in its 2001 election manifesto; in particular, the government specified that it wanted immigration officials to remove “more than 30,000” refused asylum seekers during the 2003-4 period (Labour Party 2001, 34). Even though immigration officials did not meet this target, they did begin devoting more resources to enforcement in 2001 (Gibney and Hansen 2003, 6), and this change in administrative practices may be partially or entirely responsible for the increase in removals that we observe in Table 6.19. As such, the removals data for 2000-2002 would not have sent a very clear message about the size of the undocumented population to political actors. Inasmuch as they do send a message, though, they would have suggested that the undocumented population had grown larger.
When we turn from the Home Office’s data on removals to its data on deportation orders, we find that the number of deportation orders actually proved lower in the 1990s than in the 1980s. Table 6.20 presents the relevant data for the period between 1990-1999; information regarding deportation orders after 1999 has less relevance to us, given that the state began dealing with undocumented immigrants entirely through the removals process once the Immigration and Asylum Act of 1999 had passed.\textsuperscript{119} As Table 6.20 suggests, the UK issued 12,070 deportation orders throughout the 1990s, as compared with 17,367 in the 1980s. Interpreting these figures raises a now-familiar set of issues. First of all, we cannot know whether these numbers reflect a change in administrative practice, a decrease in the actual size of the underlying population of potential deportees, or some combination of the two. Moreover, the state issued deportation orders to both undocumented and other types of immigrants; as such, the number of undocumented immigrants receiving deportation orders may have stayed the same or increased during the 1990s, even though the total number of people receiving deportation orders declined. As such, these data arguably signal that the undocumented population may have decreased somewhat, but the signal that they broadcast is a very weak one.

In addition to the data on removals and deportation orders, we must also consider the results of certain small-scale regularization programs when investigating the undocumented population’s overall size during the 1989-2004 period. The UK government has never sponsored a mass regularization program akin to the one held in the US after the passage of the Immigration Reform and Control Act. However, Tony

\textsuperscript{119} Even if we wanted to consult data on deportation orders after the act’s passage, we would not be able to do so for the years between 2001-2004, given that the Home Office has not made public figures on deportation orders for those years. For 2000, it has provided an estimated figure: 760 (Home Office 2001, 94).
<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Deportation Orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>1,080</td>
</tr>
<tr>
<td>1991</td>
<td>840</td>
</tr>
<tr>
<td>1992</td>
<td>890</td>
</tr>
<tr>
<td>1993</td>
<td>1,240</td>
</tr>
<tr>
<td>1994</td>
<td>1,540</td>
</tr>
<tr>
<td>1995</td>
<td>1,690</td>
</tr>
<tr>
<td>1996</td>
<td>1,890</td>
</tr>
<tr>
<td>1997</td>
<td>1,220</td>
</tr>
<tr>
<td>1998</td>
<td>1,020</td>
</tr>
<tr>
<td>1999</td>
<td>660</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>12,070</strong></td>
</tr>
</tbody>
</table>

Source: Home Office 2001, 94.

Blair’s government did offer regularization to a small number of domestic workers who had lapsed into an undocumented status after leaving their employers, as I noted previously (see Anderson 2001a); approximately 200 domestic workers acquired a documented status between 1998 and 1999 as a result of this program (Gordon et al. 2009, 26). Two additional segments of the undocumented population gained access to regularization opportunities later on in the Blair years, as well; the first group consisted exclusively of certain asylum seekers and refused asylum seekers, and has already been discussed above. The second group consisted of very long-term undocumented residents. Historically, UK immigration officials could, at their own discretion, offer residence papers to undocumented immigrants who had been resident in the UK for many years; in 2003, the state formalized this practice into a rule specifying that people who have been undocumented residents for at least fourteen years should be given the opportunity to apply for residence papers. If an undocumented person has children in the UK, the number of years of residence required for eligibility under this rule drops to seven.
Between 2003 and 2007, around 22,000 people became authorized residents as a result of this rule (26); if we assume for the sake of simplicity that roughly the same number of people received papers during each of these five years, then approximately 4,400 would have acquired a documented status in 2003, while roughly another 4,400 would have gained such a status the following year. Neither this regularization program nor the regularization program targeting domestic workers would have radically transformed the size of the UK’s undocumented population, but they would have served to reduce its size by approximately 9,000 people and thus must be kept in mind.

Overall, then, what can be said about the size of the undocumented population on the basis of this evidence regarding the population as a whole, as well as the evidence discussed above regarding individual groups within the population? I conclude that intermediary organizations would have likely come to view the undocumented population as having grown significantly since the 1973-1989 period. In particular, they would have had good reason to view the population as having come to number in the hundreds of thousands. Refused asylum seekers alone seem to have numbered in the hundreds of thousands, and undocumented, unauthorized entrants also appear to have increased in number as well (although one must keep in mind that the populations of refused asylum seekers and undocumented, unauthorized entrants presumably overlapped to some degree). The data on removals between 2000 and 2002 also seem suggestive of an increase in the undocumented population’s size, while the data on overstayers cannot offer us insight into the size of the undocumented population as a whole. Given these data, then, we can reasonably posit that the undocumented population increased during the 1989-2004 period, and in particular that it came to number in the hundreds of
thousands. Admittedly, some immigrants did take advantage of opportunities to regularize their status during this time, and a decline in the number of deportation orders did occur, too. These regularization programs only had an impact on a relatively small number of immigrants, however. In addition, the UK experienced a sharp increase in removals at the same time as the decrease in deportation orders occurred, a situation that hints that removals may have come to serve as a substitute for deportations in the UK (which one would expect, given that the Immigration and Asylum Act of 1999 enabled the state simply to remove certain groups of immigrants that had previously been subject to deportation proceedings, as we saw earlier). Moreover, the numbers on deportation orders must be weighed against the bulk of the evidence that we have considered, as well as what we know generally about the 1989-2004 period: the collapse of communism in Eastern Europe made it far easier for many individuals to migrate to Western Europe than had historically been the case. Overall, then, we can surmise that the UK’s intermediary organizations would have perceived the undocumented population to have grown to number in the hundreds of thousands between 1989 and 2004.

Further confirmation of this view would have arrived shortly after the end of this period. During the 2005 general election campaign, Tony Blair had been questioned intensively about the size of the UK’s undocumented population by the journalist Jeremy Paxman on a television program, and had declined to provide a specific estimate of the population’s size (BBC News 2005). Seemingly in response to the Paxman interview, the Home Office published such an estimate after the election campaign had ended. This relatively sophisticated estimate, which was developed by Jo Woodbridge and relied upon the residual method discussed in Chapter 4, suggested that the UK’s undocumented
population had grown to between 310,000-570,000 people by 2001 (Woodbridge 2005, 1). This estimate of the 2001 population’s size attracted considerable attention from political actors once published (BBC News 2005), but, given the timing of the estimate’s release, it would not have shaped the advocacy behavior of intermediary organizations between 1989-2004. I will return to it when discussing the 2004-2007 period, however.

Let us now consider the national composition of the undocumented population as a whole during the 1989-2004 years. The information available on this topic is limited. However, we do have two sources that can speak directly to the composition of the entire population. First, we have data indicating the home regions of individuals deported from the UK between 1990-1999.120 Presented in Tables 6.21 and 6.22, these data encompass not only individuals forcefully deported by the state, but also individuals who received deportation orders and subsequently left the UK without direct state involvement. Second, we have data regarding the regional and national origins of persons detained exclusively for violations of immigration law; this group of detainees would have included undocumented residents, along with foreign citizens alleged to have committed other violations of immigration rules. These data regarding detainees, which I present in Table 6.23 and Table 6.24, offer us a “snapshot” of the national composition of the detainee population on a single day in late December 2001, 2002, 2003, and 2004. The evidence arrayed in Tables 6.21-6.24 suffers from some familiar limitations, as it deals with both undocumented immigrants and other groups of immigrants. We also must keep in mind that the distribution of regional and national backgrounds in the population of

120 I should emphasize here that these data pertain only to individuals actually deported by the state. In this respect, the data differ from the data we discussed above regarding deportations, which deal with the larger group of people against whom the state lodged deportation orders. The UK has not provided information on the national backgrounds of this larger population for this time period.
Table 6.21: Deportations from the United Kingdom by Region of Origin, 1990-1994

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>190</td>
<td>300</td>
<td>310</td>
<td>320</td>
<td>310</td>
<td>1,430</td>
<td>13.8%</td>
</tr>
<tr>
<td>North and South America</td>
<td>200</td>
<td>320</td>
<td>380</td>
<td>320</td>
<td>250</td>
<td>1,470</td>
<td>14.2%</td>
</tr>
<tr>
<td>Africa</td>
<td>980</td>
<td>1,160</td>
<td>1,110</td>
<td>820</td>
<td>570</td>
<td>4,640</td>
<td>44.9%</td>
</tr>
<tr>
<td>India</td>
<td>210</td>
<td>240</td>
<td>310</td>
<td>300</td>
<td>270</td>
<td>1,330</td>
<td>12.9%</td>
</tr>
<tr>
<td>Other Asia</td>
<td>140</td>
<td>280</td>
<td>260</td>
<td>220</td>
<td>180</td>
<td>1,080</td>
<td>10.4%</td>
</tr>
<tr>
<td>Oceania</td>
<td>20</td>
<td>20</td>
<td>10</td>
<td>20</td>
<td>20</td>
<td>90</td>
<td>1%</td>
</tr>
<tr>
<td>Other</td>
<td>40</td>
<td>80</td>
<td>100</td>
<td>80</td>
<td>5</td>
<td>305</td>
<td>3%</td>
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</table>

Sources: Home Office 2001, 92; Home Office 2002b, 93; Home Office 2005b, 78; and author’s calculations.


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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>310</td>
<td>310</td>
<td>350</td>
<td>355</td>
<td>355</td>
<td>1,680</td>
<td>23.2%</td>
<td>3,110</td>
<td>17.7%</td>
</tr>
<tr>
<td>North and South America</td>
<td>290</td>
<td>230</td>
<td>290</td>
<td>295</td>
<td>335</td>
<td>1,440</td>
<td>20%</td>
<td>2,910</td>
<td>16.6%</td>
</tr>
<tr>
<td>Africa</td>
<td>520</td>
<td>600</td>
<td>510</td>
<td>420</td>
<td>290</td>
<td>2,340</td>
<td>32.3%</td>
<td>6,980</td>
<td>39.7%</td>
</tr>
<tr>
<td>India</td>
<td>240</td>
<td>280</td>
<td>240</td>
<td>185</td>
<td>130</td>
<td>1,075</td>
<td>14.9%</td>
<td>2,405</td>
<td>13.7%</td>
</tr>
<tr>
<td>Other Asia</td>
<td>160</td>
<td>130</td>
<td>130</td>
<td>90</td>
<td>80</td>
<td>590</td>
<td>8.2%</td>
<td>1,670</td>
<td>9.5%</td>
</tr>
<tr>
<td>Oceania</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>10</td>
<td>10</td>
<td>80</td>
<td>1.1%</td>
<td>170</td>
<td>1%</td>
</tr>
<tr>
<td>Other</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>30</td>
<td>0.4%</td>
<td>335</td>
<td>1.9%</td>
</tr>
</tbody>
</table>

Sources: Home Office 2001, 92; Home Office 2002b, 93; Home Office 2005b, 78; and author’s calculations.

<table>
<thead>
<tr>
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<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>400</td>
<td>345</td>
<td>375</td>
<td>295</td>
<td>1,415</td>
<td>22.6%</td>
</tr>
<tr>
<td>North and South America</td>
<td>160</td>
<td>165</td>
<td>215</td>
<td>220</td>
<td>760</td>
<td>12.1%</td>
</tr>
<tr>
<td>Africa</td>
<td>535</td>
<td>310</td>
<td>480</td>
<td>750</td>
<td>2,075</td>
<td>33.1%</td>
</tr>
<tr>
<td>Middle East</td>
<td>60</td>
<td>55</td>
<td>55</td>
<td>130</td>
<td>300</td>
<td>4.8%</td>
</tr>
<tr>
<td>Asia</td>
<td>385</td>
<td>265</td>
<td>490</td>
<td>550</td>
<td>1,690</td>
<td>27%</td>
</tr>
<tr>
<td>Other, and unknown nationality</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>20</td>
<td>0.3%</td>
</tr>
<tr>
<td>Total, All Regions</td>
<td>1,545</td>
<td>1,145</td>
<td>1,620</td>
<td>1,950</td>
<td>6,260</td>
<td></td>
</tr>
</tbody>
</table>

Sources: Home Office 2002b, 97; Home Office 2003, 96; Home Office 2004b, 76; Home Office 2005b, 80; and author’s calculations.


<table>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jamaica</td>
<td>135</td>
<td>150</td>
<td>195</td>
<td>190</td>
<td>670</td>
<td>10.7%</td>
</tr>
<tr>
<td>China</td>
<td>85</td>
<td>20</td>
<td>130</td>
<td>205</td>
<td>440</td>
<td>7.0%</td>
</tr>
<tr>
<td>Nigeria</td>
<td>115</td>
<td>50</td>
<td>95</td>
<td>140</td>
<td>400</td>
<td>6.4%</td>
</tr>
<tr>
<td>Pakistan</td>
<td>105</td>
<td>80</td>
<td>90</td>
<td>60</td>
<td>335</td>
<td>5.4%</td>
</tr>
<tr>
<td>India</td>
<td>75</td>
<td>55</td>
<td>95</td>
<td>95</td>
<td>320</td>
<td>5.1%</td>
</tr>
</tbody>
</table>

Sources: Home Office 2002b, 97; Home Office 2003, 96; Home Office 2004b, 76; Home Office 2005b; and author’s calculations.

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121 The Home Office has not specified whether it groups countries in Oceania under “Asia” or under “Other” in this collection of data.
deportees and detainees may not mirror the distribution of these backgrounds in the undocumented population as a whole. Nonetheless, the data in Tables 6.21-6.24 constitute a useful resource for us, given the lack of better sources of information. These data suggest that no single national or ethnic group predominated in the UK’s undocumented population during this time. In addition, the deportee data would have suggested that people from India and Africa constituted a significant portion of the undocumented population, while the detainee data would have made the same suggestion regarding Chinese people, Indians, Jamaicans, Nigerians, and Pakistanis. These data at the level of the entire undocumented population thus reinforce a fair amount of what we surmised earlier in this chapter on the basis of data relevant to individual groups of undocumented immigrants.

To sum up, then, the available data suggest several conclusions about the apparent national and ethnic composition of the UK’s undocumented population between 1989-2004. No single group would have appeared to political actors to predominate within this population, first of all. At the same time, the data on the undocumented population in general and on individual groups within it combine to yield a long list of countries with some apparent representation within the undocumented population: Afghanistan, Australia, Brazil, China, Congo, Ghana, India, Iran, Iraq, Jamaica, Nigeria, Pakistan, Poland, the Russian Federation, Somalia, Sri Lanka, Turkey, Uganda, and Zimbabwe, along with Yugoslavia and some of its successor republics. We can also add Columbia and Cyprus to this list given their representation in the undocumented population during the previous period. As for ethnic groups, undocumented immigrants would have been linked to the UK’s Afro-British and South Asian populations. In an influential article
published in 2007, Steven Vertovec characterizes the UK’s immigrant population in the post-1989 period as exhibiting “super-diversity,” a term he uses to highlight the tremendous range of legal statuses, religious backgrounds, places of origin, and so on observable within this population; Vertovec’s term also seems to be usefully invoked when discussing the national and ethnic backgrounds of the UK’s population of undocumented immigrants in particular. Indeed, this population appears to have become a virtual United Nations of the dispossessed in the wake of communism’s collapse in Eastern Europe.

With regard to the labor market position of this diverse group of immigrants, undocumented immigrants appear to have worked in a greater range of jobs during this period than they did during the previous one. They do appear to have continued working in private households (Anderson 1999, Chapter 10), as well as in the contract cleaning, hospitality, and garment production sectors (Anderson 1999, Chapter 10; Black et al., 2005, 26; Jones, Ram, and Edwards 2006; see also Jordan and Düvell 2002, 127-142). The literature on this period particularly brings to the fore the role played by undocumented immigrants in small hospitality and garment production firms owned by ethnic minorities (Jones, Ram, and Edwards 2006; see also Jordan and Düvell 2002, 134, 138-139). At the same time, though, undocumented immigrants appear to have become active in other areas of the economy, as well. Philip Anderson’s work identifies courier and mini-cab companies as employers of undocumented immigrants in London (1999, Chapter 10), while several analysts suggest that undocumented immigrants worked in agriculture and construction during this time (Anderson 1999, Chapter 10; Martin 2004, 19; see also Jordan and Düvell 2002, 133-136). The involvement of undocumented
immigrants in food harvesting was particularly highlighted by the Morecambe Bay tragedy in 2004, when unsafe night tides resulted in the drowning of 23 workers who had been picking cockles under the direction of a negligent subcontractor. Consisting mostly of Chinese immigrants, this group of workers included a number of asylum seekers and undocumented immigrants (Lawrence et al., 2004). The entirely preventable deaths of these workers received extensive media coverage in the UK, and would have underscored for intermediary organizations and other political actors the involvement of undocumented immigrants in the UK’s agricultural sector. In sum, then, undocumented immigrants appear to have taken jobs in agriculture, construction, and other sectors during this time period, while continuing to work in contract cleaning, domestic work, garment production, and the hospitality field.

Undocumented Immigrants in the United Kingdom, 2004-2007

As one would expect, the UK’s immigrant population changed substantially after the EU expansions of 2004 and 2007. Unlike Germany, the UK opened its labor market immediately to nationals of all of the 2004 accession countries, a development that led to a large-scale movement of Polish and other East European labor migrants to the country. Indeed, one analysis estimates that up to 1 million workers from the eight East European accession countries came to the UK between 2004-2007, although it also suggests that half of these East Europeans had already left the country by December 2007 (Pollard, Latorre, and Sriskandarajah 2008, 19). The UK did place labor market restrictions upon individuals from Bulgaria and Romania when these countries joined the EU in 2007, but Bulgaria and Romania’s accessions nonetheless brought their citizens new opportunities
to live and work legally in the EU, and a substantial number of Bulgarians and Romanians did migrate to the UK. The number of authorized East European immigrants in the UK grew as a result of these inflows of new immigrants from accession countries, but this number increased after the accessions for a second reason, as well: as we saw in the context of Germany, the EU accessions functioned as a \textit{de facto} regularization program for undocumented East European immigrants already living in the UK. They served the same purpose for undocumented Cypriots, as well. As such, a substantial number of people would have exited the UK’s undocumented population in 2004 and again in 2007.

Certain state programs caused numerous other individuals to exit this population during these years, as well. As noted previously, the UK offered a legal residence status to around 22,000 people between 2003-2007 as a result of its adoption of a formal rule allowing for the regularization of very long-term undocumented immigrants (Gordon et al. 2009, 26); if we assume that roughly the same number of people received papers as a result of this program each year, then we can say that roughly 13,200 people gained papers overall as a result of this program in 2005, 2006, and 2007. The “Family ILR” program discussed above also continued during this period, with approximately 46,690 individuals overall receiving indefinite leave through this program between 2005-2007 (Home Office 2008a, 78). As suggested above, we can assume that many of these individuals held an undocumented status prior to receiving their leave to remain. Finally, one should also note that the Home Office announced its intention to begin a so-called “case resolution” process in July 2006; slated to run through 2011, this exercise involves processing a backlog of approximately 400,000-450,000 older asylum cases that have yet
to be fully resolved (House of Commons Home Affairs Committee 2009, 3). The cases in this backlog are at different stages of the asylum process, but many of them apparently involve individuals who were denied asylum and not subsequently deported or removed (Refugee Council 2009, 3). As such, they have to do with undocumented immigrants. As of the end of September 2009, 34 percent of the cases considered by the Home Office under this initiative had been resolved with grants of indefinite leave to remain (House of Commons Home Affairs Committee 2009, 4); most likely, then, this process has constituted a pathway out of irregularity for a considerable number of undocumented immigrants since its launch. Importantly, though, the Home Office did not really begin the case resolution procedure in earnest until the very end of 2007, as the Case Resolution Directorate did not have staff trained and in place until November 2007 (Immigration Law Practitioners’ Association 2009). Much of the actual decision-making regarding cases would have happened after 2007. For this reason, this case resolution process would not have had a large effect on the undocumented population during the time period under consideration. At the same time, though, both the regularization program for long-term unauthorized residents and the Family ILR program appear to have removed a number of people from the UK’s stock of undocumented immigrants. Overall, then, the expansion of the EU and certain state programs seem to have exerted downward pressure on the size of the UK’s undocumented population between 2004-2007.

Beyond the data regarding these developments, intermediary organizations and other political actors would have had relatively little additional information and no new estimates with which to assess the size of the undocumented population in the UK during this period, save for the Home Office’s 2005 estimate of the undocumented population’s
size in 2001. As discussed previously, this estimate suggested that the population numbered between 310,000-570,000 people in 2001 (Woodbridge 2005, 1). (We do also have an estimate regarding the size of the undocumented population in 2007, but this estimate would not have been available to political actors until after 2007; I discuss this estimate below.) Of the three individual groups of immigrants most relevant to the UK’s undocumented population (i.e., asylum applicants, overstayers, and unauthorized entrants), only up-to-date data on asylum applicants would have been in circulation during the 2004-2007 period. These data suggest that new asylum applications continued to decline from their peak of 84,130 in 2002; in particular, the UK received 25,710, 23,610, and 23,430 applications in 2005, 2006, and 2007, respectively (Home Office 2009a, 57). Just as we do not have much evidence that can speak to the size of individual groups within the undocumented population, we also lack data relevant to the size of the undocumented population as a whole. As discussed previously, the Home Office’s data on deportations became irrelevant for the purposes of this study after 1999. The UK has also not released statistics dealing specifically with removals since 2002, as Table 6.19 suggests. Overall, then, the data present in political actors’ informational environment during this time would have suggested that numerous undocumented immigrants in the UK moved into a regular residence status between 2004-2007; these data would have also given no indication that the UK received large inflows of potential or actual undocumented immigrants during these years. Most likely, then, political actors would have perceived the undocumented population to have stayed relatively stable or somewhat declined between 2004-2007. Given the Home Office’s conclusion that the undocumented population numbered between 310,000-570,000 in 2001, though, political
actors would have likely perceived the undocumented population to continue to number in the hundreds of thousands, even if they viewed it as having decreased in size since 2001.

Interestingly, the estimate published in 2009 to which I had alluded earlier somewhat challenges these conclusions; it affirms the view that the undocumented population numbered in the hundreds of thousands between 2004 and 2007, but also indicates that the population might have grown during this period rather than shrinking or remaining stable. Much depends on how one interprets this particular estimate, though.

Prepared by Ian Gordon and three coauthors, this estimate aims to update Jo Woodbridge’s estimate of the undocumented population’s size. Calculated using essentially the same methods that Woodbridge adopted, the estimate indicates that 417,000-863,000 undocumented immigrants lived in the UK in 2007 (Gordon et al. 2009, 6); as I have indicated, Woodbridge’s estimate had suggested that 310,000-570,000 undocumented people resided in the country in 2001 (Woodbridge 2005, 1). These estimates differ in part because Gordon and his coauthors include children born to undocumented immigrants living in the UK in their estimate, while Woodbridge does not take account of such children in her analysis. However, Gordon et al.’s analysis also suggests that the difference between estimates derives from a genuine increase in the UK’s undocumented population between 2001 and 2007, and that to a considerable degree this increase can be explained by a rise in the number of failed asylum seekers living in the country; in particular, they estimate that the UK’s undocumented population gained a total of roughly 219,000 refused asylum applicants between 2001 and 2007 (Gordon et al. 2009, 6). As Table 6.7 suggests, the UK received more than 70,000 new
asylum applications each year between 1999-2002, while the number of asylum applications dropped to 49,405 in 2003 and 33,960 in 2004, and then dropped further after that point. Asylum applications may take a year or more to process; even so, these numbers suggest that most of the new refused asylum applicants who entered the UK undocumented population between 2001-2007 likely did so by 2004. This interpretation of the data seems consistent with the idea that the undocumented population did not grow, and may have declined, between 2004-2007. On the other hand, if one rejects this view, then Gordon et al.’s estimate sits awkwardly alongside what I suggest political actors would have thought about the 2004-2007 undocumented population. In any event, one must keep in mind that this estimate would not have been available to political actors until after 2007, and thus would not have shaped organizational behavior during the time period under consideration.

With regard to the national composition of the UK’s undocumented population between 2004-2007, we know with certainty that nationals of the new EU accession countries dropped out of the UK’s undocumented population during this period. We know less about the composition of the population that they left behind, but I have identified no developments other than the accessions that would have caused major changes to the composition of the undocumented population during this time. As such, one would suspect that the undocumented population of this period would have largely resembled the undocumented population of 1989-2004, save for in the sense that the 2004-2007 population did not include accession country nationals. The available data support this view. The first body of evidence that we can consult is the Home Office’s set of statistics on principal asylum applicants from various world regions; I present the
data for 2005, 2006, and 2007 in Table 6.25. We can also examine the Home Office’s data on the regional and national backgrounds of people detained solely for violations of immigration law in late December 2005, late September 2006, and late December 2007, which can be found in Tables 6.26 and 6.27. We face difficulties comparing the data in Tables 6.25 and 6.26 with the equivalent data from the previous period under consideration (which can be found in Tables 6.12-6.15 and Table 6.23 above), as the Home Office groups people from North Africa with people from the Middle East for the earlier period and with people from the rest of Africa for the later period. Generally, though, we can say that the data for the 2004-2007 period point in roughly the same direction that the data for the 1989-2004 period did: on the (potentially misleading) basis of the data from Table 6.25 and Table 6.26, no single national or ethnic group appears to have been predominant within the UK’s undocumented population between 2004-2007. In addition, people of African descent appear to have been a particularly notable ethnic group within this population. As for Table 6.27, it also suggests a story of relative continuity; Nigerians, Jamaicans, Pakistanis, and Chinese people continued to be among the five largest national groups within the population of immigration detainees during the 2004-2007 period. Turks constituted the fifth of these large national groupings. Based on this evidence, then, we can say that these five national groups and people of African descent appear to have continued to be present in the undocumented population to a notable extent, and that we have no reason to think that the set of ethnic and national groups present in the undocumented population changed dramatically during the 2004-2007 period overall—although, of course, accession country nationals did exit the undocumented population during this period.
Table 6.25: Asylum Applications Submitted in the United Kingdom by Home Region of Principal Applicant, 2005-2007

<table>
<thead>
<tr>
<th>Region</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>Total</th>
<th>Percentage of Total Applications, 2005-2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>1,810</td>
<td>1,210</td>
<td>825</td>
<td>3,845</td>
<td>5.3%</td>
</tr>
<tr>
<td>North and South America</td>
<td>505</td>
<td>385</td>
<td>390</td>
<td>1,280</td>
<td>1.8%</td>
</tr>
<tr>
<td>Africa</td>
<td>10,885</td>
<td>10,500</td>
<td>8,630</td>
<td>30,015</td>
<td>41.4%</td>
</tr>
<tr>
<td>Middle East</td>
<td>5,490</td>
<td>4,140</td>
<td>4,940</td>
<td>14,570</td>
<td>20.1%</td>
</tr>
<tr>
<td>Asia and Oceania</td>
<td>6,915</td>
<td>7,315</td>
<td>8,570</td>
<td>22,800</td>
<td>31.4%</td>
</tr>
</tbody>
</table>

Source: Home Office 2009b, Table 2a; and author’s calculations.

Table 6.26: Number of Individuals Detained Solely for Immigration Violations in the United Kingdom in Late December 2005, Late September 2006, and Late December 2007, by World Region

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe (including Turkey)</td>
<td>310</td>
<td>250</td>
<td>120</td>
<td>680</td>
<td>11.2%</td>
</tr>
<tr>
<td>North and South America</td>
<td>210</td>
<td>205</td>
<td>240</td>
<td>655</td>
<td>10.8%</td>
</tr>
<tr>
<td>Africa</td>
<td>740</td>
<td>800</td>
<td>935</td>
<td>2,475</td>
<td>40.9%</td>
</tr>
<tr>
<td>Middle East</td>
<td>110</td>
<td>160</td>
<td>200</td>
<td>470</td>
<td>7.8%</td>
</tr>
<tr>
<td>Asia and Oceania</td>
<td>570</td>
<td>595</td>
<td>595</td>
<td>1,760</td>
<td>29.1%</td>
</tr>
<tr>
<td><strong>Total, All Regions</strong></td>
<td><strong>1,950</strong></td>
<td><strong>2,010</strong></td>
<td><strong>2,095</strong></td>
<td><strong>6,055</strong></td>
<td></td>
</tr>
</tbody>
</table>

Sources: Home Office 2006b, 88; Home Office 2007, 86; Home Office 2008b, 96-97; and author’s calculations.
Table 6.27: Top Five Nationalities Represented in the Population of Individuals Detained Solely for Immigration Law Violations in the United Kingdom in Late December 2005, Late September 2006, and Late December 2007

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nigeria</td>
<td>230</td>
<td>140</td>
<td>230</td>
<td>600</td>
<td>10%</td>
</tr>
<tr>
<td>Jamaica</td>
<td>175</td>
<td>155</td>
<td>205</td>
<td>535</td>
<td>8.8%</td>
</tr>
<tr>
<td>Pakistan</td>
<td>155</td>
<td>110</td>
<td>115</td>
<td>380</td>
<td>6.3%</td>
</tr>
<tr>
<td>Turkey</td>
<td>170</td>
<td>105</td>
<td>40</td>
<td>315</td>
<td>5.2%</td>
</tr>
<tr>
<td>China</td>
<td>65</td>
<td>75</td>
<td>160</td>
<td>300</td>
<td>5%</td>
</tr>
</tbody>
</table>

Sources: Home Office 2006b, 88; Home Office 2007, 86; Home Office 2008b, 96-97; and author’s calculations.

As for the labor market position of this diverse set of undocumented immigrants, we have relatively little information that pertains specifically to developments within the 2004-2007 period. However, one recent study by Jane Wills and several coauthors does suggest that the 2004 accessions of Poland and other countries to the EU may have had implications for undocumented immigrants and other unauthorized workers, at least in the context of London. As one would expect, these accessions introduced a large number of authorized workers willing to take difficult, low-paying jobs into London’s labor market (Wills et al. 2008, 28, 30-32). Although employers may prefer unauthorized to authorized labor in certain circumstances (see Ruhs and Anderson 2008), Wills and her colleagues find that London employers now often exhibit a preference for accession country nationals over immigrants without work and/or residence papers—a development that can be linked to the UK government’s efforts to tighten controls on the employment of unauthorized workers (Wills et al. 2008, 31-32). Wills and her coauthors suggest that the infusion of authorized workers willing to work for low wages into London’s labor market means that “those without papers are likely to be forced into more marginal and
exploitative employment” (31), but as of yet we do not have concrete evidence of undocumented immigrants and other unauthorized workers being entirely pushed out of particular sectors. As such, we can reasonably assume that the labor market position of undocumented immigrants did not change dramatically after the accessions, although these immigrants may have come to play less of a role in some sectors than they did in the past.

In Table 6.28, I summarize the apparent characteristics of the UK’s undocumented population during the three periods identified in this chapter: 1973-1989, 1989-2004, and 2004-2007. In Chapter 9, we will investigate how these characteristics helped to shape advocacy outcomes related to undocumented immigrants in the UK across time.

<table>
<thead>
<tr>
<th>Period</th>
<th>Size</th>
<th>National and Ethnic Composition</th>
<th>Labor Market Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973-1989</td>
<td>Throughout this period, the undocumented population seems to have been small (i.e., numbering approximately in the tens of thousands). The population does appear to have experienced some incremental growth over the course of the period, though.</td>
<td>Numerous countries appear to have had significant representation in the undocumented population during this period: Columbia, Cyprus, Ghana, India, Nigeria, Pakistan, and Turkey. As a group, people from current and former Commonwealth countries seem to have been significantly represented in the undocumented population, as well. Moreover, the British left’s practice of conceptualizing people from Africa, the Caribbean, and Asia as sharing a common black ethnicity during this period would have encouraged organizations to view the undocumented population as containing a significant number of ethnically black people.</td>
<td>Undocumented immigrants appear to have been working principally in the hospitality sector during the 1970s. In the 1980s, their economic role appears to have expanded somewhat; in addition to hospitality firms, these immigrants seem to have worked in jobs in the contract cleaning and garment production sectors, and in private households.</td>
</tr>
<tr>
<td>1989-2004</td>
<td>The undocumented population appears to have grown to number approximately in the hundreds of thousands during this period.</td>
<td>Many countries appear to have had substantial representation in the undocumented population during this period: Afghanistan, Australia, Brazil, China, Columbia, Congo, Cyprus, Ghana, India, Iran, Iraq, Jamaica, Nigeria, Pakistan, Poland, the Russian Federation, Somalia, Sri Lanka, Turkey, Uganda, and Zimbabwe, along with Yugoslavia and some of its successor republics. With regard to ethnic groups, people who can be linked to the “Afro-British” and “South Asian” ethnic groups appear to have had a presence in the undocumented population.</td>
<td>Undocumented immigrants appear to have continued working in contract cleaning, garment production, and hospitality firms during this time, as well as in private households. They also appear to have worked in the agricultural and construction sectors, and for mini-cab and courier firms.</td>
</tr>
</tbody>
</table>
Table 6.28, Continued.

<table>
<thead>
<tr>
<th>Period</th>
<th>Size</th>
<th>National and Ethnic Composition</th>
<th>Labor Market Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-2007</td>
<td>The population appears to have stayed relatively stable or declined, while still remaining approximately in the hundreds of thousands.</td>
<td>Nationals of the EU accession countries exited the UK’s undocumented population during this time. This change appears to have occurred in a broader overall context of continuity, however, as we have no reason to think that other national (or ethnic) groups joined or exited the set of countries with significant representation within the undocumented population.</td>
<td>After the accessions, the labor market position of undocumented immigrants in the UK does not appear to have changed dramatically. However, the introduction of more workers from the accession countries into the UK labor market may have reduced the role played by undocumented immigrants (and other unauthorized workers) in some sectors.</td>
</tr>
</tbody>
</table>
Part III: The Organizations and Political Advocacy for the Undocumented

Chapter 7

Overarching Political Roles and Political Advocacy Outcomes, 1970s-Present: An Introduction

This study argues that differences in the apparent nature of undocumented populations and in the overarching political roles of intermediary organizations will interact to generate distinctive patterns of advocacy for undocumented immigrants in those contexts in which a substantial undocumented population appears to exist. If only a smaller undocumented population seems to be present, then organizations that might ordinarily undertake advocacy for the undocumented will tend to channel their energies exclusively toward quiet casework on behalf of individual immigrants and small groups of immigrants, rather than political advocacy on behalf of undocumented immigrants as a whole. In Part II, I focused on the first key explanatory variable used in this study—i.e., the apparent nature of the undocumented population—and discussed the evolution of the undocumented population in my three country cases over time. Here in Part III, the focus expands to include the second explanatory variable: the overarching political roles of intermediary organizations. I provide a good deal of information about the overarching political roles espoused by established intermediary organizations in Germany, the UK, and the US. In so doing, I seek to tie together this evidence related to political roles with the data presented in Part II on undocumented populations, and ultimately to show how variation on these two variables shapes advocacy outcomes in those circumstances in which a sizeable undocumented population exists. I also aim to highlight the political dynamics at play in contexts where the undocumented population appears to be smaller, as well. Like Part II, Part III has at its core three analyses, each one focused on a single
country case; Chapters 8 and 9 consider Germany and the United Kingdom, respectively, while Appendix 3 focuses on the United States.

The purpose of this brief introduction is simply to discuss the data presented in these analyses. I need to explain aspects of the data related to my dependent variable; in particular, I must address how I went about identifying established immigrant-serving and union organizations in each of my country cases, and how I decided which of these organizations should be classified as advocates for the undocumented. I also need to clarify for the reader how I went about determining the overarching political roles of the various intermediary organizations analyzed in this part of the study. The discussion begins with a consideration of the data related to my dependent variable.

**Measuring Variation on the Dependent Variable**

I began work on this study with a general understanding of what the overall shape of advocacy for the undocumented has looked like in different countries in recent years; this understanding was based on reading a number of academic and journalistic sources. It was on the basis of this understanding that I selected particular countries for further analysis in this study, as I noted in Chapter 2. However, I wished to develop a more precise picture of the state of advocacy in the particular countries that I selected; for this reason, I undertook a process designed to determine the proportion of potential advocates to actual advocates in various periods of these countries’ histories. This process entailed two main steps for each time period under consideration. First, I compiled a list of organizations that constituted relevant potential advocates for undocumented immigrants. In defining the set of relevant potential advocates, I classified all established immigrant-
serving organizations as potential advocates. I also classified all established unions as potential advocates in Germany, and all larger established unions as potential advocates in the context of the UK and the US (a decision that I explain below). Next, I ascertained which organizations within the set of relevant prospective advocates should be considered actual advocates for the undocumented. The following two sections describe how I went about undertaking these steps.

First Step: Determining the Universe of Relevant Potential Advocates for the Undocumented

I began the process of determining the universe of relevant potential advocates in each country with a list of potential advocates, past and present, of which I was already aware. I then turned to various information sources to identify additional potential advocates. In the case of trade unions, I simply drew upon the membership rosters for the main trade union confederations present in Germany, the UK, and the US during the periods under consideration. Finding potential advocates within the immigrant-serving organizational sector required considerably more searching, however. To locate potential advocates within this sector, I spent a good deal of time reviewing multiple editions of various organizational directories. In investigating Germany, I reviewed the 1979, 1981, 1990, 1998, 2001, and 2004 editions of Die Bundesrepublik Deutschland Staatshandbuch: Verbände (The German Federal Republic Political Guide:

122 The main trade union confederation in contemporary Germany is the Deutscher Gewerkschaftsbund (DGB), and the main trade union confederation in the contemporary UK is the Trades Union Congress (TUC). In the US context, I treat both the AFL-CIO and the Change to Win Coalition as major trade union confederations. My decision to focus on members of major union confederations seems justifiable on the grounds that nearly all of the major unions in these countries affiliate with such a confederation. The decision does mean that certain large organizations like the UK’s Royal College of Nursing and the US’s National Education Association (NEA) are excluded from consideration, but such organizations generally conceive of themselves as “professional organizations” rather than trade unions and thus function somewhat differently in politics and in the broader political economy in any event.
Having compiled a preliminary list of potentially relevant immigrant-serving and labor organizations, I then sought to filter out organizations that were not actually relevant to this project. As I have already suggested, this project aims to study only a subset of the immigrant-serving organizations and trade union organizations present in the contexts that it examines. More specifically, the study seeks to focus on “established” intermediary organizations, by which I mean non-state, non-party organizations that have a professional staff and significant financial resources, and that regularly undertake political activities besides protest activity in their efforts to exert influence over national governmental institutions in their host state. In addition, I have imposed a second constraint on the set of union organizations that I consider, in that I focus only on larger unions in the context of the UK and the US. I exclude smaller unions in these two broadly pluralist countries on the grounds that such organizations seem unlikely to undertake advocacy for undocumented immigrants under any circumstance, as these unions generally lack the resources necessary to sustain regular involvement in national politics (outside of the realm of direct protest). Larger unions, on the other hand, have a greater capacity to pursue their policy agendas. In the German context, the distinction between large and small unions seems less significant, as the corporatist environment gives unions a voice in politics that has less to do with the size of their membership—and, in any event, virtually all of the German unions examined in this study qualify as larger unions under the criteria that I used to distinguish between larger and smaller unions, as we will see in Chapter 8.

What specific guidelines did I use in determining whether or not a given organization should be classified as an organization relevant to this project during a
particular period? First, I considered an organization “established” if I had evidence that it had one or more professional staff members, that it had sufficient financial resources to rent or own a dedicated office space,\(^\text{123}\) and that it regularly undertook political activities other than protest activity in its efforts to influence formal institutions of government within its host state (e.g., lobbying). Second, I classified a union as “large” during a given period if it had more than 100,000 members in the final year of that period,\(^\text{124}\) keeping in mind that the very largest unions in the countries under consideration have between approximately 2-3 million members today. Like many empirical indicators adopted in social science studies, these measures can quite clearly be accused of being somewhat arbitrary in nature. However, a logic does underlie their selection, in that I sought to develop indicators that would capture a minimum, or baseline, understanding of what an established organization or a larger union might look like. By casting a relatively wide net in this fashion, this study gains more organizations to study and examine. Of course, should one object to this particular approach to operationalizing relevant organizations in this study, then one could adopt a more restrictive understanding and excise particular organizations from the set of relevant organizations accordingly. Regardless of the approach one uses, I believe the overall empirical results for each context would be relatively similar.

Guided by the criteria that I have specified, I assessed the various organizations on my list of potential relevant organizations. Based on prior knowledge, I was able to

\(^{123}\) In some circumstances, one can readily acquire information regarding an organization’s overall financial situation (e.g., one can download the tax forms of many US non-profit organizations through the Guidestar US website). However, such information cannot always be obtained. For this reason, I decided to gauge an organization’s resources during a given period by looking at whether or not it could afford an office, as the presence or absence of dedicated office space can (in relative terms) be readily observed.

\(^{124}\) I did not treat this threshold of 100,000 as completely hard and fast; a few unions that I encountered had membership figures around 98,000 and 99,000 in a given period, and I included them in my set of larger unions for that period.
classify many of these organizations as relevant without further research. Some organizations did require further investigation, however. In order to gather additional information about a given organization, I began by consulting its internet site, if it had one. If the organization lacked a website or if its website did not provide sufficient information, I turned to newspaper reports and any relevant academic sources in an attempt to learn more about the organization. Based on evidence gathered from these sources, I ultimately came to a decision regarding the organization during the time period in question.

Despite my efforts to develop lists of relevant organizations in a systematic fashion, I freely concede that my lists may not include all of the relevant organizations present in a given context. My knowledge of the countries studied here cannot help but be incomplete, and the directories that I examined do not claim to be entirely comprehensive. Nonetheless, I am confident that my lists capture the prominent and semi-prominent relevant organizations in Germany, the United Kingdom, and the United States, and at least some of the “minor players” as well. In addition, I have no reason to believe that less-prominent organizations have been omitted from my lists in a manner that would prejudice my ultimate conclusions about the relative state of advocacy for the undocumented in different times and places.

**Second Step: Determining Which Potential Advocates Actually Perform Advocacy**

Having compiled my lists of potential advocates for the undocumented, I then sought to determine which potential advocates should be regarded as actual advocates in each of the three countries. As my earlier comments suggest, this study considers
political advocates for the undocumented to be individuals or groups who press the interests of the undocumented in politics. For the purposes of this study, I have postulated that undocumented immigrants have two main political interests: 1) to gain improved access to educational institutions, health services, and other social goods, and 2) to have the option to apply for legal permanent residency and/or citizenship. I am only interested here in what might be called “committed” advocacy on behalf of these interests, by which I mean advocacy that requires a non-trivial investment of financial resources and/or staff time by the organization undertaking advocacy. We might contrast this form of advocacy with what might be termed “uncommitted” advocacy, a form of political activity in which an organization does voice the concerns of a particular group, but only does so in ways that require very little to no investment of resources on the part of the organization (and that thus seem destined to have very little or no impact on politics). For instance, an organization might issue an occasional press release on behalf of the undocumented, or voice support for them in an interview with a journalist or researcher. This study focuses on only more substantial forms of advocacy not because uncommitted advocacy is uninteresting, but rather because the reasons why an organization would invest significant resources in advocacy for the undocumented likely differ from the reasons why an organization would periodically undertake virtually costless activities in their name.

In light of this emphasis on more substantive forms of political advocacy for the undocumented, I classified a given organization as an advocate if it appeared to have devoted non-trivial resources to advocacy work in the time and place under consideration. Given the difficulties associated with determining precisely how much
money and staff time an organization devoted to advocacy for the undocumented, I
instead sought to ascertain if organizations had engaged in advocacy activities that could
reasonably be presumed to require a substantial investment of resources. Such activities
include, but are not limited to, lobbying, using corporatist systems of interest consultation
to advance the case of the undocumented, undertaking and disseminating research for the
purpose of influencing policy, and organizing or helping to organize political coalitions.
I ultimately judged organizations to be advocates during a given period if I found
evidence that they had engaged in one or more such activities during that time period.

One complication associated with this effort to identify advocates is that some
intermediary organizations have served as advocates for particular subsets of the
undocumented population at certain points in time, without actually advocating for the
undocumented population as a whole. For instance, Amnesty International UK, Church
Action on Poverty, the Refugee Council, and various other UK organizations have
participated in recent years in a campaign entitled “Still Human, Still Here,” which
highlights the homelessness and destitution experienced by many failed applicants for
political asylum who remain in the UK. As Part II of this study suggests, unsuccessful
asylum applicants constitute a considerable part of the undocumented population in the
UK and numerous other countries, and as such this campaign and other political activities
like it have an obvious, direct relevance to undocumented immigrants. Nonetheless, I do
not classify an organization as an advocate for the undocumented if it only participates in
political activities related to failed asylum seekers or some other subset of the
undocumented population, as the organization cannot be said to be pressing the case of
undocumented immigrants *qua* undocumented immigrants. Ultimately, then, the
organizations that this study describes as advocates devote at least some of the time they spend on issues related to undocumented immigrants to concerns regarding the undocumented in general. They do not exclusively address matters pertaining to one or more subsets of the undocumented population.

**Measuring Variation on the Second Independent Variable: The Overarching Political Roles of Intermediary Organizations**

As we know, the second explanatory variable used in this study has to do with the overarching political roles adopted by immigrant-serving and labor organizations. I argue that the degree to which particular types of immigrant-serving and labor organizations exist in a given society helps to shape the degree to which advocacy takes place in that society. For the purposes of this study’s argument, I classify immigrant-serving organizations into three types: organizations representing ethnic groups with many members from an immigration background, organizations representing legal classes of immigrants, and organizations that aim to serve all immigrants in a society, or “encompassing organizations.” I also classify unions into two types: unions that seek to organize in the secondary labor market, and unions that do not seek to organize in the secondary labor market. In this section of my chapter, I aim to explain how I went about placing immigrant-serving and labor organizations into categories.

Consider first immigrant-serving organizations. Categorizing these organizations generally proved to be a straightforward endeavor; in most circumstances, one can readily determine how an organization conceptualizes its overarching political mission from reviewing its website and/or entry in a given organizational directory. The one slight complication that arose in my classification efforts had to do with what might be
termed explicitly “intersectional” organizations. Such organizations define their missions in such a way that they incorporate two or more major social identities and, as such, they do not fit perfectly neatly into the categories that I use in this project; for instance, Chapter 9 discusses the UK’s Indian Workers’ Associations (IWAs), a set of organizations that sought to be a voice for working class people of Indian descent in the United Kingdom. The other example of an explicitly intersectional organization that surfaces in this project is the National Immigration Law Center (NILC) in the US, which aims to serve all immigrants of a disadvantaged economic status. The IWAs and the NILC resemble this study’s models of an ethnic organization and an encompassing organization, respectively, but they constitute distinctively intersectional organizations because they also orient themselves toward people of a particular economic background. On a theoretical level, I see no clear reason to think that working class ethnic organizations like the IWAs would behave differently vis-à-vis the undocumented than a “generic” ethnic organization without a class orientation would. I also see no clear reason to think that an organization with a focus on all disadvantaged immigrants would behave differently vis-à-vis undocumented people than a fully encompassing organization would. If anything, the explicit focus of the IWAs and the NILC on individuals with fewer material resources would seem to point them even more firmly in the direction of advocacy for the undocumented. For the purposes of my analysis, then, I simply treat the IWA organizations and the National Immigration Law Center as ethnic and encompassing organizations, respectively. However, I do also note that they have an explicit basis in a class identity, as well.
As for classifying labor organizations, I followed a two-step process in seeking to distinguish between unions that organize in the secondary labor market and unions that do not. For a given time and place, I began this process by identifying unions working in sectors and/or with occupational groups that appear to be substantially influenced by the secondary labor market. To identify such sectors and occupational groups, I principally relied on academic studies dealing with low-wage work and the secondary labor market in individual countries and in the developed democracies in general (e.g., Appelbaum, Bernhardt, and Murnane 2003; Bernhardt, Boushey, Dresser, and Tilly 2008; Bosch and Weinkopf 2008; Gautié and Schmitt 2010; Lloyd, Mason, and Mayhew 2008). The following areas of economic activity appear to be affected (to a greater or lesser extent) by the secondary labor market in many of the contexts examined in this project: agriculture, horticulture, landscaping, hospitality, retail, construction, food processing, garment production, warehouse work, sex work, call center work, commercial and residential cleaning, and caregiving. Once I had identified unions working in these and similar areas, I then sought to determine if they had strongly emphasized organizing during the time period under consideration. Making such a determination proved to be challenging, particularly for more recent periods of UK and US history. As I will have reason to discuss again later on in this study, the main trade union confederations of the UK and the US began to emphasize the idea of organizing quite heavily in the 1990s. Upon its emergence as the second major American trade union confederation in the 2000s, the Change to Win Coalition also embraced the organizing strategy; indeed, the unions of the coalition claimed that they broke away from the AFL-CIO in part because it had failed to emphasize the organizing strategy sufficiently (Fine and Tichenor 2009,
As a result of these developments at the confederation level, one finds many individual unions professing a commitment to organizing in the UK and the US in recent decades. The challenge, then, was to attempt to peer beyond rhetoric and to determine which unions had actually implemented the organizing approach in a meaningful way. For all of the time periods and countries under consideration here, I have not classified a union as oriented toward organizing simply on the basis of its national office’s stated commitment to organizing; I have also sought to find evidence that at least one of its local union organizations devoted significant staff time and economic resources to the organizing strategy. When I could not find such evidence, I did not classify a union as oriented toward organizing. To gain a sense of which unions met my criteria, I drew upon interviews conducted for this project, as well as a number of works in the now-extensive literature on union organizing and “revitalization”—a literature that has traditionally focused a good deal of attention on unions in the United States, but that has also increasingly examined developments in Germany, the UK, and other European countries as well.\footnote{For the purposes of this project, the following books and articles (among others) proved to be particularly helpful: Behrens, Fichter, and Frege (2003); Belman and Smith (2008); Bronfenbrenner et al. (1998); Carter (2000); Clawson (2003); Fine, Grabelsky, and Narro (2008); Frege and Kelly (2004); Gall (2009); Gajewska and Nieszto (2009); Grabelsky (2007); Greer (2008); Milkman (2000); Milkman and Voss (2004); Tait (2005); Turner, Katz, and Hurd (2001); and Upchurch, Taylor, and Mathers (2009).} If my interviews and this literature did not yield insights into the organizing behavior of a given union, I turned to journalistic sources as a final potential source of insights into the union’s activities. Ultimately, of course, this approach to distinguishing between unions that organize in the secondary labor market and unions that do not cannot be regarded as foolproof, but I do think that it is a reasonable one that we can expect to have yielded useable data.
In Chapter 8, Chapter 9, and Appendix 3, I present and analyze the data that I have gathered through this and other processes. Ultimately, I argue that the available data offer strong support for my claims regarding the determinants of advocacy outcomes for undocumented immigrants. In the study’s next chapter, I explore what the German case in particular can suggest to us about the analytic purchase of my argument.
Chapter 8

Organizational Roles and Political Advocacy for Undocumented Immigrants in Germany, 1973-Present

In Chapter 5, I discussed how the nature of Germany’s undocumented population appears to have evolved between 1973 and 2007. In this chapter, I return to the topic of undocumented immigrants in the German context; in doing so, I seek to bring together the data from Chapter 5 on the development of the undocumented population with data on the evolution of organizational roles over time and data pertaining to advocacy outcomes themselves. My goal here is to trace the effects of changes in my two independent variables on advocacy outcomes in Germany; more specifically, I aim to assess if changes in these variables appear to have had the particular effects specified in the hypotheses that I proposed in Chapter 3. As discussed previously, the present chapter, Chapter 9, and Appendix 3 rely upon a periodization strategy intended to facilitate such assessments, as the historical narratives in these analyses have been divided into periods on the basis of changes in one of my key independent variables, the nature of the undocumented population.

Ultimately, I find that the data examined in this chapter largely (though not entirely) support the main hypotheses introduced in Chapter 3. Although a number of grassroots and religious organizations in Germany have become political advocates for undocumented immigrants in recent years, one finds that established immigrant-serving and labor organizations in Germany have remained consistently unengaged in political advocacy for undocumented immigrants at the national level. Their contemporary representatives often do express sympathy for these immigrants, but these sympathetic views do not seem to translate into actual resources for advocacy. This outcome is
largely consistent with the primary hypotheses put forward in Chapter 3. In that chapter, I had suggested that political advocacy would likely not occur in the context of an apparently small undocumented population; where such a population exists, I had argued, organizations that might have otherwise become advocates for the undocumented will tend to funnel their energies toward serving individual undocumented immigrants rather than advocating for the undocumented as a group. This argument does not lead us to expect political advocacy for the undocumented in Germany during the 1973-1989 period, given the small undocumented population present in the country at that time—and, in keeping with the argument, we do not find advocacy being undertaken. As I will discuss below, this lack of advocacy appears to have been essentially overdetermined, as the set of organizations present in Germany at that time would not have favored advocacy even if the undocumented population had been larger. As such, we unsurprisingly also find that these organizations did not engage in efforts to provide a political voice for individual undocumented immigrants either. After the collapse of communism in Eastern Europe, the undocumented population does appear to have grown notably larger in Germany, a situation that essentially made political advocacy on behalf of undocumented immigrants as a group a live possibility in German politics. Other conditions do not appear to have been favorable for advocacy during the 1989-2004 and 2004-2007 periods, however. Based on the hypotheses that I outlined in Chapter 3, we would actually expect some immigrant-serving organizations to have been engaged in advocacy in Germany during these periods of time; two established organizations focused on people of Turkish descent did exist during these periods, and Turkish citizens did appear to comprise a substantial segment of the undocumented population in Germany. However, these
organizations did not undertake advocacy for undocumented immigrants—a situation that I attribute to the particularly unfavorable political position of these organizations in German politics, as I will explain below. The behavior of German unions between 1989-2004 and 2004-2007 proves to have been more in keeping with this project’s guiding hypotheses; based on these hypotheses, we would not expect to find these unions engaged in advocacy, and indeed they were not. Two unions did express an interest in recruiting in areas of the economy where undocumented immigrants worked during the 2004-2007 period, but for various reasons we would not expect their particular initiatives to have yielded advocacy for the undocumented, as I will explain later in the chapter.

Although immigrant-serving and labor organizations proved to be consistently unengaged in advocacy throughout this expanse of time, the picture of them that emerges from this chapter is hardly a static one. Their roles have certainly shifted over time, just as the apparent nature of the German undocumented population itself has changed. In addition, the recent interest on the part of some unions in recruiting from areas of the economy where the undocumented work may suggest that these organizations will become involved in advocacy in the future. The story of political advocacy for the undocumented in Germany is thus not one of a case where “nothing happened” or “nothing changed,” but something far more subtle and interesting. Let us begin this narrative by considering developments in the relatively early days of this population’s formation.
Immigrant-Serving Organizations, Unions, and Political Advocacy, 1973-1989

Chapter 5 has already discussed the apparent characteristics of the undocumented population between 1973 and 1989. As that chapter indicates, Germany’s undocumented population appears to have been relatively small throughout this period, although the population does seem to have been somewhat larger in the 1980s than in the 1970s; this small group of immigrants appears to have labored at the margins of the agricultural, construction, and hospitality industries in both the 1970s and 1980s. With regard to its national and ethnic composition, the population in the 1970s appears to have been drawn principally from five former “guestworker” countries: Greece, Portugal, Spain, Turkey, and Yugoslavia. In the 1980s, people from Greece, Portugal, and Spain left Germany’s undocumented population as a result of expansions of the European Economic Community, while immigrants from India, Iran, Pakistan, and Sri Lanka appear to have joined this population. In this section of the chapter, I consider how established intermediary organizations responded politically to this distinctive undocumented population. The apparently small size of this population seems to have precluded political advocacy from taking place, as I suggested above; even in the context of a larger undocumented population, however, other conditions would have tended to militate against advocacy. Germany’s one established immigrant-serving organization of the period focused on refugees and asylum seekers, and thus it did not have an overarching political role favorable to advocacy for the undocumented. As for unions, the country’s chief labor organizations operated within a robust corporatist framework that did not encourage the sort of organizing that might have opened the door to advocacy for undocumented immigrants. These characteristics would have prevented advocacy from
occurring even in the context of a larger undocumented population; in the context of the (apparently) small undocumented population that was present in Germany, they appear to have effectively blocked the development of political work for individual undocumented immigrants. In the pages that follow, I discuss these political dynamics in greater detail, beginning first with a consideration of immigrant-serving organizations and then turning to the topic of unions.

**Immigrant-Serving Organizations, 1973-1989**

When we observe Germany during the 1973-1989 period, we see a situation in which we would clearly not expect immigrant-serving organizations to engage in advocacy for the undocumented. The absence of a large undocumented population was in itself sufficient to ensure a lack of advocacy in this context. However, the nature of the immigrant-serving organizational sector would have prevented advocacy from occurring even if the undocumented population had been larger. I will discuss this point about the nature of the immigrant-serving sector at some length in this section, as doing so helps to illuminate the logic of this study’s general claims about immigrant-serving organizations even if it is not strictly necessary for explaining the outcome at hand. I also include this discussion because its description of the immigrant-serving sector in Germany between 1973 and 1989 constitutes important background information for my analyses of immigrant-serving organizations during subsequent periods.

Let us consider the nature of this organizational sector, then. As Chapter 1 suggests, this study focuses on established intermediary organizations, which I define as organizations that 1) have at least one professional staff member and substantial financial
resources, 2) regularly engage in advocacy activities other than direct protest, 3) seek to influence political institutions at the national level, and 4) do not function as organs of a state or a political party, but rather have an identity autonomous of both party and state institutions. Given that this chapter deals with a country exhibiting corporatist characteristics, I should emphasize here that this definition does not require organizations in corporatist countries to function as “social partners” of the state in order to be classified as established intermediary organizations. This point is important to keep in mind because no immigrant-serving organization has truly functioned as a “social partner” akin to a trade union or an employers’ association in the German context; instead, German immigrant-serving organizations function as pluralist actors in a largely corporatist political game, in the sense that they have little access to conventional channels of corporatist influence and must compete for the attention of policymakers much as interest groups do in the pluralist model of representation (see Ögelman, Money, and Martin 2002, 154).

Even though this study’s definition of an established intermediary organization encompasses organizational “outsiders” as well as organizational “insiders” in corporatist settings, the number of German immigrant-serving institutions that can be classified as established intermediary organizations between 1973 and 1989 proves to be very small. Indeed, Germany had only one such organization, as we will see below. Germany began the 1973-1989 period with some organizations oriented toward immigrants already in place, and many more such organizations emerged between the end of the guestworker

126 As Simon Green has observed, one partial consequence of this situation is that “interest representation in this field [of policies related to immigrants and immigration] is structurally weaker than in other policy areas” in Germany (2005, 206).
program and the fall of the Berlin Wall. These institutions generally did not fit this study’s model of an established intermediary organization, however.

Consider first immigrant-serving organizations from the period that sought to represent particular ethnic groups. Many of these organizations focused on people of Turkish descent in particular; thus, I begin this discussion by considering organizations serving such individuals. In keeping with the work of previous analysts, I will refer to these organizations as “Turkish organizations,” although this term may wrongly imply that the organizations in question took Turkish citizens living in Germany as their sole focus. In fact, these organizations also sought to represent, and continue to seek to represent, German citizens of Turkish descent, a group that I will term “Turkish Germans.” A number of Turkish organizations came into existence prior to 1973, and numerous additional organizations emerged over the course of the 1973-1989 period as well (see Ögelman 2000, 341-347). Importantly, though, many of the organizations extant during this period appear to have been oriented principally toward politics in Turkey, rather than politics in Germany (see, e.g., Ögelman 2003). Often, these organizations identified with a particular ideological or religious group within Turkish society (e.g., Alevi Muslims, Kemalists, or Kurdish nationalists), and sought to promote the position of this group from abroad; taken as a group, then, Turkish organizations tended to reflect major social cleavages present within the Turkish community in Germany, as well as within Turkish society itself. One example of an organization focused on Turkish politics would be the Avrupa Demokratik Ülkücü Türk Dernekleri.

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127 In practice, of course, very few such persons existed during the 1973-1989 period.
128 It is well beyond the scope of this chapter to discuss all of the many Turkish organizations present in Germany prior to 1989 (or after 1989, for that matter); I limit myself here to identifying and describing a few representative institutions. For book-length discussions of Turkish organizations in Germany, see Ögelman (2000) and Østergaard-Nielsen (2003).
Federasyonu (ADTÜDF, or the Federation of Turkish Democratic Idealist Organizations in Europe). Founded in Frankfurt in 1978, the ADTÜDF has sought for many years to advance the views of Turkey’s nationalist Milli Hareket Partisi (MHP, or the National Movement Party) (Ögelman, Money, and Martin 2002, 151). Alongside organizations like the ADTÜDF, we can also identify several institutions founded by the Turkish government between 1973 and 1989 for the purposes of influencing the political and religious views of people of Turkish descent. Perhaps the most significant of these organizations was, and is, the Diyanet İşleri Türk İslâm Birliği (DITIB, or the Turkish Islamic Union of the Directorate for Religious Affairs), which promotes an interpretation of Islam compatible with Kemalism and, in so doing, aims to counter Islamist elements within Germany’s Turkish community (151; Ögelman 2003, 169). Finally, we can identify numerous Turkish organizations that played an active role in political developments at the municipal and Land levels during the 1973-1989 period, including organizations like the Türkische Gemeinde zu Berlin (Berlin Turkish Community) (see Yurdakul 2006). What we do not find, though, is a set of autonomous, established Turkish organizations operating to any significant extent at the national level of German politics. Such institutions proved to be slow to arrive on the German political scene, although two organizations of this type did eventually emerge in the 1990s, as we will see. As Chapter 3 would suggest, the slow emergence of such organizations presumably has much to do with the overall position of people of Turkish descent in German society at the time; they constituted a relatively disadvantaged group with very little access to citizenship, many of whom (it was believed) might be returning to Turkey in the future.
As for organizations representing other ethnic groups, we can identify a number of these organizations in Germany during this period, as well. Here again, though, most members of the groups represented by these organizations did not have access to citizenship, permanent residence, or extensive economic resources, a situation that appears to have discouraged the formation of the types of organizations that might have plausibly engaged in political work for undocumented immigrants. Within Germany’s Polish community, for instance, perhaps the most important organization was, and is, the Polnischer Sozialrat/Polska Rada Społeczna (Polish Social Council). Founded in 1982, the organization seeks to provide social services to people of Polish descent in Berlin, as well as to offer them a voice in local politics (Borusiewicz 2007, 52-53). It does not, however, serve an advocacy function vis-à-vis the national state. Among people of Greek and Yugoslav heritage, notable organizations of the period included the Verband der Griechen in Deutschland (Federation of Greeks in Germany) and the Sozialistischen Bundes der Werktätigen Jugoslawiens (Socialist Federation of Working Yugoslavs), neither of which functioned as autonomous, established immigrant-serving institutions; instead, these organizations maintained very tight linkages with the Greek and Yugoslav governments, respectively (Ögelman 2000, 195). As these examples suggest, then, a diverse range of organizations oriented toward particular ethnic groups existed in Germany between 1973 and 1989; critically, though, none of these institutions can be characterized as national intermediary organizations.

As discussed in Chapter 3, this study investigates two further types of autonomous, established immigrant-serving organizations beyond organizations focused on ethnic groups. The first type consists of organizations that aim to represent the
immigrant population of a given country as a whole, while the second type consists of organizations that focus upon particular legal classes of immigrants (e.g., refugees).

Ultimately, we can conclude that Germany did not have any organizations of the first type during this period; the country’s Ausländerbeiräte (foreigners’ advisory councils) do bear some resemblance to organizations of this variety, but the Ausländerbeiräte ultimately differ from these organizations in certain crucial respects. In 1972, the city of Wiesbaden established the first of these councils (Klopp 2002, 181n33), and other cities and German states founded additional Ausländerbeiräte over the course of the 1973-1989 period. These advisory councils have traditionally held a mandate that somewhat resembles the mandate of the encompassing organizations considered in this study, as the Ausländerbeiräte ultimately seek to offer all non-citizens of a given area a voice in political and community affairs. Critically, though, these organizations have generally focused on developments at the city and state level, and they function as (apparently rather ineffective) government institutions rather than as autonomous intermediary organizations. As such, they clearly do not fit this study’s model of an established intermediary institution of an encompassing nature.

As for organizations focused on particular legal classes of immigrants, one such organization from this period does fit this study’s model of an established intermediary

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129 Eventually, a foreigners’ council was formed at the federal level. (Initially called the Bundesausländerbeirat, it is now known as the Bundeszuwanderungs- und Integrationsrat.) One should also note here that some sub-state governments have changed their Ausländerbeiräte into so-called “Integrationsbeiräte” (Integration Advisory Councils) in recent years (Miera 2009, 18). These “Integrationsbeiräte” deal generally with issues related to the incorporation of immigrants, and encompass people from recent immigration backgrounds as well as people who are not from such backgrounds (18).

130 With regard to the apparent effectiveness of these organizations, Nedim Ögelman reports that “survey data show few immigrants are aware of and have positive opinions about Ausländerbeiräte” (2003, 173). In addition, Frauke Miera found considerable skepticism about the Ausländerbeiräte when interviewing left-leaning political elites working in the area of immigration; for instance, one interviewee used the term “toothless tigers” and another used the phrase “absurd or meaningless” when asked about these organizations (2009, 19). (Her set of interviewees did not include right-leaning elites.)
organization: Pro Asyl. Founded in 1986, Pro Asyl came into existence at the initiative of Amnesty International, the IG Metall (Metalworkers’ Union), the German Red Cross, and other organizations concerned about the increasingly restrictive direction of German asylum policy in the 1980s. Since its outset, Pro Asyl has defined itself as an organization supportive of the rights of asylum seekers and refugees in German society (Pro Asyl 2011). Due to Pro Asyl’s emergence, we can say that German society did not completely lack for immigrant-serving organizations of the kind addressed in this study during the 1973-1989 period.

Importantly, though, Pro Asyl does not appear to have focused to any significant degree on undocumented immigrants in the 1980s; I have found no evidence of its involvement in advocacy, or in casework, for these immigrants during this time. Instead, the organization principally concentrated on the rising numbers of asylum seekers present in German society during the 1980s (a topic that was discussed at length in Chapter 5). Given the hypotheses presented in Chapter 3, this outcome does not seem surprising. We would expect Pro Asyl not to engage in advocacy due to both the small size of the German undocumented population and the organization’s focus on a group of immigrants whose political and social fate does not seem tied to the fate of the undocumented; indeed, either of these factors on its own would have been sufficient to ensure a lack of advocacy. Moreover, the organization’s mission would also lead us to expect an absence of casework focused on undocumented immigrants, as well. As such, Germany’s one relevant immigrant-serving organization from the 1973-1989 period behaved precisely as one would expect given the core arguments advanced in this study.
Based on these core arguments, we would also expect for trade union actors not to undertake advocacy for undocumented immigrants during the 1973-1989 period—and indeed, we find no evidence of advocacy on the part of trade unions during this time. In keeping with the hypotheses advanced earlier, I argue that we observe this outcome because of the apparently small size of the undocumented population; in itself, this small population was enough to ensure a lack of political advocacy on the part of unions. Even if the undocumented population had been larger, moreover, the overarching political roles of unions in Germany during the period would have made union political advocacy (or casework) on behalf of undocumented immigrants unlikely. In this section of the chapter, I will spend some time elaborating on this claim regarding the overarching political roles of unions, just as I spent time discussing my argument about the overarching political roles of immigrant-serving organizations above. Like that previous discussion, this discussion of union political roles is not strictly necessary to explain the outcome at hand, as one can simply invoke the apparent size of the undocumented population to account for this outcome. However, I discuss the organizational roles of German trade unions here because doing so illuminates the general logic of my argument regarding overarching political roles, while also providing background information necessary to understand the political position of German trade unions in subsequent periods of history.

In describing the overarching political roles of trade unions between 1973 and 1989, we can say that unions functioned as a key “social partner” within the generally robust system of corporatist interest intermediation that existed in Germany during this
Chapter 3 has already discussed in some detail the role of unions in robust corporatist systems; in a nutshell, unions in such systems have a secure, prominent seat at the national policymaking table. As the exclusive representative of workers in various economic sectors, they also have the opportunity to participate alongside employers’ associations in well-institutionalized systems of wage bargaining facilitated by the state. Based on my arguments from Chapter 3, we would expect these corporatist arrangements to have discouraged political advocacy for the undocumented during the 1973-1989 period even if the undocumented population had appeared to be larger, on the grounds that a strong corporatist system does not press unions to engage in major organizing efforts in the secondary labor market. In the context of the smaller undocumented population that did exist, we would expect that the overarching political roles of German unions would have done little to encourage casework on behalf of undocumented immigrants.

Data from the 1973-1989 period offer no challenge to our expectations regarding these unions, as none of the Deutscher Gewerkschaftsbund’s members engaged in advocacy for the undocumented during the period. Trade union actors did undertake some political work on behalf of other groups of immigrants during this time; for instance, unions successfully advocated for a provision improving the access of former “guestworkers” to permanent residency in the 1970s (Kühne 2000, 46), while they also

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131 As Wolfgang Streeck and Anke Hassel note, one starts to observe certain pressures on the German corporatist system as early as the 1980s. However, Streeck and Hassel characterize this decade as one of “first fissures” and “emerging conflicts” (102), rather than major change.

132 In addition to undertaking such political work, they also undertook some limited steps in the post-1973 period to improve the position of (authorized) foreign workers in trade union institutions (Kühne 2000, 54-61). These initiatives focused in part on increasing the number of immigrant workers in union leadership positions (58-61); as a group, immigrant workers were about as likely as native workers to be trade union members in Germany during this time (55), but they were less likely to hold leadership positions within unions (56-59).
began to argue against the practice of deporting authorized immigrants who drew on social security funds in 1983 (48). Nonetheless, unions did not undertake political advocacy, or casework, on behalf of undocumented immigrants during this period. Indeed, these immigrants do not appear to have been given much concentrated attention of any sort by German unions. Unions did pay some attention to the related issue of immigrants working in the German economy without the correct employment permits; for instance, Max Diamant, a prominent figure on the German left who served for a time as the head of the department on foreign workers at the IG Metall (Metalworkers’ Union), wrote an article relevant to the topic for the IG Metall monthly magazine in 1973. Entitled “Die Illegalen” (“The Illegals”), the article addresses immigrants working without employment permits as part of its broader discussion of immigrant workers and violations of German labor law. It essentially does not engage with the issue of undocumented immigrants *qua* undocumented immigrants, though, although it does very briefly acknowledge the existence of such immigrants (see Diamant 1973, 474). We cannot be entirely confident that the lack of attention paid to undocumented immigrants in the article accurately reflects the level of attention paid to undocumented immigrants by IG Metall and other German unions during this time, but the article does seem suggestive, especially when one considers the dearth of other publications by trade unionists addressing undocumented immigrants from this period. One might also note an observation from one of the German trade union officials interviewed for this project, who suggested that unions regarded undocumented immigrants as principally a concern for charitable organizations prior to 1989 and, as such, paid relatively little attention to the subject of these immigrants. The official also went on to emphasize, however, that
the “European continent changed completely” after the events of 1989, and “this issue [of undocumented immigrants] came up in a way that one could not ignore any longer.”

German unions’ apparent lack of focus on the issue of undocumented immigrants prior to 1989 fits in nicely with this project’s general argument. In the context of an apparently small undocumented population, we would not expect unions to engage in political advocacy for undocumented immigrants as a group; we would anticipate that unions would either engage in casework beneficial to undocumented immigrants, or would be relatively inattentive to, and politically inactive regarding, their situation. And we would expect the latter scenario to obtain when examining unions like IG Metall and the other German unions of this period—i.e., unions embedded in systems of interest intermediation that offer them little reason to invest resources in organizing in the secondary labor market. Officials at this type of union would tend not to link their organization’s capacity to achieve its goals vis-à-vis its constituents with the political and social fate of undocumented immigrants.

In Table 8.1, I present some of the data that I have introduced in this section of the chapter in a more systematic fashion, while adding some additional supplemental information as well. This table is the first of many tables summarizing organizational characteristics and behavior that will appear in this chapter, as well as in Chapter 9 and Appendix 3. Table 8.1 lists every union included in the main German trade union confederation, the Deutscher Gewerkschaftsbund (DGB), in 1989, noting those unions that formed or joined the DGB later than 1973. It also lists the size of each union’s

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134 In the various “summary tables” in this chapter and in Chapter 9 and Appendix 3, I routinely only include the unions that held membership in a major trade union confederation at the end of the period in

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Did undocumented immigrants work in any areas of the economy covered by this union?</th>
<th>Did this union attempt to organize in the secondary labor market during some or all of these years?</th>
<th>Did this union undertake advocacy work for the undocumented for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deutsche Postgewerkschaft (DPG) (German Postal Workers Union)</td>
<td>472,145</td>
<td>Public sector; postal field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft der Eisenbahner Deutschlands (GdED) (Union of German Rail Workers)</td>
<td>319,641</td>
<td>Public sector; rail transportation field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft Erziehung und Wissenschaft (GEW) (Union for Education and Science)</td>
<td>188,910</td>
<td>Public sector; education and research fields; instructors, researchers, and a range of other jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft Gartenbau, Land- und Forstwirtschaft (GGLF) (Union for Horticulture, Agriculture, and Forestry)</td>
<td>43,817</td>
<td>Mixed public and private sectors; agricultural and forestry fields; range of jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

question, rather than listing every union that held such membership at any point in the period. Thus, for instance, if Union A merged with Union B to form Union C during a given period, Union C is the only one of these unions that would be included in my summary for that period.
### Table 8.1, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gewerkschaft Handel, Banken und Versicherungen (HBV) (Union for Commerce, Banking, and Insurance)</td>
<td>407,326</td>
<td>Private sector; commerce, banking, and insurance fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft Holz und Kunststoff (GHK) (Union for Timber and Plastics)</td>
<td>149,098</td>
<td>Private sector; wood processing and plastics fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft Leder (GL) (Leather-workers’ Union)</td>
<td>44,583</td>
<td>Private sector; (leather) textiles and shoes field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft Nahrung, Genuß, Gaststätten (NGG) (Union for Food, Beverages, and Catering)</td>
<td>271,291</td>
<td>Private sector; food processing and hospitality fields; range of jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union</td>
<td>Number of members (in 1989)</td>
<td>Sector(s), field(s), and job(s) represented</td>
<td>Undocumented working in areas of the economy covered by union?</td>
<td>Organizing in secondary labor market?</td>
<td>Advocacy for the undocumented?</td>
</tr>
<tr>
<td>--------------------------------------------------------------</td>
<td>----------------------------</td>
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<td>---------------------------------------------------------------</td>
<td>--------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Gewerkschaft Öffentliche Dienste, Transport und Verkehr (ÖTV) (Union for Public Services, Shipping, and Transportation)</td>
<td>1,234,546</td>
<td>Mainly public sector; transportation, utilities, health, social welfare, and public administration fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft der Polizei (GdP) (Union of the Police)\textsuperscript{135}</td>
<td>161,310</td>
<td>Public sector; policing field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft Textil und Bekleidung (GTB) (Union for Textiles and Clothing)</td>
<td>250,783</td>
<td>Private sector; textile field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>IG Bau-Steine-Erden (IG BSE) (Union for Construction)</td>
<td>460,559</td>
<td>Private sector; construction field; range of jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>IG Bergbau und Energie (IG BE) (Union for Mining and Energy)</td>
<td>331,106</td>
<td>Private sector; energy and mining; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

\textsuperscript{135} This union did not become a member of the DGB until 1978.
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>IG Chemie, Papier, Keramik (IG CPK) (Union for Chemicals, Paper, and Ceramics)</td>
<td>664,618</td>
<td>Private sector; paper production, chemicals, glass, and ceramics fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>IG Medien—Druck und Papier, Publizistik und Kunst (Union for Media—Printing and Paper, Journalism and Art)\textsuperscript{136}</td>
<td>182,150</td>
<td>Private sector; media, printing, and arts fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>IG Metall (Metal-workers’ Union)</td>
<td>2,679,237</td>
<td>Private sector; metal-working field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first three columns on the left: Ebbinghaus and Visser 2000a, 308-11; Ebbinghaus and Visser 2000b; and Waddington, Kahmann, and Hoffman 2005, 40. Sources used to complete the fourth column on the left: see Chapter 5. Sources used to complete the remaining two columns: see Chapter 7.

\textsuperscript{136} This union formed in 1989 through the merger of IG Druck und Papier (the Union for Printing and Paper) and IG Kunst, Kultur, und Medien (the Union for Art, Culture, and Media).
member during 1989, and briefly describes the particular economic niche served by each union. In addition, it indicates for each union whether or not the union operated in one or more areas of the economy in which undocumented immigrants worked, as well as whether or not the union engaged in efforts to organize in the secondary labor market at any point during the 1973-1989 period. Finally, the table tells us whether or not each union pursued advocacy for undocumented immigrants at any point during this period of time. A review of this table underscores that (among other points) German unions simply did not engage in advocacy for undocumented immigrants during this period—an outcome that fits well with the hypotheses advanced in Chapter 3, as I have already suggested.

Immigrant-Serving Organizations, Unions, and Political Advocacy, 1989-2004

As Chapter 5 discusses in considerable detail, Germany’s undocumented population seems to have changed significantly after the collapse of East European communism. The population appears to have grown substantially, while it also appears to have come to encompass more national groups. Chapter 5 identifies numerous countries from which undocumented immigrants appeared to come during the 1989-2004 period: Afghanistan, Bulgaria, the Czech Republic, India, Iran, Iraq, Lithuania, Pakistan, Poland, Romania, the Russian Federation, Serbia-Montenegro, Sri Lanka, Turkey, Ukraine, Vietnam, and Yugoslavia and its successor states. With regard to transnational ethnic groups, Roma people appear to have been a significant transnational ethnic grouping. And as for the position of the undocumented in the labor market, these immigrants appear to have become a notable presence in the areas of commercial
cleaning, household work, and sex work during the 1989-2004 period, while also continuing to work in the agriculture, construction, and hospitality industries.

On the basis of my arguments earlier in this study, this population growth can be understood as a necessary, though not sufficient, condition for political advocacy oriented toward undocumented immigrants as a group. And such advocacy does in fact seem to have developed during the 1989-2004 period—although not, as we will see, within the immigrant-serving and labor organizational sectors. New grassroots organizations, some of which included undocumented people in their membership, emerged to press political claims on behalf of immigrants without papers; of these organizations, two of the more prominent groups of the period include the Gesellschaft für Legalisierung (Society for Legalization) and Kein Mensch Ist Illegal (No Person Is Illegal), both of which favored regularization programs and the extension of economic and social rights to undocumented immigrants (Gesellschaft für Legalisierung n.d.; Kein Mensch Ist Illegal 1997). A third relatively prominent grassroots organization was the RESPECT-Netzwerk, the German branch of a pan-European organization focused principally on the situation of undocumented domestic workers (see Schwenken 2003). Among the country’s more established organizations, one finds several institutions linked to major religious groups engaged in advocacy for the undocumented. The country’s two largest welfare associations, the Catholic Deutscher Caritasverband (German Caritas Association) and the Protestant Diakonisches Werk der Evangelischen Kirche in Deutschland (Service Organization of the Protestant Church in Germany), both began to press the German state on the issues of social service provision for the undocumented and the legal obligations
and standing of organizations offering social services to these immigrants. Another relevant organization with ties to the Catholic Church, the Katholisches Forum Leben in der Illegalität (Catholic Forum on Living in Illegality), emerged in 2004; it was founded in the wake of a commission established by the Catholic bishops of Germany to investigate issues related to migration (see Kommission für Migrationsfragen 2001), and takes improving the access of undocumented immigrants to social welfare institutions as its principal function. In essence, then, some grassroots and more established intermediary organizations did engage in advocacy for the undocumented between 1989 and 2004.

This point regarding the established intermediary organizations of the period deserves particular emphasis, as it helps us reject an important potential objection to this study’s core argument. Given that none of Germany’s established immigrant-serving organizations and trade unions undertook advocacy for the undocumented between 1973 and 2007, one might posit that some element of the German political and/or social environment simply discourages established organizations from advocating for the undocumented in general. (One could, for instance, imagine arguments invoking Germany’s traditionally ethnic conceptions of citizenship, or other aspects of the country’s culture and history.) In directing our attention to what might be termed “systemic” factors, this approach challenges my argument’s emphasis on the particular characteristics of immigrant-serving and labor organizations as actors in German politics. However, “systemic” arguments of this kind seem less plausible when one considers the

137 Interview with Deutscher Caritasverband official, Freiburg, June 5, 2008; and interview with Diakonisches Werk official, Berlin, June 3, 2008.
advocacy behavior of organizations beyond the immigrant-serving and labor organizational sectors.

Admittedly, one could very reasonably argue that the precise agenda pursued on behalf of undocumented immigrants by established intermediary organizations in Germany has been shaped by the country’s overarching political environment. No established intermediary organization has sought a large-scale regularization program in Germany; improving access to social welfare institutions has been the sole focus of advocates’ efforts. The Caritasverband did hold a conference in 2006 to consider the possibility of advocating for a broad regularization program (see Deutscher Caritasverband 2006), but the organization did not ultimately do so; an organizational representative suggested that the Caritasverband had some substantive concerns about regularizations as policy instruments, but also commented that it is “taboo” to advocate for a regularization in the German political context. Along somewhat similar lines, a representative of the Katholisches Forum Leben in der Illegalität suggested that the organization found the idea of regularization appealing, but did not lobby for regularization programs because politicians deemed the idea a political non-starter:

The politicians say the public will not accept [a regularization]. We cannot do that. The public is not ready for that. [It] is not ready for more [immigrants], even those coming legally.

A variant of this point regarding politicians and the public was also made by an informant from the Diakonisches Werk. Overall, then, the message from these established organizational advocates for the undocumented appears to be that regularization programs are regarded as “out of bounds” or infeasible in mainstream German politics,

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139 Interview with Deutscher Caritasverband official, Freiburg, June 5, 2008.
141 Interview with Diakonisches Werk official, Berlin, June 3, 2008.
and, as such, they do not petition the state to enact such programs. Perhaps, then, we could reasonably conclude that some general attribute of the German political environment does shape the particular agenda pursued by established organizational advocates for the undocumented in Germany. Critically, though, political advocacy for the undocumented does occur in Germany; while talk of regularization programs may be at least somewhat taboo in mainstream politics, advocacy itself is clearly not. As such, we need to look to the specific attributes of German immigrant-serving and labor institutions in order to understand the lack of organizational advocacy that we observe.

In the pages that follow, then, I examine how these attributes interacted with the nature of the undocumented population to generate advocacy outcomes during the 1989-2004 period. I begin this discussion by considering immigrant-serving organizations during this time.

**Immigrant-Serving Organizations, 1989-2004**

As we saw earlier in this chapter, numerous institutions focused on immigrants existed in Germany during the 1973-1989 period, but only one of these institutions, Pro Asyl, can be regarded as an established, national intermediary organization. It remained such an organization between 1989 and 2004, and continued to engage principally with issues related to refugees and asylum seekers. During this period of time, two national organizations representing people of Turkish descent emerged (seemingly belatedly) in German society: the Almanya Türk Toplumu/Türkische Gemeinde in Deutschland (the ATT/TGD, or Turkish Community in Germany), and the Rat der Türkeistämmigen
Bürger (the RTS, or Council of Turkish-Speaking Citizens). As a result of the founding of these organizations, we can say that Germany did have two national ethnic organizations in place by the end of this period, although the fact that both of these organizations focused on people of Turkish descent meant that the organizational landscape did not reflect the increased diversity of the undocumented population during this time—and, as such, many undocumented immigrants had no chance of being represented by a national organization focused on people from their ethnic group. The ATT/TGD emerged in 1995, while the RTS formed in 1993 (Østergaard-Nielsen 2003, 67). In certain respects, these two organizations bore, and continue to bear, a strong resemblance to each other. They can both be classified as federations of organizations that represent people of Turkish descent in Germany, first of all (67). Both of them also aim to use lobbying and other “insider” tactics to influence national policy (as one would expect, given their classification in this study as established intermediary organizations) (67; Ögelman 2000, 122-3, 129). And finally, they both wish to serve as the authoritative voice of Turkish citizens in Germany and Turkish Germans; as one group of analysts put it, the ATT/TGD and the RTS “compete with each other for the right to call themselves the mouthpiece of the Turkish community in Germany” (Ögelman, Money, and Martin 2002, 151). Neither has been able to establish itself as the principal voice of the community as a whole, however; the ATT/TGD can be mainly associated with supporters of Turkey’s center-left parties, while the RTS can be linked with supporters of the

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142 Initially, the latter organization took the name of Rat der Türkische Staatsbürger (the RTS, or Council of Turkish Citizens). Retaining the acronym “RTS,” the organization changed its name in 1999. In so doing, it sought to acknowledge and underscore the increased number of people of Turkish descent who had become German citizens since the organization’s founding (Küçükhüseyin 2002, 42)—an increase that appears to have come about due to the modifications of the German citizenship law made in 1990 and 1993 (see Howard 2008, 48). (I will return briefly to the topic of these modifications below.)
Turkish center-right (151; Østergaard-Nielsen 2003, 67). The diversity present within the country’s Turkish and Turkish-German population thus continues to influence the landscape of intermediary organizations in Germany.

Between 1989 and 2004, the ATT/TGD and the RTS engaged in political advocacy related to a range of issues, as did Pro Asyl. Consider first the ATT/TGD and the RTS. German society experienced a significant backlash against foreign residents during and after the “asylum crisis” of the early 1990s, and both organizations devoted a good deal of time to this issue in the early days of their existence. Indeed, the ATT/TGD appears to have formed partially as a response to the deadly attacks on Turkish people that occurred in Mölln in November 1992 and in Solingen in May 1993 (Østergaard-Nielsen 2003, 67); in both cases, Turkish families’ homes had been firebombed by far right sympathizers. In addition to combatting such acts, the ATT/TGD and the RTS also took action on a range of other issues during the 1989-2004 period. Their stated objectives included promoting the liberalization of the German citizenship regime, encouraging the adoption of various anti-discrimination measures, and (in the case of the ATT/TGD) pressing the German state to recognize and promote Turkish language and culture more fully (Ögelman 2000, 122, 127-8). As for Pro Asyl, the organization also focused heavily on the problem of xenophobia in German society between 1989 and 2004. At the same time, it sought to challenge the tightening of the German refugee regime that occurred in the early 1990s, among other activities (Pro Asyl 2011). Overall, then, these

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143 Nedim Ögelman emphasizes that the demands of the ATT/TGD related to culture and language generally do not acknowledge the cultural and linguistic diversity of the Turkish community in Germany (Ögelman 2000, 128), which includes numerous Alevis, Kurds, and members of other ethnic minority groups within Turkey. This point again underscores for us that the ATT/TGD did not function as the voice of all people of Turkish descent in Germany during the 1989-2004 period, despite its ambitions to do so.
three organizations undertook advocacy related to a range of issues during the 1989-2004 period.

However, they did not engage in advocacy for the undocumented, as Table 8.2 suggests. This lack of advocacy fits somewhat uncomfortably with the core hypotheses articulated in Chapter 3. These hypotheses would lead us to expect Pro Asyl to remain disengaged from the issue of undocumented immigrants, given the organization’s continuing orientation toward particular legal classes of immigrants (i.e., refugees and asylum seekers). Pro Asyl’s advocacy behavior thus poses little challenge to this study’s arguments. However, we would also anticipate that the ATT/TGD and the RTS would engage in advocacy for the undocumented, given that Germany’s undocumented population appears to have included a considerable number of Turkish immigrants; as such, the political and social fate of undocumented people in Germany could be seen as overlapping with fate of all people of Turkish descent living in the country. We unfortunately have no direct commentary from ATT/TGD and RTS officials on the topic of undocumented immigrants, and thus must attempt to account for these groups’ surprising behavior based on what we know about their general attributes as organizations.

Above all else, the characteristic that appears to define these organizations is the difficult political position of the group they seek to represent. In this period as in the previous one, people of Turkish descent in Germany tended to remain outside of the state’s citizenship regime, and hence to lack full membership in the German polity.
Table 8.2: German Immigrant-Serving Organizations and Advocacy for Undocumented Immigrants, 1989-2004

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: Do the ethnic group(s) represented by the organization appear to be present in the undocumented population?</th>
<th>Did this organization undertake advocacy work for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pro Asyl</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Almanya Türk Toplumu/Türkische Gemeinde in Deutschland (ATT/TGD) (Turkish Community in Germany)</td>
<td>Ethnic group (people of Turkish descent).</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Rat der Türkeistämmigen Bürger (RTS) (Council of Turkish-Speaking Citizens)</td>
<td>Ethnic group (people of Turkish descent).</td>
<td>Yes.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first, second, and fourth columns from the left: see Chapter 7. Sources used to complete the third column from the left: see Chapter 5.

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144 In comparing this table with Table 8.1, a reader might notice that I did not include membership numbers for the immigrant-serving organizations listed in this table, while I did provide membership numbers for the unions listed in Table 8.1. I do not provide membership numbers here, and in the other “summary tables” in this study dealing with immigrant-serving organizations, because such organizations generally do not make their membership numbers available (and, in any event, nothing in this study’s argument hangs on the particular size of a given immigrant-serving organization’s membership).

145 This organization was founded in 1995.

146 As noted in an earlier footnote, this organization came into existence in 1993 as the Rat der Türkische Staatsbürger (Council of Turkish Citizens). It changed its name to the Rat der Türkeistämmigen Bürger (Council of Turkish-Speaking Citizens) in 1999.
Importantly, politicians did pay increasing attention to the citizenship issue as it became more and more obvious that Turkish people had become a settled, permanent minority group in Germany, and the conservative Kohl government implemented certain changes to liberalize German citizenship law in 1990 and 1993 (Howard 2008, 48). Even more substantial change occurred after the formation of a Social Democratic/Green coalition government in 1998; shortly after gaining power, this government passed a significant reform of Germany’s citizenship laws. The reform, which came into effect on January 1, 2000, made it notably easier for people of Turkish descent in Germany to become German citizens. Importantly, though, neither this law nor its predecessors triggered a major rise in naturalizations. Prior to the bill’s passage, the coalition government scrapped provisions that would have allowed for German-Turkish dual citizenship in the face of major conservative criticism and popular mobilization (see 50-52); this development appears to have significantly depressed the number of Turkish people who applied for naturalization after the legislation’s passage, as many Turks did not wish to lose their Turkish citizenship as a condition of gaining German citizenship (56). In essence, then, most Turkish people in Germany remained non-citizens during the 1989-2004 period (and are not citizens today); according to one rough estimate, Germany had only 500,000 citizens of Turkish descent in 2001, while it had 2 million Turkish citizens residing on its soil during that same year (Schiffauer 2005, 1136). These numbers do not appear to have changed dramatically in the years that followed. As such, most of the people within the ethnic group that the ATT/TGD and the RTS sought to represent did not hold German citizenship between 1989 and 2004, despite the major changes to citizenship laws that took place during this period. As a result, these ethnic organizations
occupied (and still occupy today) a position quite different from their contemporary counterparts in the UK and the US: they represented an ethnic group that continued to lack, and to attempt to negotiate the terms of, full legal membership in the political community.

Given that the position of Turks as a whole vis-à-vis the German polity remained up for question and contestation, these organizations may have found the prospect of attempting to press the state on behalf of undocumented Turks to be too politically dangerous to attempt. If an organization represents an ethnic group securely bound to the political community by legal citizenship, then it can bargain with the state to improve the status of undocumented members (and, by extension, the status of the ethnic group as a whole) without endangering the ethnic group’s ongoing membership in the polity. If an ethnic group is still fighting to gain a secure place in a political community, however, then an emphasis on the undocumented, a group that can arouse great populist anger, may run the risk of endangering the organization’s entire push for inclusion. Thus, I suggest that the weak political position of Turkish organizations can arguably account for their silence on the issue of undocumented immigrants. This argument remains a somewhat speculative one, but it does fit with the available data regarding advocacy outcomes and with many analysts’ emphasis on the political weakness of Turks as a group in German politics. Further research in this area would, of course, be highly desirable.

**Trade Unions, 1989-2004**

Like German society itself, the German trade union movement underwent a tremendous amount of change between 1989 and 2004. One major type of change
experienced by the movement had to do with its core “cast of characters,” as a large number of mergers occurred between trade unions during this time. In part, these mergers appear to have occurred as a response to membership losses and financial strain; 147 facing these challenges, unions sought economies of scale and the opportunity to broaden the services they could offer to members (see Waddington, Kahmann, and Hoffmann 2005, 8, 226). In addition, unions appear to have viewed the gains in membership generated by mergers as a means of maintaining their relative position and influence within the DGB (226-7). For these and other reasons, then, we see a number of trade unions participating in mergers during this time period.

While the cast of characters within the trade union movement experienced significant change, so too did the political roles of the unions within this movement. To draw on terms first introduced in Chapter 3, Germany shifted from a fairly robust form of corporatism to a more attenuated one during this period. Scholars of the “varieties of capitalism” school have often emphasized the benefits that corporatist wage bargaining delivers to German employers, and indeed some have argued that Germany’s larger export-oriented firms, which face competitive global markets and often use “just-in-time” logistical approaches, need the labor peace such bargaining may bring more than ever (see Thelen and van Wijnbergen 2003). It is certainly the case that corporatist wage bargaining offers benefits, particularly to larger exporters; these benefits notwithstanding, we still do observe a shift away from Germany’s traditional systems of wage bargaining.

147 In part, these membership losses and financial troubles can be linked to deindustrialization and other factors that have influenced the fates of unions throughout the developed democratic world. However, certain factors particular to the German context appear to be relevant here as well. While the integration of East Germany into West Germany did initially cause the ranks of German trade unions to swell, the unions went on to lose many members in the east due to the rapid decline of post-communist industry in the region. At the same time, unions had to establish and then maintain an infrastructure in the east, two activities that consumed a significant amount of resources (see Waddington, Kahmann, and Hoffmann 2005, 225-6).
during this period, as wage flexibility appears to have become increasingly key to many firms, and particularly to the smaller suppliers of larger export-oriented firms (Thelen and van Wijnbergen 2003; Silva and Schroeder 2007). Some German firms seeking wage flexibility during this period dropped out of employers’ associations; others exercised a new option to become members of employers’ associations “ohne Tarifbindung” (i.e., without an obligation to follow the wage rates negotiated by these associations) once it became available (Kinderman 2005, 441-2). As a result of these developments, we can speak of a waning of German corporatism during this time.

In Chapter 3, I had suggested that unions in an environment characterized by attenuated corporatism would usually focus on using, and fighting to retain, preexisting corporatist mechanisms of influence, and on providing representation to their preexisting members; at the same time, though, the weakening of unions’ traditional corporatist mechanisms of influence does open up the possibility that they will turn to the organizing approach as well. In the German context, we do see both a tendency to rely on corporatist mechanisms and some forays into organizing during the 1989-2004 period. As Lowell Turner has put it, trade unions in Germany generally “have rested on their institutional laurels even as the ground has been slipping away” since 1989; however, some “innovative campaigns based on grassroots mobilization” have also taken place (2008, 294; see also Behrens, Fichter, and Frege 2003, 28-9). A few notable campaigns have occurred in the retail sector; for instance, the Gewerkschaft Handel, Banken und Versicherungen (HBV, or Union for Commerce, Banking, and Insurance) used an organizing approach when targeting the Schlecker drugstore chain in the 1990s (see

148 For a full explanation of why these smaller suppliers have been especially interested in wage flexibility, see Thelen and van Wijnbergen (2003) and Silva and Schroeder (2007).
Turner 2008, 299-302), while its successor union the Vereinte Dienstleistungsgewerkschaft (ver.di, or the United Services Union) adopted similar tactics against the Lidl discount grocery store chain beginning in 2004 (299-303; Gajewska and Niesyto 2009). Ver.di also deployed elements of an organizing strategy in a recent campaign in Hamburg’s municipal hospitals (see Greer 2008). Finally, Martin Behrens, Michael Fichter and Carola M. Frege have also identified additional relevant recruitment initiatives that were undertaken by the Deutsche Postgewerkschaft (DPG, or the German Postal Workers Union) and the IG Bergbau, Chemie, Energie (IG BCE, or the Union for Mining, Chemistry, and Energy) in the 1990s (2003, 28-9); although these initiatives did not emphasize worker mobilization to the extent that a campaign based fully around the organizing approach would have (29), they did highly prioritize the recruitment of new members and thus could be expected to have some of the effects on the unions sponsoring them that full-fledged organizing campaigns might.

These various initiatives by the DPG, HBV, IG BCE, and ver.di prove fascinating in their own right. For the purposes of this project, though, what must be emphasized is simply that none of these initiatives occurred in sectors where undocumented immigrants have been prominent in Germany; the Schlecker and Lidl campaigns did involve efforts to organize within the secondary labor market, but not in areas of the secondary labor market where significant numbers of undocumented immigrants could be found at work. As such, we would not expect these initiatives to have led to advocacy for the

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149 The immediate focus of both of these campaigns was to mobilize workers to support the institution of works councils. (Although German law indicates that most types of workplaces should have such a council, in practice such councils do not exist in some firms.) However, these initiatives can reasonably be described as union organizing campaigns in the sense that works councils often function as a platform for the expression of union concerns within a firm, and thus they can be (and are) used to encourage recruitment of workers into the union itself (see Greven 2008, n.p.).
undocumented, as the ability of the unions undertaking them to realize their objectives
was not in any significant sense bound up in the political and social fate of undocumented
immigrants in German society. Indeed, these campaigns do not appear to have
couraged advocacy to occur. As Table 8.3 makes clear, no German union engaged in
political advocacy for undocumented immigrants during this time period. Moreover, one
German union, the IG Bauen, Agrar, Umwelt (IG BAU, or Union for Construction,
Agriculture, and the Environment), began to promote a program oriented toward the
enforcement of labor laws that could have conceivably encouraged the deportation of
undocumented immigrants, as we will see below. Organized labor’s lack of engagement
with advocacy persisted despite active attempts on the part of other civil society actors to
engage unions in issues related to undocumented immigrants; most notably, a group of
activists disrupted ver.di’s national conference in October 2003 to urge the union to
prioritize the representation of undocumented workers, and a few of these activists were
given the opportunity to address the assembled conference-goers (RESPECT-Netzwerk
Berlin 2003, D2).\(^{150}\) Although the union did begin to make its legal advice services
available to undocumented workers in major cities as a result of this protest, the protest
did not spur the union to become active as a political advocate for these workers.\(^{151}\)

As a final note, I would emphasize that the lack of advocacy that we observe
during this period should not be interpreted as a sign that unions viewed undocumented
immigrants through an ideologically unsympathetic lens between 1989 and 2004. To the
contrary, union officials appear to have espoused policy positions similar to ones

\(^{150}\) See also interview with ver.di official, Berlin, May 30, 2008.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2004)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Did undocumented immigrants work in any areas of the economy covered by this union?</th>
<th>Did this union attempt to organize in the secondary labor market during some or all of these years?</th>
<th>Did this union undertake advocacy work for the undocumented for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gewerkschaft Erziehung und Wissenschaft (GEW) (Union for Education and Science)</td>
<td>254,673</td>
<td>Public sector; education and research fields; instructors, researchers, and a range of other jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft der Polizei (GdP) (Union of the Police)</td>
<td>177,910</td>
<td>Public sector; policing field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft Nahrung, Genuß, Gaststätten (NGG) (Union for Food, Beverages, and Catering)</td>
<td>225,328</td>
<td>Private sector; food processing and hospitality fields; range of jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union</td>
<td>Number of members (in 2004)</td>
<td>Sector(s), field(s), and job(s) represented</td>
<td>Undocumented working in areas of the economy covered by union?</td>
<td>Organizing in secondary labor market?</td>
<td>Advocacy for the undocumented?</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------</td>
<td>------------------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>---------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>IG Bauen, Agrar, Umwelt (IG BAU) (Union for Construction, Agriculture, and the Environment)&lt;sup&gt;152&lt;/sup&gt;</td>
<td>424,808</td>
<td>Private sector; construction, agriculture, and forestry fields; range of jobs.</td>
<td>Yes.</td>
<td>No (but see discussion of the 2004-7 period).</td>
<td>No.</td>
</tr>
<tr>
<td>IG Bergbau, Chemie, Energie (IG BCE) (Union for Mining, Chemistry, and Energy)&lt;sup&gt;153&lt;/sup&gt;</td>
<td>770,582</td>
<td>Private sector; chemicals, energy, mining, leather textiles and shoes, paper production, glass, and ceramics fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>IG Metall (Metalworkers’ Union)</td>
<td>2,425,005</td>
<td>Private sector; metal-working field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

<sup>152</sup> This union formed in 1996 as a result of the merger of the IG Bau-Steine-Erden (IG BSE) (Union for Construction) and the Gewerkschaft Gartenbau, Land- und Forstwirtschaft (GGLF) (Union for Horticulture, Agriculture, and Forestry).

<sup>153</sup> This union was founded in 1997 through the merger of IG Bergbau und Energie (IG BE) (Union for Mining and Energy), IG Chemie, Papier, Keramik (IG CPK) (Union for Chemicals, Paper, and Ceramics), and the Gewerkschaft Leder (GL) (Leatherworkers’ Union).
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2004)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport, Service und Netze (TRANSNET) (Railworkers’ Union) (^{154})</td>
<td>270,221</td>
<td>Public sector; rail transportation field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Vereinte Dienstleistungsgewerkschaft (ver.di) (United Services Union) (^{155})</td>
<td>2,464,510</td>
<td>Public and private sectors; services field; range of jobs.</td>
<td>Yes.</td>
<td>Yes (though not in sectors with apparently significant concentrations of undocumented people). (Also see discussion of the 2004-7 period.)</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first three columns on the left: Dribbusch 2005; Ebbinghaus and Visser 2000a, 308-11; and Waddington, Kahmann, and Hoffman 2005, 40. Sources used to complete the fourth column on the left: see Chapter 5. Sources used to complete the remaining two columns: see Chapter 7.

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154 Prior to 2000, this union was called the Gewerkschaft der Eisenbahner Deutschlands (Union of German Rail Workers).
155 This union formed in 2001 as a result of the merger of five unions: the Deutsche Postgewerkschaft (German Postal Workers Union), the Gewerkschaft Handel, Banken und Versicherungen (HBV) (Union for Commerce, Banking, and Insurance), the Gewerkschaft Öffentliche Dienste, Transport und Verkehr (ÖTV) (Union for Public Services, Shipping, and Transportation), the IG Medien (Union for Media), and the Deutsche Angestellten-Gewerkschaft (Union of Salaried Workers). The last of these unions, the Deutsche Angestellten-Gewerkschaft, was not affiliated with the DGB during its existence as an independent organization.
promoted by active advocates for these immigrants (and union officials continue to espouse such policies today, for that matter). A number of German trade union officials endorse the idea that undocumented immigrants should be given access to health care and other social goods, and some of them prove open to considering the prospect of a regularization, as well.\footnote{See interview with DGB official, Berlin, October 4, 2006; interview with IG Metall official, Frankfurt, June 6, 2008; interview with ver.di official, Berlin, May 30, 2008; and responses to written questions, Frank Schmidt-Hullmann, IG BAU, September 15, 2006 and September 25, 2006.} To return to a point made in Chapter 3, though, this ideological sympathy does not appear to have been enough in itself to motivate an investment of resources in advocacy—a finding that is of course in keeping with this study’s main argument.

**Immigrant-Serving Organizations, Unions, and Political Advocacy, 2004-2007**

As I discuss in Chapter 5, we can associate the 2004-2007 period with two major shifts in the nature of the German undocumented population. The first major change has to do with the national and ethnic composition of the population. When Poland and nine other countries joined the European Union on May 1, 2004, undocumented people from these countries received a great deal more protection against deportation, despite the various temporary restrictions imposed upon their ability to participate in the German labor market. Undocumented citizens of Bulgaria and Romania came to enjoy the same protections when these countries joined the EU on January 1, 2007, as well. Thus, we can say that the citizens of these countries essentially exited Germany’s undocumented population during this period. Numerous countries still appear to have had representation in the undocumented population, though: Afghanistan, India, Iran, Iraq, Pakistan, the Russian Federation, Sri Lanka, Turkey, Ukraine, and Vietnam, as well as certain former
Yugoslav republics, particularly Montenegro and Serbia. The second major change is closely linked with the first: as citizens of accession countries left the undocumented population, the population as a whole appears to have declined, as new inflows of undocumented immigrants do not seem to have been large enough to offset the number of people leaving the population. However, the population appears to have remained in the hundreds of thousands of people, and thus it seems large enough to have made political advocacy for undocumented immigrants as a group a live possibility in German politics during this period.

Nonetheless, we find that German immigrant-serving and labor organizations remained unengaged with advocacy for the undocumented during this time, even as other types of organizations continued to undertake advocacy on behalf of these immigrants. As we will see, this outcome fits in well overall with the hypotheses articulated in Chapter 3, although the ATT/TGD and the RTS continue to raise questions for those hypotheses. In addition, and quite interestingly, two German unions did exhibit some interest in representing workers within economic sectors in which undocumented immigrants apparently worked during this period; however, the precise nature of the unions’ work in these sectors means that we would not expect them to have engaged in advocacy on the basis of our hypotheses. In the pages that follow, I explore this intriguing situation, while also offering a general discussion of the advocacy behaviors of immigrant-serving and labor organizations during this time period. The discussion begins with a consideration of immigrant-serving institutions in particular.
**Immigrant-Serving Organizations, 2004-2007**

In many respects, the story of immigrant-serving organizations during the 2004-2007 period closely resembles the story of immigrant-serving organizations between 1989 and 2004. No organizations entered the set of established immigrant-serving organizations between 2004 and 2007; as such, the group of established ethnic organizations in Germany continued not to reflect the apparent ethnic diversity of the undocumented population. Instead, only Turkish people were represented by established ethnic organizations during this time; both the ATT/TGD and the RTS remained active in German politics during this period. These organizations also continued to be unengaged with advocacy for undocumented immigrants, a situation that I would explain with reference to the same factors introduced in my discussion of these organizations during the 1989-2004 period. Pro Asyl remained active as well, and also continued to focus on refugees and asylum seekers rather than undocumented immigrants, as we would expect. In Table 8.4, I summarize the relevant data regarding these three organizations for the 2004-2007 period.
Table 8.4: German Immigrant-Serving Organizations and Advocacy for Undocumented Immigrants, 2004-2007.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: Do the ethnic group(s) represented by the organization appear to be present in the undocumented population?</th>
<th>Did this organization undertake advocacy work for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pro Asyl</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Almanya Türk Toplumu/Türkische Gemeinde in Deutschland (ATT/TGD) (Turkish Community in Germany)</td>
<td>Ethnic group (people of Turkish descent).</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Rat der Türkeistämmigen Bürger (RTS) (Council of Turkish-Speaking Citizens)</td>
<td>Ethnic group (people of Turkish descent).</td>
<td>Yes.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first, second, and fourth columns from the left: see Chapter 7. Sources used to complete the third column from the left: see Chapter 5.
As we saw earlier, German unions generally relied on, and fought to preserve, traditional corporatist mechanisms of influence between 1989 and 2004, but they did also undertake some campaigns oriented toward increasing their membership as well. During the 2004-2007 period, this basic pattern persisted. However, a particularly interesting development occurred during this time, as we find two German unions, ver.di and IG BAU, making certain efforts to recruit members from areas of the economy with apparently sizeable undocumented populations. Like the DPG and the IC BCE’s recruitment efforts during the 1989-2004 period, the initiatives undertaken by these unions between 2004 and 2007 cannot be characterized as having followed the organizing approach completely. Although these initiatives did seek to bring more workers into unions, they did not stress worker mobilization to the extent that a full-fledged organizing campaign would have. Arguably, however, these recruitment efforts could have had the same effects as a full-fledged organizing campaign; a desire to recruit new members seems potentially sufficient to shift unions’ advocacy behavior, even in the absence of a simultaneous effort to mobilize these new members politically. Nonetheless, we do not observe any German unions engaging in advocacy for the undocumented during the 2004-2007 period, as Table 8.5 makes clear. We thus need to spend some time closely examining ver.di and IG BAU (as well as one of IG BAU’s subsidiary organizations) to understand why they did not engage in advocacy.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2006-2007)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Did undocumented immigrants work in any areas of the economy covered by this union?</th>
<th>Did this union attempt to organize in the secondary labor market during some or all of these years?</th>
<th>Did this union undertake advocacy work for the undocumented for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gewerkschaft Erziehung und Wissenschaft (GEW) (Union for Education and Science)</td>
<td>248,793</td>
<td>Public sector; education and research fields; instructors, researchers, and a range of other jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft der Polizei (GdP) (Union of the Police)</td>
<td>168,433</td>
<td>Public sector; policing field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Gewerkschaft Nahrung, Genuß, Gaststätten (NGG) (Union for Food, Beverages, and Catering)</td>
<td>207,947</td>
<td>Private sector; food processing and hospitality fields; range of jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>IG Bauen, Agrar, Umwelt (IG BAU) (Union for Construction, Agriculture, and the Environment)</td>
<td>351,723</td>
<td>Private sector; construction, agriculture, and forestry fields; range of jobs.</td>
<td>Yes.</td>
<td>Yes (through the EVW; see text of chapter for a discussion of this organization).</td>
<td>No.</td>
</tr>
</tbody>
</table>
Table 8.5, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2006-2007)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>IG Bergbau, Chemie, Energie (IG BCE) (Union for Mining, Chemistry, and Energy)</td>
<td>713,253</td>
<td>Private sector; chemicals, energy, mining, leather textiles and shoes, paper production, glass, and ceramics fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>IG Metall (Metalworkers’ Union)</td>
<td>2,306,283</td>
<td>Private sector; metalworking field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Transport, Service und Netze (TRANSNET) (Railworkers’ Union)</td>
<td>239,468</td>
<td>Public sector; rail transportation field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Vereinte Dienstleistungs gewerkschaft (ver.di) (United Services Union)</td>
<td>2,205,145</td>
<td>Public and private sectors; services field; range of jobs.</td>
<td>Yes.</td>
<td>Yes (see discussion in the text).</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first three columns on the left: Dribbusch 2008; Ebbinghaus and Visser 2000a, 308-11. Sources used to complete the fourth column on the left: see Chapter 5. Sources used to complete the remaining two columns: see Chapter 7.
Let us first consider ver.di. When it formed in 2001, ver.di adopted an organizational structure in which members are grouped into thirteen different sections based on the area of the economy in which they work. These sections encompass areas like healthcare and social services, financial services, and so on (see Annesley 2006, 172-174). Within the “special services” section of the union, some officials became interested in the idea of representing people who work in prostitution (which Germany fully legalized in 2002). They commissioned a study of the working conditions faced by sex workers (Mitrovic 2004), held two conferences related to the issue,\textsuperscript{157} and put together events intended to acquaint sex workers with the union (see Carvajal 2004). Most of these efforts appear to have been concentrated in the Hamburg area in particular. In adopting this focus on sex workers, these union officials were focusing on a population of workers that likely included numerous undocumented people, as we saw in Chapter 5. These initiatives related to sex workers do not appear to have coalesced into a full recruitment initiative, however. The national office does not appear to have been involved in promoting the recruitment of sex workers;\textsuperscript{158} in addition, I have not found evidence to suggest that considerable resources were put toward actual recruitment efforts (as opposed to research and conferences). At the same time, though, this interest in recruiting sex workers represents a very interesting development for ver.di, both in its own right and as a potential harbinger of future developments; if the union does become seriously engaged with recruiting these workers in the future, then we would expect (or at least this study’s argument would lead us to expect) for ver.di to take up the project of advocacy for the undocumented as well.

\textsuperscript{157} Interview with ver.di official, Berlin, May 30, 2008.
\textsuperscript{158} Interview with ver.di official, Berlin, May 30, 2008.
The second union that merits particular scrutiny for its recruitment efforts is IG BAU. In the post-1989 period, the construction industry in Germany underwent enormous change, much of it negative from the perspective of the union. Judged relative to developments in other sectors of the German economy, the corporatist arrangements in the sector were placed under particular strain during this period, as numerous firms dropped out of employers’ associations in search of heightened wage flexibility (Cyrus 2003, 194). They appear to have done so as a result of competitive pressures related to what might be termed the “Europeanization” and “informalization” of the German construction sector, which can be regarded as somewhat related phenomena. I will very briefly discuss these two processes, so as to provide some background information necessary to understand IG BAU’s actions in the 1990s and 2000s.

The first dimension of the Europeanization process had to do with “posted workers.” After the 1993 completion of the European Union’s single market for goods and services, these workers became a common presence on German construction sites. Posted workers can be defined for our purposes as employees of firms based in other European Union countries; under the terms of the single market, these firms have the ability to bid for contracts in Germany, and to bring workers with them to perform labor if they win a given contract. These firms did not, and do not, have to pay wages as high as the rates negotiated under collective agreements in Germany, although since 1996 they have had the obligation to adhere to certain minimum wage regulations (see Lillie and Greer 2007, 559, 566). As such, collective agreements were placed under a great deal of pressure by the large number of posted workers who came to Germany to labor on infrastructure projects in the post-unification period.
Another dimension of the Europeanization of the German construction sector had to do with migration from Eastern Europe. As Chapter 5 discussed in detail, a large number of East European workers came to Germany during the 1989-2004 period. Some of them came to the country as authorized workers as a result of labor agreements between Germany and various East European countries (see Cyrus 2003, 195), while others came to Germany on short-term visas and then worked without authorization. A third group of East European workers in Germany can be classified as both unauthorized workers and undocumented residents, as they either overstayed visas or entered without any initial authorization. The accessions of East European countries to the EU in 2004 and 2007 brought more opportunities for workers from the region to come to Germany; despite the existence of temporary restrictions on East European workers’ access to the German labor market, East European firms could now join their counterparts in the older EU countries in “posting” workers to Germany. In addition, East Europeans had the right to enter the German labor market as independent contractors after the accessions. And finally, and quite significantly, Germany had little ability to deport unauthorized workers from Eastern Europe once their countries joined the European Union, as I emphasized in Chapter 5. The East European workers that came to Germany as a result of these developments appear to have had a strong impact in the construction industry (195).

Alongside this increase in the employment of East European immigrants without work permits, a more general shift toward informal work appears to have occurred in the construction sector as well. By “informal work,” I mean labor performed in a manner that violates tax, wage, or other laws in some way. Importantly, informal work need not involve unauthorized workers. Indeed, much of the informal work performed in the
construction industry during this time appears to have involved not employers hiring East European immigrants without work permits, but rather employers violating regulations related to pay, working conditions, and social security contributions vis-à-vis native Germans and authorized immigrant workers (194). This “informalization” can be regarded as an extremely important development in the German construction industry, with one estimate from 2006 suggesting that 35 percent of the revenue generated by construction businesses in Germany comes from work performed informally (see Lillie and Greer 2007, 565). As such, informalization proved to be another major source of pressure on German wage bargaining institutions in the construction sector.

In responding to these developments, IG BAU could not fight the idea of Europeanization itself, but it did certainly campaign vigorously against the expansion of informal work in the construction sector. In the 1990s and early 2000s, it appears to have mainly attempted to use essentially corporatist strategies to tamp down on informal work; most notably, it established a close working relationship with a German government agency tasked with reducing informal work, and it also established a hotline that allowed callers to report (alleged) informal work practices to the authorities on an anonymous basis (see Greer, Ciupijus, and Lillie 2011, 10). These developments aroused some controversy within the union, with two IG BAU members writing a discussion paper describing the approach as harmful to immigrants and contrary to the more solidaristic traditions within the labor movement (Harning and Maurer 2004). Frank Schmidt-Hullmann, the head of the IG BAU’s European Construction and International Department, strongly rejects such claims, emphasizing that IG BAU sought to target employers benefiting from informal work and had no particular interest in workers’
immigration status. He does acknowledge, however, that his union’s enforcement efforts could have conceivably led the state to discover people laboring without work and residence papers, but argues that the union had to prioritize the interests of the many native and authorized immigrant workers in Germany’s construction sector over the interests of the (apparently) comparatively few people working without authorization.\footnote{Responses to written questions, Frank Schmidt-Hullmann, IG BAU, September 15, 2006 and September 25, 2006.} Regardless of what one makes of the controversy, this enforcement-oriented approach did not bring about major change (Greer, Ciupijus, and Lillie 2011, 10), and IG BAU eventually adopted a second (and for our purposes, particularly important) strategy in reaction to the environment that surrounded it: recruiting immigrant workers.

The particular approach that IG BAU adopted in its efforts to recruit these workers had some very innovative elements. The union had always had immigrant workers present in its own organizational ranks, but union officials felt that “posted workers” and other immigrants intending to stay in Germany for short periods of time would not be interested in joining a German labor institution (see Greer, Ciupijus, and Lillie 2011, 9). In response, IG BAU established an organization known as the Europäischer Verband der Wanderarbeiter (European Migrant Workers Union, or, in Polish, Europejskie Stowarzyszenie Pracowników Migracyjnych) in September 2004. Although the EVW was nominally independent from IG BAU, IG BAU developed the idea for the new organization and provided the funding used to establish it; in addition, current and former IG BAU officials held all of the key posts in the EVW’s structure (Dribbusch 2004a). As such, we can view the organization as essentially an IG BAU vehicle. The idea behind this organization was to provide Europe’s transnational workers
with a transnational union; a worker could join while working in one European country, but also continue to benefit from that membership after moving to work in a second (and third, and fourth) country, as the EVW would have branches in a number of European countries. Although membership in the EVW was open to workers of all nationalities in a range of industries, the new organization, which set up an initial office in Warsaw as well as in Germany, appears to have put most of its initial energies into recruiting Polish workers in construction and agriculture (Dribbusch 2005a). The composition of its membership reflected this focus; in 2006, 75 percent of the union’s members came from Poland (European Commission 2006). Given Poland’s accession to the EU in May 2004, the Polish workers that the organization was targeting did not fit within the category of “undocumented immigrant” as this study conceptualizes it, although some Polish workers clearly did labor without work permits in Germany at this time. In any event, though, this new organization did profess an interest in serving undocumented immigrants (see Dribbusch 2005a),160 and certainly its initial focus on construction and agriculture meant that it engaged with sectors where undocumented immigrants worked during the 2004-2007 period. In light of this study’s main argument, then, we must clearly ask why the EVW and/or IG BAU did not engage in advocacy for the undocumented during this time.

I would offer two principal responses to this question. First, the EVW never fully “took off” as an organization. The EVW’s founders had two major pragmatic goals for the organization’s initial years of operation: they wished for the organization to gain 10,000 members, and to attract the material support of other unions in Germany and elsewhere in Europe (Greer, Ciupijus, and Lillie 2011, 5; Lillie and Greer 2007, 568).

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160 Some would argue, of course, that the EVW’s professed commitment to this objective cannot be reconciled with IG BAU’s efforts to detect and report informal work.
Although the EVW did provide services to a large number of individuals, and did attract considerable attention from journalists (Greer, Ciupijus, and Lillie 2011, 11-13), it did not come close to meeting its membership target (5); in 2006, for instance, the organization appears to have had somewhat more than 1,500 members (European Commission, 2006). The EVW also failed to attract financial support from other unions (Greer, Ciupijus, and Lillie 2011, 5). Perhaps as a result of these failures, the IG BAU never really invested resources in building up the EVW’s capacity as an autonomous political institution. The EVW commenced its work in 2004 with only a general secretary and one organizational assistant in place (Dribbusch 2005a), and appears to have added only six more staff positions—none of which had a political focus—by 2008 (see Greer, Ciupijus, and Lillie 2011, 16). At that point, IG BAU decided to end the EVW’s existence as an independent institution, and to turn the organization into a point of information and assistance for migrant workers within IG BAU itself (5). Overall, then, the EVW does not seem to have ever been given the resources necessary to become an engaged political advocate for the undocumented during its brief period as an independent entity.

Admittedly, this argument explains why the EVW did not engage in political advocacy work for the undocumented, but it leaves open the question of why the IG BAU did not itself engage in advocacy for the undocumented, or endow the EVW with the resources necessary to undertake political advocacy for the undocumented. The answer appears to be that the EVW, despite its stated willingness to assist undocumented immigrants, was really founded to address the issues raised by another group of immigrants: highly-mobile individuals who conduct work in multiple European countries.
on a relatively short-term basis under EU or other agreements regarding labor mobility. The most distinctive and innovative quality of the EVW—in its transnationalism—was clearly designed to benefit such workers, and had no special value to immigrants settled in a single European state. It thus seems unsurprising that Matthias Kirchner, then the General Secretary of the EVW, characterized the organization in 2006 as an organization focused on “posted and seasonally employed workers,” as well as one that “work[ed] primarily in the interests of workers who go to other countries for a significant amount of time, but do not settle with their families in the longer term” (European Commission 2006). While we can speak of some Polish undocumented immigrants moving back and forth between Germany and Poland in the 1990s and early 2000s, Polish workers could no longer be full-fledged undocumented immigrants at the time of the EVW’s founding, and few other undocumented groups in German society would have enjoyed such mobility. Overall, then, we can say that IG BAU does not appear to have been focused on undocumented immigrants when they established the institution. As such, we should not be surprised that IG BAU did not pursue advocacy for the undocumented initially. Of course, one could imagine a scenario in which the EVW encountered undocumented immigrants over the course of its recruiting efforts and this development caused a corresponding shift in the advocacy behavior of IG BAU and/or the EVW itself, but such a scenario did not really have time to unfold; the EVW’s recruitment efforts had a slow start, and the organization only proved to be in existence for four years. Under the circumstances, the EVW and IG BAU’s lack of advocacy for the undocumented does not seem to be surprising, or to pose major questions for the argument advanced in this study.
Overall, then, some striking developments occurred in the labor arena during the 2004-2007 period, as ver.di and IG BAU both exhibited an interest in recruiting from areas of the secondary labor market in which undocumented immigrants work. For the reasons that I have discussed above, their recruitment efforts do not seem to have triggered actual advocacy for the undocumented. However, the two unions’ interest in these areas raises intriguing questions about the future of political advocacy for the undocumented in Germany. If ver.di does commit fully to organizing sex workers in the future, or if IG BAU undertakes another recruitment initiative for immigrant workers in construction and agriculture and endows that initiative with sufficient resources and time, then we would expect a fundamental shift in the advocacy behavior of these organizations to occur, as such developments would seem to link the interests of undocumented immigrants with the interests pursued by these unions. Intriguingly, then, the future of political advocacy for undocumented immigrants in Germany may not resemble its past.

Conclusion

As this chapter has made clear, established immigrant-serving and labor organizations did not engage in advocacy for the undocumented in Germany between 1973-1989, 1989-2004, and 2004-2007, although other civil society actors did clearly undertake such advocacy during the two later periods. In my view, this set of outcomes can be most successfully explained with reference to the apparent nature of the undocumented population and the overarching political roles of the organizations under scrutiny, as I initially argued in Chapter 3. As we have seen, certain organizations did
not behave as we might initially expect given this argument: the ATT/TGD and the RTS between 1989-2004 and 2004-2007, as well as IG BAU and ver.di between 2004-2007. Over the course of this chapter, I have sought to offer plausible explanations for why these organizations did not behave as one might anticipate; here, I would simply emphasize that the advocacy behavior of many of the organizations considered in this chapter does appear to have been in line with my study’s main argument. We now turn to a consideration of this argument’s capacity to explain developments in a second country case: the United Kingdom.
Chapter 9

Organizational Roles and Political Advocacy for Undocumented Immigrants in the United Kingdom, 1973-Present

In Chapter 6, I examined the apparent development of the UK’s undocumented population between 1973 and the present day (defined for our purposes as 2007). In this chapter, I aim to bring together what we know about this population between 1973 and 2007 with evidence regarding intermediary organizations’ political roles and advocacy behavior during the same stretch of time. In so doing, my ultimate aim is of course to test the propositions about political advocacy for undocumented immigrants put forward in Chapter 3. Like the previous chapter on Germany, this chapter divides the expanse of time between 1973 and 2007 into three periods for analytical purposes: 1973-1989, 1989-2004, and 2004-2007.

Ultimately, much, though not all, of the available evidence presented in this chapter fits with this project’s guiding arguments. Consider first the 1973-1989 period. Given the small size of the UK’s undocumented population during this time, we would not expect to find established immigrant-serving and labor organizations engaging in advocacy for the undocumented as a population, and indeed we find no record of such advocacy taking place. At the same time, the propositions advanced in Chapter 3 would also lead us to expect certain organizations to engage in casework on behalf of undocumented immigrants during this time, and most of these organizations did undertake casework on behalf of individuals and/or small groups of people that lacked papers. The General, Municipal, Boilermakers, and Allied Trade Union (GMBATU) is the one organization that did not behave as we would anticipate during the 1973-1989 period. In the next period I consider, the 1989-2004 period, the considerably larger size
of the undocumented population meant that political advocacy for undocumented immigrants as a group became a live possibility (or so this study’s argument suggests). Nonetheless, we do not find such advocacy taking place during this period. This finding mostly fits with what we would expect, although several organizations that this study’s argument would identify as likely advocates did not actually undertake advocacy during this time. I would stress, however, that some of these organizations did actually become advocates during the 2004-2007 period. Overall, we find that nearly all organizations behaved as we would expect during this final period, although three did not: the National Assembly Against Racism (NAAR), the GMB union (a descendant of the GMBATU), and the Union of Construction, Allied Trades, and Technicians (UCATT). In sum, then, the body of evidence presented in this chapter mainly, though not entirely, supports this study’s guiding arguments. Throughout the discussion that follows, I aim both to demonstrate the general usefulness of these arguments when applied to the UK context, and to explore why particular organizations did not behave as we might expect on the basis of them.

**Immigrant-Serving Organizations, Unions, and Political Advocacy, 1973-1989**

Chapter 6 has already discussed in detail the apparent characteristics of the UK’s undocumented population between 1973 and 1989. During this time, the UK undocumented population appears to have numbered in the tens of thousands overall, and to have encompassed a considerable number of people from at least seven individual countries: Columbia, Cyprus, Ghana, India, Nigeria, Pakistan, and Turkey. People from current and former Commonwealth countries also appear to have been a significant
presence within the population, along with individuals understood (by many on the
British left, at least) to share a black ethnic identity. With regard to the labor market
position of these immigrants, undocumented people seem to have worked principally in
the hospitality sector during the 1970s, and to have held jobs related to contract cleaning,
garment production, and private households as well as hospitality during the 1980s.

In the pages that follow, I examine the political responses of immigrant-serving
and labor organizations to this population of undocumented immigrants. Given this
project’s guiding arguments and the apparently small size of the undocumented
population between 1973 and 1989, we would expect to find no immigrant-serving and
labor organizations engaged in political advocacy for undocumented immigrants as a
group; at the same time, however, we would also expect to find certain organizations
undertaking smaller-scale casework on behalf of undocumented people. As we will see,
our expectations for the period generally, though not entirely, fit with organizations’
actual behavior during this time.

Immigrant-Serving Organizations, 1973-1989

During this period, numerous immigrant-serving intermediary organizations
oriented toward politics at the national level existed in the United Kingdom. With regard
to ethnic and encompassing organizations, we can identify four such organizations in
particular: the Avtar Johal faction of the Indian Workers’ Association (Great Britain), the
Prem Singh faction of Indian Workers’ Association (Great Britain), the Indian Workers’
Association (Southall), and the Joint Council for the Welfare of Immigrants.161 Rooted in

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161 We can also identify a fifth organization that arguably fits this description: the West Indian Standing
Conference (WISC). Founded in 1958 and then reestablished in the early 1960s, WISC served as an
the immigrant and ethnic minority communities that emerged in the UK after World War II, these organizations have a fascinating, rich history; given space constraints, however, I must limit myself here to providing only a very short introduction to their origins. After doing so, I will briefly introduce the three organizations from this period that focused on particular legal classes of immigrants, and then ultimately discuss how the period’s immigrant-serving organizations behaved vis-à-vis undocumented immigrants.

Consider first the various Indian Workers’ Associations (IWAs). The lineage of these organizations can be traced back to the 1930s, when people of Indian descent in different UK cities formed IWA groups to support India’s push for independence. Most of these ethnic organizations largely ceased operations in the immediate wake of Indian independence in 1947, but a number of them resumed their activities again in the 1950s. This decade saw the formation of some new IWA groups, as well. In the post-independence period, the IWA organizations assumed a dual role: they remained concerned with events in Indian politics, but they also focused a good deal on the situation of people of Indian descent in the United Kingdom (Josephides 1991, Chapter 2). As I discussed in Chapter 7, these “intersectional” organizations oriented themselves toward working class people of Indian descent in particular (although not all of their members would have been accurately characterized as working class themselves). In the late 1950s, the various IWAs were brought together into a single national organization, the Indian Workers’ Association (Great Britain), although this period of unity proved to be short-lived; in the early 1960s, a branch based in the West London district of Southall broke away from the national organization (Josephides 1991, Chapters 2-3), forming an

“umbrella organization” for groups representing people of Afro-Caribbean descent (Barberis, McHugh, and Tyldesley 2000, 123). However, WISC appears to have become less active in politics by the 1980s; as such, I do not consider it in my analysis of this period.
independent organization called the IWA (Southall). The reasons for this split appear to have been partially ideological in nature, with members of the IWA (Great Britain) being more fully committed to the idea of the IWA as a specifically working class organization than the members of the IWA (Southall). A second split, which also appears to have been fueled in part by ideological differences, occurred within the IWA (Great Britain) during 1967, leading to the formation of two active organizations that both claimed the IWA (Great Britain) moniker. I will follow Sasha Josephides in referring to the first of these organizations as the Avtar Johal faction of the IWA (Great Britain), and the second as the Prem Singh faction of the IWA (Great Britain) (Josephides 1991, Chapter 3). All three IWA organizations were actively involved in various forms of national political contention in the UK between 1973 and 1989.

The Joint Council for the Welfare of Immigrants (JCWI) constituted a fourth key immigrant-serving organization in UK society during the 1973-1989 period. This encompassing organization was founded in 1967 by representatives of several organizations serving ethnic minorities and immigrants, including the Campaign Against Racial Discrimination (CARD), an initiative that sought to bring together all of the anti-racist groups present in UK society. Founded in 1964, CARD dissolved only three years later due to ideological conflicts within the UK’s anti-racist coalition (Barberis, McHugh and Tyldesley 2000, 111; Dummett 2007, 6); the JCWI has been an enduring presence in UK politics, however. Initially, the JCWI focused principally on providing

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162 I base this statement on evidence presented in Josephides (1991, Chapter 3). Some analysts suggest, however, that the Southall IWA had in fact never been part of the central IWA (see Barberis, McHugh and Tyldesley 2000, 115; Josephides 1991, Chapter 3).

163 Avtar Johal and Prem Singh served as important leaders of the first and second factions (respectively) in the period after the split.

164 Another IWA (Great Britain) emerged in 1983 after a group of IWA members broke away from the Prem Singh faction of the organization. This organization appears to have been relatively small and less active in national politics (see Josephides 1991, Chapter 3); as such, I do not address it in this study.
representation to individuals with legal difficulties related to immigration and nationality rules. While this focus on services to individuals has remained a constant throughout the organization’s history, the JCWI has also functioned as a key political advocate for immigrants and ethnic minorities as a group for much of its existence (see Kaye 1992, 52). The organization’s efforts to serve all individuals from an immigration background render it distinctive in the context of UK politics between 1973 and 1989; the JCWI is the only encompassing organization that we will encounter in our examination of this period.

In addition to the various IWAs and the JCWI, several organizations serving particular legal classes of immigrants existed in the UK during this time. Among these organizations were two institutions focused specifically on refugees and asylum seekers: the Refugee Council and Refugee Action. Founded in 1981, the Refugee Council came into existence through the merger of two agencies that provided services to refugees and asylees. This organization played, and continues to play, a dual role in UK politics. On the one hand, the Refugee Council acts as a policy advocate for the immigrant groups it represents; on the other hand, it functions as a major provider of state-funded resettlement and other services to members of these groups (see Hardy 1994, 286; Phillips and Hardy 1997, 163). The UK state’s contribution to its finances is a substantial one, with one source from 1994 indicating that roughly 75 percent of the organization’s budget came from its state-sponsored work (Hardy 1994, 286). A 1997 source presents a broadly similar figure, suggesting that this work supplies 60 percent of the organization’s budget (Phillips and Hardy 1997, 163). As for Refugee Action, it resembles the Refugee Council’s considerable reliance on state funding has led some critics to question the extent to which it can effectively serve as a policy advocate for refugees and asylum seekers (see, e.g., Refugee Forum qtd. in Hardy 1994, 288). In an interview in London on November 29, 2006, a representative from
Council in many respects, as it too functions as both a policy advocate for refugees and asylum seekers and a provider of government-funded services to such immigrants (see Majka 1991, 273-4).

Alongside these two organizations focused on refugees and asylum seekers, we can also identify a third established actor representing a particular legal category of immigrants: Waling Waling/Kalayaan. While technically two separate organizations, Waling Waling and Kalayaan coordinated their activities to the extent that they functioned as a single political actor during this period. Founded in 1984, Waling Waling was a “self-organized” group of migrant domestic workers in London (Anderson 2010, 62). Many of these workers were Philippine citizens (62), but what they all had in common was a distinctive, and precarious, legal status: they had entered the UK through a provision that enabled wealthy people to bring domestic staff into the country with them, but had then left their employers, often as a result of very poor working conditions. In leaving the employers with whom they had entered the country, these workers lost their authorization to remain in the UK (61; Anderson 2001, 674). Kalayaan, which emerged in 1987, was an organization of individuals who wished to support and advocate for these immigrants (Anderson 2010, 62). During the time period under consideration, Waling Waling/Kalayaan’s main political objective was to obtain an authorized residence status for the small number of individuals who faced the specific circumstances that the Waling Waling members did (see Anderson 2001; Anderson 2010). Overall, then, several organizations focused on particular legal classifications of immigrants existed alongside the ethnic and encompassing organizations of the 1973-1989 period.

the organization rejected this line of criticism, emphasizing that the Refugee Council has disagreed openly and vigorously with government policies on numerous occasions.
In light of the arguments advanced in Chapter 3 and the apparently small size of the UK’s undocumented population during this time, we would not expect to find any of these seven immigrant-serving organizations engaged in full-fledged political advocacy for undocumented immigrants as a group. As Table 9.1 makes clear, the available evidence fits well with this expectation. At the same time, however, we would expect some of these immigrant-serving organizations to be engaged in casework on behalf of undocumented immigrants; in particular, we would expect for the various IWAs to be engaged in such work, given the apparent presence of Indian nationals in the UK’s undocumented population of this period (see Chapter 6). We would also expect for the JCWI, as an encompassing organization, to be involved in casework on behalf of undocumented immigrants. Here again, we find that the available data fit well with our expectations. Sasha Josephides reports that the various IWAs engaged in efforts to assist individual immigrants facing deportation (1991, Chapter 4), a point nicely illustrated by a 1982 newsletter produced by the IWA-led Campaign Against Racist Laws (CARL). Located at the Trades Union Congress Library Collections, this newsletter, entitled *Here to Stay!*, focuses in part upon several cases of individuals facing deportation, and urges readers to participate in efforts to prevent the deportation of these individuals (2-3). The Joint Council for the Welfare of Immigrants also undertook a considerable amount of work related to alleged undocumented individuals between 1973 and 1989—an outcome that does not seem surprising, given JCWI’s status as an organization

166 Based on the arguments in Chapter 3, one might not initially expect Waling Waling/Kalayaan to be engaged in casework related to undocumented individuals, as it can be defined as a political actor focused on a subset of individuals within a legal category, rather than an ethnic or encompassing organization. However, this political actor had a fairly unusual focus for an organization oriented toward a legal category of immigrants, in that it chose to focus on a group of immigrants defined as “illegal.” As such, we would naturally expect Waling Waling/Kalayaan to engage in casework for undocumented immigrants.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: Do the ethnic group(s) represented by the organization appear to be present in the undocumented population?</th>
<th>Did this organization undertake advocacy work for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indian Workers’ Association (Great Britain), Avtar Johal faction</td>
<td>Ethnic (Indian-British) and class-based (working class).</td>
<td>Yes.</td>
<td>No (but see discussion regarding individual immigrants in text).</td>
</tr>
<tr>
<td>Indian Workers’ Association (Great Britain), Prem Singh faction</td>
<td>Ethnic (Indian-British) and class-based (working class).</td>
<td>Yes.</td>
<td>No (but see discussion regarding individual immigrants in text).</td>
</tr>
<tr>
<td>Indian Workers’ Association (Southall)</td>
<td>Ethnic (Indian-British) and class-based (working class).</td>
<td>Yes.</td>
<td>No (but see discussion regarding individual immigrants in text).</td>
</tr>
<tr>
<td>Joint Council for the Welfare of Immigrants</td>
<td>Encompassing.</td>
<td>n/a.</td>
<td>No (but see discussion regarding individual immigrants in text).</td>
</tr>
<tr>
<td>Refugee Action(^{167})</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Refugee Council(^{168})</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Waling Waling/Kalayaan(^{169})</td>
<td>Legal class (individuals who entered the UK under provisions for migrant domestic workers and subsequently became undocumented).</td>
<td>n/a.</td>
<td>No (but see discussion regarding individual immigrants in text).</td>
</tr>
</tbody>
</table>

Sources used to complete the first, second, and fourth columns from the left: see Chapter 7. Sources used to complete the third column from the left: see Chapter 6.

\(^{167}\) This organization was founded in 1981.

\(^{168}\) This organization formed in 1981 as a result of the merger of the British Council to Aid Refugees (BCAR) and the Standing Conference on Refugees (SCOR) (see Kaye 1992, 50).

\(^{169}\) As I have indicated, Waling Waling was founded in 1984, while Kalayaan was founded in 1987. In analyzing the 1973-1989 period, I treat these two linked organizations as one political actor.
founded to serve all individuals facing difficulties related to the UK’s immigration and nationality laws (Kaye 1992, 52), a group of people in which undocumented immigrants are prominently represented. A 1979 analysis confirms the organization’s work with alleged undocumented immigrants during the 1973-1989 period, offering numerous examples of individual cases on which the organization worked (Plummer 1979).

Overall, then, the evidence regarding immigrant-serving organizations during the 1973-1989 period fits well with the arguments presented in Chapter 3.

**Trade Unions, 1973-1989**

Given the apparently small size of the UK’s undocumented population between 1973 and 1989, we would expect for trade unions, like immigrant-serving organizations, to have undertaken no advocacy work for undocumented immigrants as a group during this time. Indeed, unions did not undertake full-fledged political advocacy for the undocumented during this period. At the same time, however, two of the eighteen major unions of the period did espouse overarching political roles that we would expect to encourage casework for undocumented immigrants. The first of these unions is the Transport and General Workers’ Union; the second is the union known for much of the 1980s as the General Municipal, Boilermakers, and Allied Trades Union (GMBATU).

As we will see, the actions of the Transport and General Workers’ Union during this period fit nicely with this study’s guiding argument; on the other hand, however, the actions of the GMBATU do not fit this argument as well. Before we turn to the advocacy behavior of these and other trade unions, however, we must first consider the overarching
political roles espoused by UK labor organizations over the course of the 1973-1989 period.

As has been discussed extensively in the literature, this era can be regarded as a time of tremendous change for UK trade unions. At the outset of this period, unions in the UK functioned in some respects like a “social partner” of the state, despite the absence of a full-fledged corporatist system of the sort that existed in Germany at the time. In particular, the state sought to forge agreements with unions for the purpose of restraining wage growth (Upchurch, Taylor, and Mathers 2009, 92). James Callaghan’s Labour government continued to follow this approach after the British economy, which had been in a troubled state throughout much of the 1970s, experienced a balance of payments crisis in 1976. In response to the crisis, the UK sought out a loan from the International Monetary Fund, which in turn required the state to cut public spending dramatically (Hall 1986, 94). The state sought to secure unions’ acceptance of the low wage increases seemingly necessitated by the IMF loan, and the unions initially tolerated them; eventually, however, their willingness to do so declined and the state-union “social partnership” essentially broke down. The leaders of various unions called official strikes (95), while rank-and-file union members undertook wildcat strikes, as well. Unfolding over the course of the winter of 1978-9 (the so-called “Winter of Discontent”), these strikes led to major disruptions in the provision of hospital, transit, refuse collection, and other services in the UK.

Ultimately, this series of strikes can be regarded as a critical “pivot point” in the history of state-labor relations in the UK. Many members of the public appear to have been uneasy about the political role of trade unions in the wake of these strikes;
according to Peter Hall, 79 percent of UK voters, and more than half of the country’s trade union members, held the view that unions in the UK had too much power in 1979 (95). The popularity of this view undoubtedly facilitated the 1979 general election win of Margaret Thatcher’s Conservatives—a development that in turn led to sweeping changes in the UK state’s relationships with trade unions. As one set of commentators have put it, “any last remnants of corporatism were swept aside [after Thatcher’s 1979 victory] as trade union leaders were pushed into the cold and corporatist bodies dismantled” (Upchurch, Taylor, and Mathers 2009, 93). The UK unions examined in this study thus came to operate within a firmly pluralist system of interest intermediation during the 1980s. Moreover, the Thatcher government successfully sought not only to end the state’s social partnership with organized labor, but also to ban “closed shops,” secondary industrial actions, and a variety of other mechanisms through which the UK labor movement had traditionally sought to exert power (Hall 1986, 109). At the same time, Thatcher’s economic policies triggered a sharp increase in unemployment and led to the privatization of numerous public service jobs (Hall 1986, 109; Wills 2005, 141). Taken as a group, these developments appear to have substantially contributed to the major declines in membership experienced by UK unions during the Thatcher period; between 1979-1987, for instance, unions affiliated with the Trades Union Congress lost 3 million members, or roughly 25 percent of their total membership (Beaumont and Harris 1990, 275). Trade unions did seek to contest Conservative economic policies through a number of bitterly-fought strikes and other initiatives, but over the course of the 1980s the Thatcherites nonetheless realized their objective of fundamentally remaking the UK’s system of industrial relations.
In assessing these tumultuous years between 1973 and 1989, the key question for our purposes is whether or not unions adopted organizing as a key strategy at any point during this period. Although academic and union discourse around the idea of an “organizing model” seems to have begun in the late 1980s and 1990s (see Fletcher and Hurd 1998, 38), the basic elements of the organizing approach (i.e., a strong emphasis on recruiting new members and a focus on mobilizing new and old members alike for political action) have certainly been used by unions in various countries prior to this time. Nonetheless, most UK unions do not appear to have prioritized organizing between 1973 and 1989. When one considers the earlier, “pre-Thatcher” years of this period, one finds unions actively engaged in mobilizing their members to act in politics, but not heavily focused on bringing new people into membership and political contention. This relative disinterest in bringing in new members does not seem surprising, given the quasi-corporatist features of the UK’s system of industrial relations during this time. \footnote{While these features can be regarded as sufficient to account for the lack of interest in organizing during those years, P.B. Beaumont and R. I. D. Harris’s work suggests that a second factor may have been at play as well: academic skepticism regarding union recruitment efforts. According to Beaumont and Harris, UK unions in the 1970s appear to have been influenced by the view of union organizing present in the work of George Bain and various coauthors, who contended that recruitment efforts would have little impact on the total number of union members in the UK (as opposed to the distribution of union members across various unions) (see, e.g., Bain and Elsheikh 1976). These analysts saw the broader economic and political context in which unions operated as being essentially determinative of overall levels of union membership (see Beaumont and Harris 1990, 275).} Once Thatcher came to power, unions experienced a rapid transition to a very different, and more fully pluralist, environment. Importantly, though, most unions did not respond to this new environment by immediately adopting organizing as a high priority; while organizing appears to have been more prominent on the trade union agenda in the 1980s than it was in the 1970s, most union attempts at organizing during the Thatcher years can be regarded as “reactive, ad hoc, and unsystematic” (Heery, Kelly, and Waddington 2003, 170).
At the same time, though, at least four unions did undertake significant organizing initiatives in the 1980s: the General, Municipal, Boilermakers, and Allied Trade Union (GMBATU), the Society of Graphical and Allied Trades (SOGAT), the Transport and General Workers’ Union (TGWU), and the Union of Shop, Distributive, and Allied Workers (USDAW) (see 1990, 276-277; Kelly and Heery 1989, 198; Snape 1994).\textsuperscript{171}

Of these four unions, two appear to have done organizing work in areas of the secondary labor market in which undocumented immigrants labored during the 1980s: GMBATU and TGWU. These two unions occupied a distinctive position within the UK trade union movement of this time, as they constituted “general unions”—i.e., unions seeking to represent workers of all occupations in all economic sectors. (Their successor unions continue to play this role today, as we will see below.) Both the GMBATU and the TGWU emphasized the organization of workers in low-paid service sector jobs during this decade (Kelly and Heery 1989, 198); the two unions also prioritized recruiting workers in part-time and/or temporary employment (Snape 1994, 224). As part of their efforts to recruit workers in such jobs, both the GMB and the TGWU focused on workers in the hospitality sector (Beaumont and Harris 1990, 276; Snape 1994, 226),\textsuperscript{172} while the TGWU also sought to recruit individuals working in sweatshops and private households (see Anderson 2010, 65; Snape 1994, 226; Wrench 2000, 145). In addition, the TGWU

\textsuperscript{171} The initiatives undertaken by these unions arguably should not be classified as “organizing” efforts in the strictest sense of the term, given their relative lack of emphasis on mobilizing new members for political action. Nonetheless, these initiatives did constitute important efforts to recruit new members, and thus we would expect them to have essentially the same type of effect on unions’ behavior vis-à-vis undocumented immigrants as full-fledged organizing drives would.

\textsuperscript{172} In seeking to organize workers in the hospitality industry in the 1980s, the TGWU was able to build on certain foundations laid during the 1970s. While unions exhibited relatively low overall levels of engagement with organizing during these years, this decade nonetheless saw the establishment of what eventually became the TGWU International Catering Workers’ Branch. Founded as a result of a collaboration between the union and community activists, this branch actively organized workers in the hotel and restaurant industries in London, a considerable number of whom came from a migration background of some kind (see Turnbull 2005).
appears to have made some attempts to organize workers in contract cleaning as well (see Snape 1994, 226; Rowbotham 2006, 621), although the available literature paints a mixed portrait of the union’s commitment to organizing such workers in the 1980s; perhaps most notably, a study by John Wrench and Satnam Virdee suggests that the TGWU behaved in a discriminatory manner toward ethnic minority and immigrant contract cleaners at Heathrow Airport in the 1980s, and certainly made little effort to organize them (1995, 9-10). Nonetheless, we can detect at least some interest within parts of the TGWU in organizing the employees of contract cleaning firms as well. As Chapter 6 suggests, these cleaning firms, along with hospitality and garment production firms and private households, appear to have been major sites of employment for undocumented immigrants in the UK during the 1980s. As such, this study’s main argument suggests that we should find both GMBATU and TGWU involved in casework on behalf of undocumented immigrants during the later years of the 1973-1989 period. At the same time, though, this argument also leads us to expect an absence of union advocacy for undocumented immigrants as a group during this time, given the relatively small size of the UK’s undocumented population between 1973 and 1989.

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173 This episode of discrimination and indifference is by no means unique in British labor history (see, e.g., Miles and Phizacklea 1977, 499-500; Wrench 2000, 135-137). Nonetheless, studies done at various points in time suggest that ethnic minority workers have often been as likely, if not more likely, as white workers to join unions in the UK, even when one controls for differences in the distribution of occupations across the ethnic minority and white populations (see, e.g., Miles and Phizacklea 1977, 501; Wrench and Virdee 1995, 4-5).

174 The TGWU’s interest in contract cleaners in the 1980s can be regarded as particularly interesting given the union’s relative disinterest in organizing such workers in the early 1970s. As Sheila Rowbotham’s fascinating personal account makes clear, activists working with cleaners in London during the early 1970s sought to involve the TGWU in their efforts to improve the situation of these workers, but had relatively little success; apparently, “the union officials saw recruiting cleaners as a waste of resources” (2006, 612). The fact that the union began to explore the recruitment of such workers less than two decades later highlights the remarkable changes in the British economy and in trade unions’ roles that unfolded during the Thatcher period.
When we turn to the available evidence regarding this period, we find that it largely, though not completely, supports this study’s guiding hypotheses. In Table 9.2, I present the evidence regarding advocacy for undocumented immigrants as a population. As this table suggests, no trade union undertook advocacy for the undocumented population as a whole between 1973 and 1989. As for casework, officers of the TGWU did indeed undertake such work during the later years of the 1973-1989 period, although officers of the GMBATU apparently did not (a subject to which I return below). In part, the TGWU’s casework focused on the domestic workers served by Waling Waling/Kalayaan (see Anderson 2010, 65), a political actor with which the TGWU had an informal alliance of sorts. The TGWU offered advice services to Kalayaan members and made representations on their behalf to the Labour Party, local governments, and European institutions (Anderson 2010, 65; Kalayaan and Oxfam 2008, 12). At the same time, the TGWU successfully recruited workers represented by Waling Waling/Kalayaan into its membership (65). Alongside this work related to Waling Waling/Kalayaan, the TGWU also appears to have been involved in other relatively small-scale efforts to assist undocumented immigrants during the Thatcher years; for instance, the TGWU worked on behalf of undocumented and other sweatshop workers in North London to resolve problems related to compensation and dismissals, while simultaneously seeking to bring these workers into the union’s membership fold (Wrench 1990, 286; Wrench 2000, 145). Overall, then, the data in Table 9.2 and the behavior of the TGWU vis-à-vis undocumented individuals both fit well with this study’s main arguments.

175 This work on behalf of Waling Waling/Kalayaan cannot be regarded as advocacy for undocumented immigrants as an entire population because (as I emphasized previously) these groups sought regularization for only a narrowly-defined subgroup within the UK’s population of undocumented immigrants.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Did undocumented immigrants work in any areas of the economy covered by this union?</th>
<th>Did this union attempt to organize in the secondary labor market during some or all of these years?</th>
<th>Did this union undertake advocacy work for the undocumented for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amalgamated Engineering Union</td>
<td>741,647</td>
<td>Private sector; manufacturing and other fields; engineers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Banking, Insurance, and Finance Union (BIFU)</td>
<td>170,481</td>
<td>Private sector; financial and insurance institutions; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Confederation of Health Service Employees (COHSE)</td>
<td>209,461</td>
<td>Public sector; health care; nursing and a wide range of other jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

176 This union was known as the Amalgamated Union of Engineering Workers until 1986, when it changed its name to the Amalgamated Engineering Union. In 1985, the Technical, Administrative, and Supervisory Section of this union broke away and formed a separate union, known as TASS. As I indicate in a subsequent footnote, TASS merged with another union to form the Manufacturing, Science, and Finance Union later on during this period.

177 Prior to 1979, this union was known as the National Union of Bank Employees.
Table 9.2, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil and Public Services Association (CPSA)</td>
<td>127,976</td>
<td>Public sector; range of fields; range of civil service jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>General Municipal, Boilermakers, and Allied Trades Union (GMB-ATU)</td>
<td>823,176</td>
<td>Mainly private sector; many fields; wide range of jobs. (“General union.”)</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Manufaturing, Science, and Finance Union (MSF)</td>
<td>668,901</td>
<td>Mainly private sector; manufacturing, scientific research, and financial services fields; supervisory and technical workers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>National and Local Government Officers’ Association (NALGO)</td>
<td>750,502</td>
<td>Public sector; range of fields; wide range of office jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

178 The GMBATU came into existence in 1982. It emerged as a result of the merger of the National Union of General and Municipal Workers (NUGMW/GMWU) and the Amalgamated Society of Boilermakers, Shipwrights, Blacksmiths, and Structural Workers (ASBSBSW). In 1989, it became the GMB, as I discuss in a subsequent footnote.

179 This union formed in 1988 through the merger of Association of Scientific, Technical, and Managerial Staffs (ASTMS) and the Technical, Administrative, and Supervisory Staffs (TASS).
Table 9.2, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Graphical Association</td>
<td>125,003</td>
<td>Private sector; communications field; printing specialists.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>National Union of Civil and Public Servants (NUCPS) ¹⁸¹</td>
<td>115,606</td>
<td>Public sector; range of fields; a range of civil service and other public sector jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>National Union of Public Employees (NUPE)</td>
<td>604,912</td>
<td>Public sector; range of fields; range of principally manual jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>National Union of Railwaymen (NUR)</td>
<td>100,000</td>
<td>Public sector; transportation field; range of railroad workers in non-supervisory positions.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

¹⁸⁰ This union came into existence following the 1976 merger of the National Association of Schoolmasters and the Union of Women Teachers.

¹⁸¹ This union emerged in 1988. It came into existence after the merger of the Civil Service Union (CSU) and the Society of Civil and Public Servants (SCPS).
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post Office Engineering Union (POEU)</td>
<td>157,060</td>
<td>Public sector; postal field; engineers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Society of Graphical and Allied Trades (SOGAT)</td>
<td>176,144</td>
<td>Private sector; communications field; printing specialists</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Transport and General Workers’ Union (TGWU)</td>
<td>1,270,776</td>
<td>Mainly private sector; many fields; wide range of jobs. (“General union.”)</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No (but see discussion regarding individual immigrants in text).</td>
</tr>
<tr>
<td>Union of Communication Workers (UCW)</td>
<td>202,500</td>
<td>Mainly public sector; postal and tele-communications fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union of Construction, Allied Trades, and Technicians (UCATT)</td>
<td>258,342</td>
<td>Private sector; construction field; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union of Shop, Distributive, and Allied Workers (USDAW)</td>
<td>375,891</td>
<td>Private sector; primarily retail field; store clerks, warehouse workers, and a range of other jobs.</td>
<td>No.</td>
<td>Yes (though not in areas where the undocumented worked)</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first three columns on the left: Ebbinghaus and Visser 2000a; Ebbinghaus and Visser 2000b; Waddington 2003; Waddington, Kahmann, and Hoffman 2005; and individual union websites. Sources used to complete the fourth column on the left: see Chapter 6. Sources used to complete the remaining two columns: see Chapter 7.
The evidence regarding the GMBATU does not seem to be compatible with these arguments for the 1973-1989 period, however. Despite a lengthy search of the relevant secondary literature, contemporary newspaper articles from the *Times of London*, and materials from the Trades Union Congress (TUC) Library Collection, I could find no indication that GMBATU officers became involved in casework on behalf of undocumented immigrants during this period. Moreover, as we will see, the behavior of the GMBATU (in its later guise as the GMB) also does not fit with expectations for the 1989-2004 and 2004-2007 periods; the union continued to organize in sectors in which undocumented immigrants worked during those periods, but did not engage in political advocacy for the undocumented. Explaining this organization’s lack of engagement with political advocacy for the undocumented proves to be a challenge throughout this chapter.

The GMB did not accept my requests for an interview during my fieldwork in the UK, and union officials have not explained the reasoning behind their historical and current silence on political questions related to undocumented immigrants in any source that I have reviewed. Thus, I can do little here but offer some initial thoughts derived from what we know about the GMBATU as an organization during this period; I hope that future research will offer more fully grounded insights into this union’s behavior.

In essence, what seems most telling about the GMBATU during this time is that, judged relative to the TGWU, it placed less overall emphasis on organizing workers in the economic sectors in which undocumented immigrants appear to have worked. Although both unions devoted significant resources to organizing workers in the hospitality industry during the 1980s, the TGWU also emphasized organizing in other areas of the secondary labor market where undocumented workers could be found, as my
earlier comments suggest. At the same time, the GMBATU appears to have put a greater proportion of its resources toward initiatives related to white-collar workers during the 1980s; it developed an organizing campaign focused on such workers in the late 1980s (Kelly and Heery 1989, 198), and pursued a merger with the white-collar Association of Professional, Executive, Clerical, and Computer Staff (APEX) in the 1980s as well. While both the GMBATU and the TGWU can be said to have organized in areas of the economy in which undocumented immigrants worked, then, the TGWU displayed a more thoroughgoing commitment to organizing in these areas than the GMB did during this time. This difference in organizing priorities seems to be a plausible explanation for the differences in these two unions’ behavior during the period under consideration. Given the plausibility of this explanation and the previous chapter’s findings regarding IG BAU and ver.di during the 2004-2007 period, future iterations of this project will clearly need to attend more closely to unions’ overall levels of commitment to organizing in areas of the economy in which the undocumented work, despite the challenges associated with measuring these different levels of commitment.

The issues raised by the GMBATU notwithstanding, this study’s argument appears to work fairly well overall when applied to immigrant-serving organizations and trade unions in the UK between 1973 and 1989. Let us now consider how well it explains developments in the next period examined in this study.

**Immigrant-Serving Organizations, Unions, and Political Advocacy, 1989-2004**

As we saw in Chapter 6, the apparent characteristics of the UK’s undocumented population changed considerably after the end of East European communism. The
apparent size of this population grew to number in the hundreds of thousands, while numerous national groups came to occupy a visible position within the population for the first time. These groups consisted of people from Afghanistan, Australia, Brazil, China, Congo, Iran, Iraq, Jamaica, Poland, the Russian Federation, Somalia, Sri Lanka, Uganda, and Zimbabwe, along with Yugoslavia (and some of its successor republics). At the same time, citizens of Columbia, Cyprus, Ghana, India, Nigeria, Pakistan, and Turkey remained a noticeable presence within the undocumented population as well, as did people understood to be from the “Afro-British” and “South Asian” ethnic groups. Finally, undocumented immigrants apparently began to take up jobs related to agriculture, construction, and mini-cab and courier services during the 1989-2004 period, while at the same time continuing to work for contract cleaning, garment production, and hospitality firms, as well as private households.

Due to the undocumented population’s larger size during this period, political advocacy for the undocumented as a group appears to have become a live possibility in UK politics at this time. Nonetheless, we do not actually observe immigrant-serving and labor organizations engaging in political advocacy during this period, even though we would expect to find certain organizations undertaking advocacy in light of their overarching political roles and the undocumented population’s characteristics. This situation does not pose as much of a problem for my argument as one might initially think, however, as three of the five organizations we would expect to be involved in advocacy during the 1989-2004 period became active advocates shortly after the end of this period. This study’s argument does not aim to specify precisely how long developments that it identifies as conducive to advocacy might take to bring about actual
advocacy; the argument does imply that advocacy will likely emerge relatively soon after conditions become favorable to it, but the time lag under consideration here is not a long one, and thus the behavior of three of these five organizations can be said to support this study’s argument overall. Moreover, at least one of the three organizations that ultimately became engaged in advocacy, the Joint Council for the Welfare of Immigrants, apparently started to look seriously at endorsing a regularization program during the 1989-2004 period. The two remaining organizations do pose more serious questions for this study’s argument, of course, and I attempt to address why these organizations do not fit our expectations in the discussions of immigrant-serving and labor groups that follow.

**Immigrant-Serving Organizations, 1989-2004**

During the 1989-2004 period, the organizational “cast of characters” in the UK’s immigrant-serving sector grew considerably. Many of the established immigrant-serving organizations that emerged during this time focused on refugees and asylum seekers, a development that can certainly be linked to the sharp increase in asylum applications that the UK experienced during this time (see Chapter 6). One of the period’s new refugee and asylee-focused organizations, the now-defunct Refugee Legal Centre,\(^\text{182}\) can be classified as an organization broadly in the mold of the Refugee Council and Refugee Action; the Refugee Legal Centre sought to serve as a political advocate for refugees and asylum seekers, while also deriving nearly all of its income from contracts with the central government for providing legal services to such immigrants (Refugee and Migrant Justice 2009, 3, 7). A second new organization, Asylum Aid, also functioned as both a

\(^{182}\) This organization may be better known under the name it adopted in 2009: Refugee and Migrant Justice (see Refugee and Migrant Justice 2009, 5).
political advocate for refugees and asylum seekers and a provider of legal services to
them, although the organization can be regarded as distinctive in that it derived, and
continues to derive, much of its income from foundations and private donations rather
than the state. The International Rescue Committee UK (IRC UK) constituted a third
new refugee and asylee-focused organization in the UK during this period. A branch of
an international non-governmental organization, the IRC UK focused in part on
coordinating the International Rescue Committee’s activities in Africa, Asia, and
elsewhere, but it also undertook policy advocacy on behalf of refugees and asylum
seekers in the UK (among other activities) during this time (International Rescue
Committee UK, n.d.). A fourth new organization, Student Action for Refugees, aimed to
coordinate the political and other activities undertaken by university groups supportive of
refugees and asylum seekers (Student Action for Refugees n.d.). The fifth and final
organization oriented toward refugees and asylum seekers that emerged between 1989
and 2004 was London Refugee Voice. This organization functioned, and continues to
function, as a network of refugee community organizations, which can be characterized
as low-budget, volunteer-driven organizations focused on providing assistance to refugee
and asylum seekers (Amas and Price n.d., 3). Quite often, these organizations have their
roots in particular ethnic minority or immigrant communities. Refugee community
organizations have traditionally had very little influence over policies related to the
immigrants they serve (10), despite their intimate knowledge of the issues faced by these
immigrants (9; Zetter and Pearl 2000, 692); London Refugee Voice thus sought in part to

183 Asylum Aid does receive a small amount of funding from the UK state for its legal work; however, it
does not depend on this funding for its ongoing existence, as an organizational representative emphasized
during an interview in London on December 1, 2006.
be a link between these organizations and government institutions at the municipal and national levels (Amas and Price n.d., 3).

The 1989-2004 period saw not only the founding of numerous organizations oriented toward refugees and asylum seekers, but also the emergence of several new organizations focused on immigrants targeted by the state for forced departure. These new organizations appear to have developed as a response to the sharp increases in detentions, “removals,” and deportations that occurred in the UK after 1989 (see Chapter 6 for evidence related to “removals” and deportations). Two of these organizations, the Association of Visitors of Immigration Detainees (AVID) and Bail for Immigration Detainees (BID), took, and continue to take, immigrants detained by the state as their principal concern. AVID brings together individuals and voluntary groups that routinely visit various UK detention centers; in undertaking such visits, AVID members seek both to provide support to individual detainees and to monitor conditions in the centers (see, e.g., Association of Visitors of Immigration Detainees 2011). BID’s focus is on assisting detained individuals with bail applications (Bail for Immigration Detainees n.d., Jackson 2003, 119). Both of these organizations draw on their experiences working with detained immigrants to develop, and advocate for, various changes in state policies toward these immigrants (Association of Visitors of Immigration Detainees 2011; Bail for Immigration Detainees n.d.). Alongside AVID and BID, a third organization of this general type, the National Coalition of Anti-Deportation Campaigns (NCADC), also came into existence during the 1989-2004 period. This organization sought to establish a network of people engaged in grassroots “anti-deportation” campaigns, which can be characterized as campaigns that seek to prevent the removal or deportation of one individual or a very
small group of individuals (typically a family) (see Anderson, Gibney, and Paoletti 2011, 558). The UK has a particularly long and fascinating history of these grassroots campaigns,\textsuperscript{184} which generally emerge through the efforts of schools, community organizations, religious institutions, and/or other social actors. NCADC aimed, and still aims, to assist these campaigns by disseminating information, offering advice, and so on (National Coalition of Anti-Deportation Campaigns n.d.). It also seeks to function as a political advocate for the individual immigrants at the center of these campaigns.\textsuperscript{185}

In sum, then, numerous organizations focused on legally-defined categories of immigrants emerged in the UK between 1989 and 2004. The emergence of these groups in turn fueled the overall increase in established immigrant-serving organizations that we observe during this period. When we turn to organizations oriented toward particular ethnic groups, however, we actually see a decline in their number. This development was triggered in part by a gradual slide into inactivity on the part of the various IWAs; by the late 1980s, many IWA members had left the organizations, and most of their branches were “almost dormant” (Singh and Tatla 2006, 99). At the same time, only one ethnic organization of clear relevance to this project emerged during the 1989-2004 period: the now-defunct National Assembly Against Racism (NAAR). NAAR took advancing the position of Afro-British and South Asian people in the UK as its chief mission. Founded in 1994, it emerged in the wake of the British National Party’s first victory in a London council (or any other) election (see Prynn and Gorman 1993), and a subsequent community mobilization to prevent a second BNP win (National Assembly Against

\textsuperscript{184} The relative prominence of these campaigns in the UK can be linked to several aspects of the country’s political opportunity structure. I hope to explore this topic further in subsequent writings.

\textsuperscript{185} NCADC can be said to have a principal orientation toward protest activity, but I include it in my analysis because it does appear to use non-protest tactics periodically in its efforts to serve as a political advocate (see, e.g., Hintjens, Kumar, and Pouri 2011, 216).
Racism n.d.). NAAR was structured as an umbrella organization; it sought to bring together grassroots ethnic minority organizations with trade unions, religious groups, and other social actors (see Fella 2010, 214). The organization principally financed its work through funding from foundations, the Trades Union Congress, and (in the 2000s) the Greater London Assembly.

In Table 9.3, I present data related to the advocacy behavior of NAAR and the other new organizations of the 1989-2004 period. I also provide data dealing with the preexisting immigrant-serving organizations that remained active in national politics during this time. As this table makes clear, none of these organizations engaged in political advocacy for the undocumented as a group between 1989 and 2004. In general, this outcome fits well with this study’s main arguments. Evidence gathered from interviews also proves to be supportive of these arguments. For instance, an interviewee from the Refugee Council immediately referenced the organization’s founding mandate when asked about political advocacy for undocumented immigrants as a group; although the Refugee Council views the situation of all undocumented immigrants as a serious concern (see Chapter 3), its status as an organization with a defining focus on refugees and asylum seekers means that it generally funnels its resources toward advocacy for refused asylum applicants, rather than toward advocacy for the undocumented population as a whole. An interviewee from Asylum Aid offered a similar perspective, indicating that the organization has not become engaged in political advocacy for the entire undocumented population because of its longstanding focus on providing legal help to individuals within the asylum system; the organization has relatively little interaction with asylum seekers who have exhausted the asylum appeals process, and essentially no


<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: Do the ethnic group(s) represented by the organization appear to be present in the undocumented population?</th>
<th>Did this organization undertake advocacy work for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Association of Visitors of Immigration Detainees (AVID)(^{187})</td>
<td>Legal class (immigrants in detention centers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Asylum Aid(^{188})</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Bail for Immigration Detainees (BID)(^{189})</td>
<td>Legal class (immigrants in detention centers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>International Rescue Committee UK (IRC UK)(^{190})</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Joint Council for the Welfare of Immigrants</td>
<td>Encompassing.</td>
<td>n/a.</td>
<td>No (but see discussion of the 2004-2007 period).</td>
</tr>
<tr>
<td>London Refugee Voice(^{191})</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>National Assembly Against Racism(^{192})</td>
<td>Ethnic (Asian-British and Afro-Caribbean British).</td>
<td>Yes.</td>
<td>No.</td>
</tr>
</tbody>
</table>

\(^{187}\) This organization was founded in 1994.  
\(^{188}\) Asylum Aid came into existence in 1990.  
\(^{189}\) Bail for Immigration Detainees formed in 1998.  
\(^{190}\) This organization came into existence in 1997.  
\(^{191}\) London Refugee Voice was founded in 2002. It had its origins in an earlier organization, the Refugee Working Party, which was founded in the 1980s and became inactive in the 1990s (see Griffiths, Sigona, and Zetter 2005, 93-4). (The Refugee Working Party is not discussed in this analysis in part because it does not appear to have met this study’s definition of an established immigrant-serving organization.)  
\(^{192}\) The National Assembly Against Racism was founded in 1994.
Table 9.3, Continued.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: ethnic group(s) represented by the organization present in the undocumented population?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Coalition of Anti-Deportation Campaigns (NCADC)</td>
<td>Legal class (individuals identified by the state as potentially subject to deportation).</td>
<td>n/a.</td>
<td>No (NCADC’s focus is on individuals, rather than on immigrants with an insecure residence status as a group).</td>
</tr>
<tr>
<td>Refugee Action</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Refugee Legal Center (subsequently known as Refugee and Migrant Justice)</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Refugee Council</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Student Action for Refugees (STAR)</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>United Workers Association (formerly Waling Waling)/ Kalayaan</td>
<td>Legal class (individuals who entered the UK under the country’s provisions for domestic workers and subsequently became undocumented).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first, second, and fourth columns from the left: see Chapter 7. Sources used to complete the third column from the left: see Chapter 6.

194 This organization was founded in 1992.
196 In 1998, Waling Waling changed its name to the United Workers Association (see Schwenken 2003, 50).
interaction with other groups of undocumented immigrants. It considers itself to be most authoritative and effective as a political advocate when its policy recommendations flow directly from its legal work, and thus it principally devotes its limited resources to advocacy work directly related to the population that this legal work serves.\footnote{Interview with Asylum Aid official, London, December 1, 2006.}

Although this study’s argument successfully anticipates the actual advocacy behavior of many immigrant-serving organizations during the 1989-2004 period, we would still expect to find two organizations from the period engaged in advocacy on the basis of this argument, as these organizations’ ability to achieve their particular goals can be regarded as tied to the political and social fate of undocumented immigrants. The first of these organizations is the Joint Council for the Welfare of Immigrants, which became an active advocate shortly after the close of the 1989-2004 period but did not undertake advocacy during the period itself. Given the JCWI’s status as a encompassing organization, its lack of involvement in political advocacy during this period raises questions for us. One must keep in mind, however, that this study’s argument offers no precise account of how long it might take for advocacy to emerge in the wake of developments favorable to it. The argument does imply that organizations will likely become involved in advocacy relatively soon after such developments occur, but the gap in time between the end of the 1989-2004 period and the onset of JCWI’s advocacy work in 2006 is quite short. As such, I consider the JCWI’s advocacy behavior to be broadly supportive of the argument overall. Moreover, interview evidence suggests that the JCWI began to examine the situation of undocumented immigrants in the UK, and to consider endorsing a regularization program for these immigrants, prior to the end of the
Based on this evidence, we can surmise that developments during the 1989-2004 period triggered the JCWI’s initial engagement with issues related to undocumented immigrants as a group, even though the organization did not become an active advocate for the undocumented population as a whole until after the period’s conclusion.

Given its organizational focus on Afro-British and South Asian people, as well as the apparent presence of individuals from these backgrounds in the undocumented population, the National Assembly Against Racism is the second organization that we would expect to find engaged in advocacy between 1989 and 2004. Nonetheless, NAAR refrained from political advocacy on behalf of the undocumented population, although it did do a good deal of work related to immigrants seeking asylum. Based on the limited available evidence, I would hypothesize that NAAR’s surprising lack of engagement with advocacy derives in part from the organization’s structure, which can be regarded as rather unusual for an organization oriented toward one or more ethnic groups; NAAR functioned as an “umbrella” organization that sought to bring together not only established and grassroots ethnic organizations, but also trade union actors, religious actors, and so on. As individual entities, NAAR’s organizational members espoused (and continue to espouse) a range of views on the issue of advocacy for the undocumented; at the same time, NAAR sought to put forward policy recommendations on which all of its organizational members could agree (see Lentin 2000). As such, disagreements within NAAR’s diverse coalition would have likely stalled any attempts at advocacy for undocumented immigrants.

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Overall, then, most immigrant-serving organizations behaved as we would expect during the 1989-2004 period. JCWI and NAAR did deviate from our expectations, but neither organization appears to raise serious questions for this study’s argument upon closer examination. Let us now consider what the behavior of trade unions between 1989 and 2004 suggests about this argument.

_Trade Unions, 1989-2004_

Over the course of the 1989-2004 period, the overarching political roles played by trade unions in the UK underwent certain important changes. Certain unions had embraced organizing as a potential strategy for operating under Thatcherism in the 1980s, as we saw earlier in this chapter; during the 1989-2004 period, these unions intensified their organizing efforts, while other unions began to prioritize organizing to a considerable extent as well. Thus, for instance, both the GMB (formerly the GMBATU) and the TGWU created specific funds to invest in organizing initiatives (Heery et al. 2000, 990), while numerous unions appear to have established staff positions focused primarily, if not exclusively, on organizing (992-994). In part, these changes can be traced back to developments at the level of the Trades Union Congress (TUC), which increasingly emphasized organizing over the course of this period. In 1989, a TUC “special review body” focused on the future of the UK trade union movement put out a report entitled “Organizing for the 1990s” that sought to raise the profile of organizing in unions; in 1996, the TUC launched its “New Unionism” project, which promoted a vision of union power achieved in part through organizing (Heery 1998, 343). The TUC’s

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199 The GMBATU merged with a small white-collar union, the Association of Professional, Executive, Clerical, and Computer Staff (APEX), in 1989. Around the time of this merger, the union shortened its name to the GMB. “GMB” is itself the name of the union, rather than an acronym.
efforts to encourage organizing during this period culminated with the 1998 founding of
the TUC Organizing Academy, an institution through which the TUC offered (and
continues to offer) a year-long course in organizing strategies to trainees sponsored by
individual unions (Heery et al. 1998, 991-2; Lucio and Stewart 2009, 18). In undertaking
these steps, the TUC appears to have been inspired in part by the actions of trade union
confederations in Australia and the United States (Lucio and Stewart 2009, 18), but its
actions should not be regarded as imitation for imitation’s sake; instead, TUC officials
judged organizing to be a critical means through which the trade union movement could
regain its footing in an industrial relations system that had been fundamentally
reconfigured by Thatcherism (see, e.g., Heery 1998; Simms and Holgate 2010, 356). As a result of both the TUC’s initiatives and the actions of individual unions, then,
organizing became a notably more prominent feature of the industrial relations landscape
in the UK during the 1989-2004 period.

Certain important changes in the apparent character of the undocumented
population also occurred over the course of this period, as we know. As discussed above,
the undocumented population appears to have grown to number in the hundreds of
thousands between 1989 and 2004, a development that (I argue) made political advocacy
for the undocumented as a population a live possibility in UK politics. At the same time,
the labor market position of the undocumented population also changed somewhat during
this period. Although undocumented immigrants apparently continued to work in private

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200 While the TUC heavily emphasized organizing during the 1989-2004 period, it also sought to promote union partnerships with employers and the government as well. Arguably, this emphasis on partnership existed in tension with the TUC’s focus on organization (and, in particular, on the mobilization of rank-and-file members) (see Heery 1998, 348; Upchurch, Taylor, and Mathers 2009, 94-108). In any event, though, these efforts to build partnerships do not seem to have borne a great deal of fruit; unions appear to have established relatively few formal partnership arrangements with companies (Heery, Kelly, and Waddington 2003, 90), and partnership with government remained elusive even after the Labour Party’s return to power in 1997 (see Upchurch, Taylor, and Mathers 2009, 94-108).
households and in the hospitality, contract cleaning, and garment production sectors between 1989 and 2004, they also appear to have begun working in agriculture and construction and for mini-cab and courier firms during this time.

In light of the undocumented population’s increased size and expanded role in the UK labor market, as well as the turn toward organizing in the UK trade union movement, one might expect to find several unions organizing in sectors in which undocumented immigrants worked during the 1989-2004 period. In fact, four unions did undertake organizing work of this nature between 1989 and 2004: the GMB, the TGWU, the Union of Construction, Allied Trades, and Technicians (UCATT), and UNISON. The available evidence suggests that the TGWU actively organized workers in all of the sectors in which undocumented immigrants worked, save for mini-cab and courier companies; the GMB also appears to have been involved in significant organizing efforts related to the construction, hospitality, and garment production sectors (see, e.g., Anderson 2010, 65; Wills 2005, 147, 149-150; Wrench and Virdee 1995, 10-11). UCATT organized workers in construction (as one would expect, given its status as a union focused on that sector). And as for UNISON, it organized employees of contract cleaning and hospitality firms working in National Health Service hospitals as part of its involvement in a “living wage” campaign spearheaded by the East London Communities Organization (TELCO), a constituent organization of the London Citizens. UNISON’s interest in organizing these employees of private firms might initially seem puzzling; established through the 1993 merger of the Confederation of Health Service Employees (COHSE), the National

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201 Interview with UNISON official, London, December 12, 2006. See also, e.g., Hearn and Bergos 2011, 70; Howarth 2005; and Wills 2008, 312-313.

202 As I discussed in Chapter 2, the London Citizens is a community organizing group. Its members include educational, faith, and labor institutions, among others. I will return to the subject of the London Citizens in this chapter’s discussion of the 2004-2007 period.
and Local Government Officers Association (NALGO), and the National Union of Public Employees (NUPE), UNISON took the representation of public sector employees as its founding mission. However, one must keep in mind the Conservatives’ push to “contract out” public sector jobs related to cleaning and hospitality in the 1980s (see Chapter 6). Initially, public sector unions had sought to prevent the privatization of these positions, but, once privatization appeared to be a \textit{fait accompli} in many public institutions, trade unionists came to view organizing private sector workers in these institutions as their best remaining option (Foster and Scott 1998, 146). Thus, UNISON eventually defined its constituency as all workers in the public services field, be they employed by public institutions or private firms (146). Viewed in light of this development, the union’s efforts to organize private sector cleaners and hospitality workers at National Health Service institutions do not seem surprising.

Given the organizing initiatives that I have just described, one would expect on the basis of this study’s main argument to find the GMB, TGWU, UCATT, and UNISON all engaged in political advocacy for undocumented immigrants during the 1989-2004 period, as the fate of these organizing initiatives can be said to be linked to the broader political and social fate of the undocumented. As Table 9.4 makes clear, however, none of these four unions undertook actual political advocacy for the undocumented as a group during this time. (As we would expect, none of the UK’s other unions did, either.) The evidence regarding these four unions does not bode as ill for this study’s argument as one might initially think, though. The TGWU and UNISON, which both maintained active organizing programs in sectors where undocumented immigrants worked after 2004, became active in political advocacy shortly after the close of the 1989-2004 period, as we

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2004-2005)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Did undocumented immigrants work in any areas of the economy covered by this union?</th>
<th>Did this union attempt to organize in the secondary labor market during some or all of these years?</th>
<th>Did this union undertake advocacy work for the undocumented for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amicus&lt;sup&gt;203&lt;/sup&gt;</td>
<td>1,159,755</td>
<td>Mainly private sector; manufacturing and other fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Association of Teachers and Lecturers&lt;sup&gt;204&lt;/sup&gt;</td>
<td>195,511</td>
<td>Public sector; primary, secondary, and higher education fields; instructors.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Communication Workers Union&lt;sup&gt;204&lt;/sup&gt;</td>
<td>241,849</td>
<td>Mixed public and private sector; postal, telecommunications, and financial services fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

<sup>203</sup> Amicus formed in 2001 through the merger of the Manufacturing, Science, and Finance Union (MSF) and the Amalgamated Engineering and Electrical Union (AEEU). (The AEEU was a union created after the 1992 merger between the Amalgamated Engineering Union and the Electrical, Electronic, Telecommunications and Plumbing Union.)

<sup>204</sup> This union emerged in 1995 as a result of the merger of the National Communications Union and the Union of Communication Workers.
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2004-2005)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>GMB</td>
<td>571,690</td>
<td>Mainly private sector; many fields; wide range of jobs. (“General union.”)</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>National Union of Teachers</td>
<td>330,709</td>
<td>Public sector; education field; teachers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Prospect</td>
<td>104,749</td>
<td>Public and private sector; range of fields; supervisory and technical workers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Public and Commercial Services Union (PCS)</td>
<td>311,249</td>
<td>Mainly public sector; range of fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

205 I explain the process by which the GMBATU became the GMB in a previous footnote.
206 Prospect came into existence after the 2001 merger of the Institution of Professional Managers and Specialists and the Engineers and Managers Association.
207 In 1998, the Public Services, Tax, and Commerce Union and the Civil and Public Services Association merged. The Public and Commercial Services Union came into existence as a result of this merger.
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2004-2005)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport and General Workers’ Union (TGWU)</td>
<td>806,938</td>
<td>Mainly private sector; many fields; wide range of jobs. (“General union.”)</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No (but see discussion of the 2004-2007 period).</td>
</tr>
<tr>
<td>Union of Construction, Allied Trades, and Technicians</td>
<td>113,280</td>
<td>Private sector; construction field; range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Union of Shop, Distributive, and Allied Workers</td>
<td>340,201</td>
<td>Private sector; primarily retail field; shop assistants, store clerks, warehouse workers, and a range of other jobs.</td>
<td>No.</td>
<td>Yes (though not in areas where the undocumented worked).</td>
<td>No.</td>
</tr>
<tr>
<td>UNISON&lt;sup&gt;208&lt;/sup&gt;</td>
<td>1,310,000</td>
<td>Mainly public sector; range of fields; range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No (but see discussion of the 2004-2007 period).</td>
</tr>
</tbody>
</table>

Sources used to complete the first three columns on the left: Certification Office for Trade Unions and Employers’ Associations (United Kingdom) 2006, 60-61; Ebbinghaus and Visser 2000a; Waddington 2003; Waddington, Kahmann, and Hoffman 2005; and individual union websites. Sources used to complete the fourth column on the left: see Chapter 6. Sources used to complete the remaining two columns: see Chapter 7.

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<sup>208</sup> As noted above, the Confederation of Health Service Employees (COHSE), the National and Local Government Officers Association (NALGO), and the National Union of Public Employees (NUPE) merged to form UNISON in 1993.
will see below. For this reason, the advocacy behavior of the TGWU and UNISON does not seem particularly problematic for this study’s main argument. As I noted while discussing the JCWI during the 1989-2004 period, this argument does not seek to specify exactly how long conditions favorable to advocacy might take to catalyze actual advocacy; it simply suggests that such conditions will likely encourage advocacy to develop relatively expeditiously. As such, the short lag in time between the end of the 1989-2004 period and the beginning of the TGWU and UNISON’s advocacy work does not seem to constitute a serious problem for my argument.

Admittedly, one could raise questions about this conclusion by pointing toward the existence of a broader pattern within this study’s data on UK organizations: none of the five organizations that we would expect to have engaged in advocacy during the 1989-2004 period actually engaged in advocacy, while three of these organizations did become active advocates for the undocumented in a subsequent period. This situation suggests that this study’s argument may have failed to take account of some key factor driving organizations’ behavior. For instance, the argument does not address the potential role that specific “focusing events” or “exogenous shocks” could play in shaping organizations’ advocacy behavior; perhaps the JCWI, TGWU, and UNISON shifted from the “potential advocate” category to the “actual advocate” category in response to some such event. This type of argument has a particular intuitive resonance when applied to UK organizations in recent years, given that at least one sudden, unexpected event did clearly serve to draw attention to the situation of undocumented workers in the UK during this time: the drowning deaths of 23 undocumented and other migrant workers in Morecambe Bay in 2004 (which I first discussed in Chapter 6). As
this study’s discussion of the 2004-2007 period makes clear, however, “process-tracing”
evidence drawn from interviews does not appear to support this argument and others of
its ilk; while some interviewees in the UK did mention the Morecambe Bay tragedy at
various points in our discussions, they did not present the tragedy as a particular “turning
point” in their organizations’ thinking on undocumented immigrants. Rather,
Morecambe Bay appears to have functioned as a stark confirmation of what
organizational officials already knew: some undocumented immigrants and other workers
in the UK faced extremely poor, unsafe working conditions. In addition, interview
evidence suggests that the JCWI (at least) had clearly become interested in adopting an
advocacy role vis-à-vis the undocumented prior to the Morecambe Bay tragedy, as my
earlier comments suggest. Overall, then, I surmise that a simple lag effect explains why
the JCWI, TGWU, and UNISON did not become engaged in advocacy for the
undocumented until the 2004-2007 period.

Of course, this line of argument still leaves the behavior of the GMB and UCATT
unexplained. Let us consider these two unions in turn. As I discussed earlier in this
chapter, the advocacy behavior of the GMB (formerly the GMBATU) during the three
periods examined in this study does not mesh well with my main argument. In my view,
the GMB’s lack of engagement with undocumented immigrants between 1973 and 1989
may have stemmed from its organizing priorities at the time. This explanation does not
seem as plausible when applied to the years after 1989, however, as the GMB does seem
to have become focused on organizing in several areas of the economy where
undocumented immigrants worked. We must therefore consider other potential

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209 See, e.g., interview with former Trades Union Congress official, London, June 14, 2006; interview with
explanations when examining the GMB’s post-1989 behavior. Based on recent published statements of GMB officials regarding immigrants and organizing, perhaps the most likely explanation for the union’s lack of political advocacy for the undocumented is skepticism about the value of actively pursuing undocumented members. In an analysis published in 2007, the GMB’s Head of Organizing, Martin Smith, strikes a critical note in discussing the efforts of other institutions to organize immigrants, suggesting that “there are some really challenging questions that should be put to all who now seek column inches and photo opportunities for their migrant organizing work” (2). He does not reject the idea that unions should engage in efforts to organize immigrant workers, but argues that unions face major challenges in seeking to construct and maintain solidaristic relationships between preexisting members and newly-arrived immigrants (1, 2). He also cautions against “be[ing] led into noble defeat after noble defeat,” asking whether trade unions will “have the discipline of Thorne and Tillet [two leading UK trade unionists in the late 1800s and early 1900s] and build around those most able to organize and fight back first” (2). In essence, then, Smith suggests that union efforts to organize immigrants, if mismanaged, run the risk of alienating preexisting members and of expending resources on initiatives unlikely to generate “wins” for the trade union movement. A somewhat similar note was struck by Eamon O’Hearn Large, a GMB research and policy officer, at a 2009 conference regarding migrant workers in the UK; he emphasized that, although the GMB wishes to aid all workers (migrant and non-migrant alike), it faces significant resource constraints and thus must be quite strategic in how it allocates union funds, staff time, and so on (Ecumenical Council for Social Responsibility 2008, 2-3). Based on these comments, GMB officials appear to think that
organizing initiatives focused on immigrants have the potential to consume scarce resources without generating substantial membership gains, and to harm relationships with preexisting members. These concerns appear to apply to organizing all types of immigrant workers, but they could be said to apply with particular force to organizing undocumented immigrant workers; undocumented immigrants will generally not number among “those most able to organize and fight back first” in a given setting, and thus may be more difficult for unions to bring into membership. Their immigration status may render them particularly likely to evoke negative reactions from other union members, in addition. As such, the GMB may not particularly prioritize gaining new undocumented immigrant members; the union does organize in sectors where these immigrants work, but may not be interested in undertaking special efforts to attract them. If the GMB is in fact relatively disinterested in attracting undocumented members, then this disinterest may explain its lack of active political advocacy on behalf of these immigrants. One must keep in mind, however, that this explanation is necessarily a somewhat speculative one given data limitations.

When we turn from the GMB to the Union of Construction, Allied Trades, and Technicians (UCATT), here again we observe the apparent influence of organizing goals on union behavior vis-à-vis the undocumented. In an interview, a UCATT representative emphasized the union’s commitment to organizing all workers in construction and its solidaristic view of undocumented workers, but made certain points similar to the ones made by the GMB officials quoted above:

…Unions try and organize workers. They want to recruit people into their organizations. Quite often with migrant workers and I’m not saying that this is a conscious decision, but you can’t be certain that you’ll get a return for your investment as a trade union. So I think there is a hesitancy to
devote the kind of resources that would be needed to actually organize migrant workers.  

According to this representative, one major source of unions’ uncertainty about immigrant workers has to do with the temporary nature of some labor immigration; UCATT and other unions worry about putting considerable resources toward the organization of workers who may leave the UK in a relatively short period of time. This representative also stressed that unions must have staff members with specialist language skills in order to work effectively with many immigrants—a situation that imposes particular resource demands on unions.  

Both of these factors appear to have caused UCATT to be less focused on organizing immigrant workers of all kinds; in turn, the union’s organizing priorities offer a reasonable explanation for its lack of involvement with political advocacy for the undocumented.  A second potential explanation may have to do with the union’s emphasis on promoting a well-trained and well-paid construction workforce, as the UCATT representative indicated that a regularization program might be viewed as problematic by the union if it contributed to the “casualization” of construction employment in the UK. However, regularized workers could certainly be offered training, as the representative pointed out; as such, concerns about casualization do not appear to be the underlying cause of UCATT’s lack of engagement with political advocacy for the undocumented.  

Instead, the nature of the union’s organizing work appears to be the critical causal factor. 

To sum up, then, the advocacy behavior of several UK unions during the 1989-2004 period does not appear to mesh well with this study’s main argument. I have

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211 In an interview in London on September 18, 2006, a Trades Union Congress (TUC) officer made very similar points regarding short-term labor migration and the existence of “language barriers.”  
argued that the advocacy behavior of the TGWU and UNISON does not actually pose a serious problem for this argument, given that both unions became involved with advocacy for the undocumented shortly after 2004 (as I will discuss below). The GMB and UCATT raise more serious questions. Even with regard to these two unions, however, this study’s main argument should not be regarded as entirely off-target, as its broad emphasis on organizing priorities as a driver of union behavior appears to fit well with the available evidence on both of these organizations. As for immigrant-serving organizations during the 1989-2004 period, we have seen that neither the Joint Council for the Welfare of Immigrants nor the National Assembly Against Racism behaved as we would expect during this time; like the TGWU and UNISON, however, the JCWI does not constitute a significant concern for this study’s argument, as it did become actively involved in advocacy during the 2004-2007 period, as we will observe in the next section of this chapter.

**Immigrant-Serving Organizations, Unions, and Political Advocacy, 2004-2007**

As Chapter 6 makes clear, the EU expansions of May 2004 and January 2007 triggered certain important changes in the UK’s undocumented population. Most centrally, these expansions constituted a *de facto* regularization program of sorts for undocumented immigrants from the accession countries; as a result, the national composition of the undocumented population changed substantially. One recent study also found that undocumented immigrants and other unauthorized workers assumed a more marginal role in certain economic sectors in London after the May 2004 accessions, as the accession process gave employers access to a large number of legal residents.
willing to work for low wages. Mindful of government efforts to tighten controls on unauthorized employment, some employers appear to have shifted from hiring undocumented immigrants and other unauthorized workers to hiring accession country nationals (see Wills et al. 2008).

While the EU accessions did bring significant change to the UK’s undocumented population, the story here is not one of complete discontinuity, as Chapter 6 suggests. Undocumented immigrants appear to have worked in the same economic sectors during the 2004-2007 period as they did in the 1989-2004 period, even though their role within some sectors may have become more limited. In addition, the number of undocumented immigrants in the UK appears to have remained in the hundreds of thousands, although this number does not seem to have grown (and may have declined) in the wake of the accessions.

In considering political advocacy for the undocumented population of the 2004-2007 period, we observe several very interesting developments. One such development is the launch of the “Strangers into Citizens” campaign, which occurred in 2007. As I noted in Chapter 2, this campaign sought a pathway to regularization for many undocumented immigrants in the UK. It was spearheaded by the London Citizens and Birmingham Citizens, two “broad-based” community organizing groups working in the tradition of the Industrial Areas Foundation in the US. Along with recently-founded branches in Milton Keynes and Nottingham, these Citizens groups in London and Birmingham aim to bring together individual educational, faith, labor, and other organizations for the purposes of achieving shared political ends. “Strangers into Citizens” campaign.

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213 Planning for the campaign began in 2006, but it did not launch publicly until 2007.
214 I say “many” rather than “all” here because the program envisioned by the campaign’s leaders would require prospective applicants to meet certain requirements in order to be eligible for regularization.
Citizens” can be regarded as the UK’s first major campaign for a mass regularization of undocumented immigrants, and it seems striking that it emerged principally at the initiative of community organizing institutions rather than established immigrant-serving or labor organizations. Nonetheless, a number of these established organizations did become involved in advocacy for the undocumented during the 2004-2007 period, either through their active support of “Strangers into Citizens” or through work done independently of this campaign. As we will see, both the Joint Council for the Welfare of Immigrants and a major new immigrant-serving organization, the Migrants Rights’ Network, undertook advocacy related to the undocumented; so too did UNISON and Unite (the union that emerged after the TGWU merged with Amicus). These four organizations’ advocacy behavior fits well with this study’s overarching argument, as does the behavior of most other immigrant-serving and labor organizations from the 2004-2007 period. On the other hand, the GMB, National Assembly Against Racism, and UCATT remained unengaged with advocacy, and thus continue to raise questions for this argument. On balance, though, much of the evidence from the 2004-2007 period does seem supportive of it, as the following discussion will make clear.

**Immigrant-Serving Organizations, 2004-2007**

The UK’s population of immigrant-serving organizations did not change dramatically after the end of the 1989-2004 period. Two new immigrant-serving organizations did come into existence between 2004 and 2007, though. Of the two, the Migrants’ Rights Network (MRN), which was founded in 2006, can be regarded as having the higher profile in UK immigration politics. This encompassing institution
sought, and continues to seek, to strengthen the (traditionally very limited) role that immigrant community organizations have played in the UK’s national policymaking process; in so doing, it hopes to encourage the development of policies more supportive of immigrants’ rights. MRN focuses in particular on encouraging interactions between immigrant community organizations, as well as providing them with news, analysis, and advice related to recent policy developments (Flynn 2006, 18-21). The second new organization, the Highly Skilled Migrants Program (HSMP) Forum, sought to represent the interests of immigrants who entered the UK through the Highly Skilled Migrants Program, an immigration program targeting skilled workers that ran from 2002 until 2008.

In Table 9.5, I present data related to the advocacy behavior of the Migrants’ Rights Network, the HSMP Forum, and the UK’s other active immigrant-serving organizations between 2004 and 2007. As this table makes clear, nearly all of these organizations behaved as we would anticipate given this project’s main argument. As we would expect, the period’s two encompassing organizations did act as advocates for the undocumented: the Joint Council for the Welfare of Immigrants became active in advocacy during this time (see, e.g., Joint Council for the Welfare of Immigrants 2006), and the Migrants’ Rights Network regarded advocacy for the undocumented as an important priority as well. The various organizations focused on legally-defined groups of immigrants also behaved in a manner compatible with our expectations; they did not engage in advocacy for the undocumented population as a whole, although the Refugee Council and other organizations did seek to advocate on behalf of refused asylum seekers through various initiatives, including the “Still Human, Still Here”

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<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: Do the ethnic group(s) represented by the organization appear to be present in the undocumented population?</th>
<th>Did this organization undertake advocacy work for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Association of Visitors of Immigration Detainees (AVID)</td>
<td>Legal class (immigrants in detention centers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Asylum Aid</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Bail for Immigration Detainees (BID)</td>
<td>Legal class (immigrants in detention centers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Highly Skilled Migrant Program (HSMP) Forum 216</td>
<td>Legal class (participants in the Highly Skilled Migrant Program).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>International Rescue Committee, UK</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Joint Council for the Welfare of Immigrants</td>
<td>Encompassing.</td>
<td>n/a.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Kalayaan 217</td>
<td>Legal class (individuals who entered the UK under the country’s provisions for domestic workers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>London Refugee Voice</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Migrants’ Rights Network 218</td>
<td>Encompassing.</td>
<td>n/a.</td>
<td>Yes.</td>
</tr>
</tbody>
</table>

216 The HSMP Forum was founded in 2006.
217 By this time period, relations between Kalayaan and the United Workers Association (the organization formerly known as Waling Waling) had become strained (see Kalayaan 2005, 2; and Kalayaan 2006, 3), and the latter organization no longer appeared to be playing an active role in national immigration politics in the UK. As such, I focus only on Kalayaan’s activities when considering the 2004-2007 period.
218 This organization was founded in 2006.
<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: ethnic group(s) represented by the organization present in the undocumented population?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Coalition of Anti-Deportation Campaigns</td>
<td>Legal class (individuals identified by the state as potentially subject to deportation).</td>
<td>n/a.</td>
<td>No (NCADC’s focus is on individuals, rather than on immigrants with an insecure residence status as a group).</td>
</tr>
<tr>
<td>Refugee Action</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Refugee Legal Center (subsequently known as Refugee and Migrant Justice)</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Refugee Council</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Student Action on Refugees (STAR)</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first, second, and fourth columns from the left: see Chapter 7. Sources used to complete the third column from the left: see Chapter 6.
campaign referenced in Chapter 7 (see also Kelley and Stevenson 2006). The National Assembly Against Racism is the only organization that did not behave as we would anticipate during this period, as we would expect for an ethnic organization focusing on Afro-British and South Asian people to engage in advocacy on the basis of this study’s argument. I would attribute NAAR’s lack of involvement with advocacy between 2004 and 2007 to the same intra-coalition dynamics that I discussed when considering the 1989-2004 period. In sum, then, nearly all of the UK’s established immigrant-serving organizations behaved as we would expect during the 2004-2007 period.

**Trade Unions, 2004-2007**

As I discussed in detail in Chapter 6, the UK received a very large influx of new immigrants from East European countries following the enlargement of the European Union in 2004; at the same time, the accession process served to regularize the status of many preexisting East European residents of the UK. Additional East European workers came to the UK after Bulgaria and Romania joined the EU in 2007, despite the UK state’s decision to restrict Bulgarians and Romanians’ initial access to its labor market. The large population of authorized East European workers that emerged after the 2004 and 2007 accessions received a good deal of attention from both the Trades Union Congress and individual UK unions. The TUC funded union efforts to organize these workers, conducted research into their role in the UK labor market (e.g., Trades Union Congress 2004), and generated a brochure on employment rights that the Home Office distributed to all accession country workers registered with the UK state.\(^\text{219}\) Individual

\(^{219}\) Interview with former Trades Union Congress official, London, June 14, 2006; interview with Trades Union Congress official, London, September 18, 2006.
unions typically centered their efforts on organizing Polish workers, who comprised two-thirds of the total number of accession country nationals registered with the UK state between May 2004 and December 2007 (Pollard, Latorre, and Sriskandarajah 2008, 24). For instance, GMB officials supported the formation of a branch focused on Polish workers in Southampton (see Heyes 2009, 192-193; Fitzgerald and Hardy 2010, 10-11). While this branch had only 50 members in 2006, its membership had grown to 500 by 2008 (Fitzgerald and Hardy 2010, 10). UCATT also engaged in efforts to organize Polish workers in the wake of the 2004 accessions; in particular, it received financial support from the Trades Union Congress for an organizing program focused on Polish construction workers in northeast England. Several other unions undertook organizing initiatives related to accession country nationals, as well (see, e.g., Fitzgerald 2009, 109; Heyes 2009).

Overall, then, a good deal of the immigrant-related organizing work undertaken by UK unions during the 2004-2007 period pertained specifically to authorized Polish workers. While Polish and undocumented workers appear to have worked in some of the same economic sectors during this time, unions’ organizing initiatives vis-à-vis Polish workers often involved very targeted efforts at outreach; for instance, unions collaborated with Polish community organizations, advertised in Polish-language media, and the like (Fitzgerald 2009). We would not expect for initiatives of this sort to have much of an

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220 The decision to create a separate branch oriented toward a single national group did attract some controversy within the GMB (Holgate 2011, 197), but union officials viewed the strategy as a useful one given the existence of “language barriers” between Polish workers and their native-born counterparts, as well as the (related) concern that the interests of Polish workers would be marginalized if these workers joined preexisting branches of the union (Holgate 2011, 197; Fitzgerald and Hardy 2010, 10).

221 Interview with UCATT official, London, June 27, 2006. See also, e.g., Fitzgerald 2009 and Eldring, Fitzgerald, and Arnholtz 2012.
influence on unions’ relationships with undocumented workers, and indeed they do not appear to have had any appreciable impact.

Nonetheless, several unions maintained their general organizing programs in areas of the secondary labor market in which undocumented immigrants worked, and we would anticipate that these programs would tend to catalyze advocacy for the undocumented. In particular, the GMB, UCATT, and UNISON continued their preexisting organizing work in relevant sectors, while UNISON also became active in organizing cleaners in higher education institutions during this time (see Hearn and Bergos 2011, 71-77). A fourth union, Unite, also organized in areas of the economy in which undocumented immigrants worked; formed in May 2007 after the merger of the Transport and General Workers’ Union with Amicus, this new union maintained the TGWU’s various organizing projects in relevant sectors of the economy. The most significant of these projects was “Justice for Cleaners,” an initiative modeled in part on the Service Employees International Union’s (SEIU) well-known “Justice for Janitors” campaign in the United States (see, e.g., Waldinger et al. 1998). Undertaken with the support of visiting SEIU organizers and launched in 2004, this campaign sought to organize the employees of contract cleaning firms in London, with a particular focus on cleaners working in the offices of major financial companies and the UK parliament (Hearn and Bergos 2011, 70; Wills 2008, 313-314).

In light of these unions’ organizing work, we would expect to find the GMB, UCATT, UNISON, and Unite all engaging in political advocacy for the undocumented population during the 2004-2007 period, as the fate of their organizing work would seem

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222 For ease of exposition, I refer to the pre-merger Transport and General Workers’ Union as “Unite” throughout this discussion of the 2004-2007 period.
to be bound up with the fate of undocumented immigrants in UK society. Nonetheless, the GMB and UCATT did not undertake political advocacy for the undocumented during this time, as Table 9.6 makes clear; this lack of advocacy can be explained with reference to the same factors that I cited when discussing these unions’ advocacy behavior during the 1989-2004 period. Both UNISON and Unite did make the transition into advocacy for the undocumented during the 2004-2007 period, however, as they became active supporters of the “Strangers into Citizens” regularization campaign. 223 Their interest in investing resources into this campaign can be closely linked to their organizing activities, as the comments of an interviewee from a trade union organizing in the contract cleaning sector suggest:

> Our eyes were only opened to [the regularization issue] when we went into particular areas [of the economy]… That’s when we said, right, we’re looking to represent and organize these workers. We have to fight for their [immigration] status as well because this is a principal issue for them. When the union begins to map a workplace [for organizational purposes], they talk to the workers at length and find out what the issue is. And in some workplaces it’s something as basic as the meals in the canteen are appalling, or they make us pay for our own uniforms and so it’s organized around that. For cleaners, it’s status. It’s status. 224

In essence, this interviewee suggests that a direct link exists between the decision to organize undocumented workers in the workplace and the decision to take on concerns related to their legal status in politics; the union must engage with these concerns because they are what workers themselves consider to be “the issue.” The connection between organizing activity and political advocacy may have been reinforced for UK unions

223 Interview with “Strangers into Citizens”/London Citizens officials, London, December 8, 2006. The relationship between these unions and the organization that spearheaded the “Strangers into Citizens” campaign, the London Citizens, has not always been a smooth one (a subject analyzed at length in Holgate 2009), but UNISON and Unite remained consistent supporters of this campaign.

224 Interview with UK trade union official, London, September 18, 2006. This individual asked me not to publish the name of the particular trade union for which this individual works.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007-2008)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Did undocumented immigrants work in any areas of the economy covered by this union?</th>
<th>Did this union attempt to organize in the secondary labor market during some or all of these years?</th>
<th>Did this union undertake advocacy work for the undocumented for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Association of Teachers and Lecturers</td>
<td>208,568</td>
<td>Public sector; primary, secondary, and higher education fields; instructors.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Communication Workers Union</td>
<td>236,679</td>
<td>Mixed public and private sector; postal, telecommunications, and financial services fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>GMB</td>
<td>590,125</td>
<td>Mainly private sector; many fields; wide range of jobs. (“General union.”)</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Union</td>
<td>Number of members (in 2007-2008)</td>
<td>Sector(s), field(s), and job(s) represented</td>
<td>Undocumented working in areas of the economy covered by union?</td>
<td>Organizing in secondary labor market?</td>
<td>Advocacy for the undocumented?</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
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</tr>
<tr>
<td>National Union of Teachers</td>
<td>374,170</td>
<td>Public sector; education field; teachers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Prospect</td>
<td>102,695</td>
<td>Public and private sector; range of fields; supervisory and technical workers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Public and Commercial Services Union</td>
<td>304,829</td>
<td>Mainly public sector; range of fields; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union of Construction, Allied Trades, and Technicians</td>
<td>129,065</td>
<td>Private sector; construction field; range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
</tbody>
</table>
Table 9.6, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007-2008)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Union of Shop, Distributive, and Allied Workers</td>
<td>356,046</td>
<td>Private sector; primarily retail field; shop assistants, store clerks, warehouse workers, and a range of other jobs.</td>
<td>No.</td>
<td>Yes (though not in areas where the undocumented worked).</td>
<td>No.</td>
</tr>
<tr>
<td>UNISON</td>
<td>1,344,000</td>
<td>Mainly public sector; range of fields; range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Unite&lt;sup&gt;225&lt;/sup&gt;</td>
<td>1,952,226</td>
<td>Public and private sector; many fields; wide range of jobs. (‘‘General union.’’)</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>University and College Union</td>
<td>117,597</td>
<td>Public; higher education field; academics and researchers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

<sup>225</sup> Unite came into existence in 2007 following the merger of Amicus and the Transportation and General Workers’ Union (TGWU).
shortly after the close of the 2004-2007 period, when a high-profile immigration enforcement raid at London’s School of Oriental and African Studies (SOAS) in June 2009 led to the arrest and deportation of eight contract cleaners who had worked there (see Hearn and Bergos 2011, 76-77). The London Citizens, UNISON, and various other political actors had worked on a major campaign to win a “living wage” for cleaners at SOAS between January 2007 and June 2008 (67, 72), and numerous cleaners joined UNISON over the course of this campaign; ultimately, the SOAS immigration raid led to the deportation of several UNISON members (76-77). This episode (and others like it) would seem to underscore the way in which being without papers functions as a kind of “master status” for the undocumented people who unions seek to represent. These individuals can work, become active in unions, and so on, but they are at the mercy of the state for as long as they remain undocumented, and thus their participation in unions and other associations can be abruptly terminated at any point—unless, of course, unions and other civil society actors can negotiate a change to their status through the political system.

To sum up, then, the GMB and UCATT remained unengaged with advocacy for the undocumented during the 2004-2007 period, a development that I attribute to the same factors cited in my discussion of these organizations’ advocacy behavior between 1989 and 2004. The other unions discussed here behaved as we would expect, however. As such, the available evidence on unions during the 2004-2007 period mostly supports the argument at the heart of this study.
Conclusion

This chapter has examined the advocacy behavior of UK organizations vis-à-vis undocumented immigrants across three periods of time: 1973-1989, 1989-2004, and 2004-2007. Overall, it has found that the propositions advanced in Chapter 3 fit well with the actual advocacy behavior of most immigrant-serving and labor organizations during all three periods. Exceptions to this generalization do exist, however. Most importantly, the GMB, NAAR, and UCATT do not appear to have regarded their fates as essentially interwoven with the fate of undocumented immigrants in UK society during the 1989-2004 and 2004-2007 periods—despite the presence of conditions seemingly favorable to the development of such a view.
Chapter 10

Conclusion

Over the course of this analysis, we have come to several conclusions regarding established intermediary organizations and political advocacy for undocumented immigrants. We have seen that, in those settings where a significant undocumented population appears to be present, the officials of a given organization will likely embrace advocacy if they believe that the political and social fate of their organization’s constituency as a whole has become connected to the political and social fate of undocumented immigrants. The likelihood that a given organization’s officials will come to hold this view in a particular context is shaped by two factors: 1) the organization’s overarching political role and 2) the apparent nature of the undocumented population. In turn, variations in overall levels of organizational advocacy across different contexts can be attributed to differences in the distribution of political roles within the established intermediary sector, as well as differences in the apparent nature of the undocumented population.

This argument applies only to environments in which a relatively large undocumented population appears to exist. In those settings in which the undocumented population seems to be smaller, the apparent size of the undocumented population alone drives advocacy outcomes; we generally do not observe organizations engaging in political advocacy for undocumented immigrants as a group in contexts where the undocumented population appears to be small. However, we do observe an interesting

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226 For the purposes of this project, I have considered a “smaller” undocumented population to be one that appears to number in the tens of thousands, rather than the hundreds of thousands or millions.
pattern when we consider organizations that would have likely functioned as political advocates in the context of a larger undocumented population: even though the existence of a smaller undocumented population appears to have discouraged these organizations from engaging in political advocacy as such, they have often become engaged in casework related to undocumented immigrants.227

In developing these conclusions regarding intermediary organizations and political advocacy for the undocumented, this study has made contributions to at least two bodies of literature within political science and its cognate fields. As I discuss at greater length in Chapter 1, the first body of work to which this study contributes is the literature on immigrants and immigration in the developed democracies. It particularly aims to speak to the large set of studies within that literature that address the economic, political, and social incorporation of immigrants into their host societies. Scholars have examined many aspects of this subject, but as of yet have paid relatively little attention to the political incorporation of undocumented people, despite the fact that millions of undocumented immigrants now live and work in the developed democracies today. Moreover, the limited number of studies that do examine the political incorporation of undocumented immigrants have tended to focus on the involvement of undocumented immigrants in various forms of grassroots politics. As such, they have often not engaged with the advocacy work (or the lack of advocacy work) undertaken by established intermediary organizations on behalf of the undocumented in various contexts—even though important works in the literature have emphasized the capacity of established interest groups to shape public policies related to immigration and immigrants in

227 In this study, I have used the term “casework” to refer to work oriented toward improving the situation of one undocumented immigrant or a small group of undocumented immigrants, as opposed to work that has the potential to influence the situation of undocumented immigrants more generally.
developed democracies (see, e.g., Freeman 1995). Thus, this study contributes to the scholarly conversation on immigrants and immigration by attempting to focus attention on a topic that has been significantly understudied relative to its importance.

The study also makes a second type of contribution to this scholarly conversation: it presents and analyzes a good deal of new evidence related to the advocacy behavior of established intermediary organizations vis-à-vis undocumented immigrants. Of the relatively few studies that do take up this topic, none have sought to compile information on the advocacy behavior of immigrant-serving and labor organizations in Germany and the UK. More has been written on organizations in the US context, but even here this study is uniquely systematic in its efforts to identify potential advocates and to document their advocacy behavior. In addition to presenting new data related to the advocacy behavior of organizations in Germany, the UK, and the US, this study also draws upon novel evidence gleaned from interviews and rare documents in building its explanation for why variations in advocacy outcomes occur.

Finally, this study also adds to the scholarly conversation on immigrants and immigration through its efforts to analyze political advocacy for undocumented immigrants from a more truly comparative perspective. Studies of political advocacy for the undocumented have tended to focus on one region of the world and/or one type of organization; by looking at developments in both North America and Northern Europe, and by considering two distinctive types of organizations, this study has sought to develop a broader, more generalizable argument regarding the determinants of organizational political advocacy for the undocumented. The study’s focus on two distinctive types of organizations seems to have generated particularly interesting results,
in that these findings suggest that we can explain the advocacy behaviors of two rather
different types of intermediary institutions—immigrant-serving organizations and trade
unions—with reference to the same basic underlying factors.

As I indicated in Chapter 1, this study has sought to contribute not only to the
literature on immigrants and immigration in the developed democracies, but also to the
literature on intermediary organizations and disadvantaged social groups in these
countries. Within the recent literature on American politics, studies of intermediary
organizations focused on ethnic minorities and various other groups emphasize that these
organizations tend to privilege their relatively more advantaged constituents over their
less advantaged constituents (see, e.g., Cohen 1999; Strolovitch 2007); at the same time,
analysts of the European left have commented in recent decades upon the tendency of
unions and avowedly social democratic parties to serve the interests of well-compensated
“insiders” within the working class, while leaving other groups of “outsider” workers
relatively bereft of representation (see, e.g., Offe 1985; Rueda 2007). Although these
literatures generally do not speak directly to each other, they transmit broadly the same
message: even within organizations specifically oriented toward generally disadvantaged
constituencies, certain forces may push officials to favor the interests of relatively
advantaged subgroups over the interests of relatively disadvantaged subgroups. From
this perspective, the phenomenon of political advocacy for an especially marginalized
group like undocumented immigrants does not seem readily explained. The type of
advocacy work discussed in this study thus raises an intriguing question for students of
intermediary organizations and disadvantaged groups: why do we find some intermediary
organizations investing their resources into advocacy for particularly marginalized “outsider” groups?

My findings regarding political advocacy for the undocumented may offer us some tentative insights into this question. In essence, this study’s argument highlights the social, economic, and other ties that may connect even very marginalized groups to other, comparatively advantaged groups in society. If many undocumented immigrants share an ethnic identity with other residents of a society, the fates of these individuals become linked; if undocumented immigrants take up jobs in areas in which other residents work, the fates of these individuals become linked as well. Where they exist, the existence of these sorts of linkages between “outsiders” and other groups in society may open up surprising avenues of political representation for very marginalized groups within the established intermediary sector—but much depends on the agendas of the individual organizations within that sector. With regard to undocumented immigrants in particular, we have seen that if organizations exist in society that seek to represent particular ethnic groups, or to organize certain groups of workers, these organizations may very well come to believe that their core organizational tasks require engagement with political issues related to the undocumented population. On the other hand, organizations may play a different set of political roles, and thus may have little reason to come to such a conclusion. Overall, then, what this study’s analysis tells us about established intermediary organizations and political advocacy for very marginalized groups is that these organizations’ involvement in advocacy is highly contingent. They may very well become involved in advocacy, but their involvement
depends on the presence of social, economic, or other ties between a marginalized group and other people in society, as well as their particular organizational roles.

Is this a normatively satisfying picture? Of course not. Knowing that some established organizations may take up issues related to very marginalized groups under certain circumstances hardly eases our concerns about the overall situation of these groups in society. With regard to undocumented immigrants in particular, these concerns are certainly very serious; as I suggested at the outset of this study, these immigrants have become deeply embedded in the economic and social life of many developed democratic countries, yet they have essentially no unmediated access to these countries’ formal democratic institutions, or capacity to select and advise their own representatives to these institutions. As a result, we have seen the formation of a class of long-term residents in these societies who can neither directly make, nor respond to, claims within the formal public sphere. This situation imposes very significant harms on these individuals, and on the practice of democracy. As such, the fact that established intermediary organizations may on occasion advocate on behalf of these “shadow immigrants” is certainly worthy of study—but it is also surely not enough.
Appendix 1

The US “Shadow Case:” An Introduction

In the following three appendices, I examine this study’s “shadow case,” the United States. Appendix 2 discusses the apparent evolution of the undocumented population between the 1970s and 2007. Appendix 3 then briefly considers the overarching roles and advocacy behavior of established intermediary organizations during this time, while Appendix 4 presents several tables related to the analysis in Appendix 3. Ultimately, I aim to explore here what the case of the United States suggests about the propositions put forward in Chapter 3; I conclude that the US case, like the German and UK cases, offers significant support for these propositions.

The analysis that unfolds over the course of these appendices has a number of major limitations. Although Appendix 2 does offer a reasonably detailed examination of the undocumented population’s evolution between the 1970s and 2007, Appendix 3 only scratches the surface in its discussion of immigrant-serving and labor organizations’ roles during this period. It also provides very little “process-tracing” evidence to support its claims regarding the effects of this study’s main independent variables on political advocacy in the US; instead, the appendix simply provides evidence of suggestive covariation across these variables. These are very real shortcomings; I can only plead that I intend for the analysis in these appendices to function not as a full-fledged case study, but rather as an opportunity to inspect some evidence related to the United States, and to consider what this admittedly limited body of evidence suggests about this study’s guiding arguments. Numerous works of comparative-historical analysis include “shadow
cases” of this sort, and while they do not prove as satisfying as more developed case studies, they do allow a researcher facing limitations imposed by time and manuscript space to supplement full-fledged case studies with an examination of other cases of interest. Let us thus consider what the “shadow case” of the United States can tell us about this study’s guiding arguments.

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228 For examples within the literature addressing immigration, see Kastoryano (2002) and Watts (2002).
Appendix 2

The Apparent Evolution of the Undocumented Population in the United States, 1970-Present

In Chapters 5 and 6, I discussed the historical development of the undocumented populations of Germany and the United Kingdom, respectively. In this appendix, I turn to the development of the undocumented population in the US context. Like the two chapters that preceded it, this appendix aims to map the apparent size, national composition, and labor market position of the undocumented population in a single country between the 1970s and 2007. However, my task as an analyst here differs in at least three respects from my task in those earlier chapters.

First, the analyses presented in the fifth and sixth chapters “began at the beginning,” so to speak. Germany and the United Kingdom appear to have first developed notable undocumented populations in the 1970s, and thus Chapters 5 and 6 described the development of significant undocumented populations from essentially the outset of these populations’ existence. As I have already noted in Chapter 2, however, the United States developed a notable undocumented population well before the 1970s. In starting its analysis of the United States in 1970, then, this appendix is arriving in the midst of a play that has already very much begun.\(^{229}\) In an effort to provide at least some historical context for the data from the 1970s onwards, I begin my discussion here with a brief overview of the development of the undocumented population in the United States prior to the 1970s. Nonetheless, this appendix does not really attempt to trace the entire arc of an undocumented population’s emergence, and in this respect it differs from the chapters on Germany and the UK.

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\(^{229}\) Chapter 2 explains my rationale for beginning this study’s examination of the United States in the 1970s.
This appendix also differs from Chapters 5 and 6 for a second reason: it draws principally on sources from the first and fourth clusters of source materials discussed in Chapter 4, while those two chapters used sources from all four groups of materials. As Chapter 4 discusses in greater detail, the first cluster consists of studies examining selected groups of undocumented immigrants (typically by way of ethnographic or survey methods), and the fourth cluster is made up of quantitative estimates of the size and other characteristics of entire undocumented populations. The second and third clusters, on the other hand, both involve “raw” government statistics that provide indirect insights into some aspect of the undocumented population; for instance, source materials from these two clusters include government data related to deportations and attempts to cross state borders without authorization. In the United States, analysts have extensively mined these government data while developing the body of estimates that constitute the fourth cluster; as such, raw government statistics themselves do not seem to constitute an especially important source of information for intermediary organizations in the United States. My task as an analyst is thus somewhat simplified in this appendix. Here, I need not present raw government data pertaining to the undocumented population, and can instead simply survey what academic, civil society, and government analysts had concluded about this population (partially on the basis of analyses of such data) at various points in time. For this reason, this appendix engages with fewer types of data sources than Chapters 5 and 6.

Finally, this appendix differs from those two chapters because much more information and analysis has been generated regarding the undocumented population of the United States than the undocumented populations of either Germany or the UK. As a
result, I have had to be somewhat more selective in choosing materials to discuss in this appendix. In constructing the appendix, I have aimed to include the source materials that appear to have been most prominent and influential in the various periods that I discuss; in assessing the prominence and influence of various sources, I have focused primarily on the extent to which other source materials make reference to them, as well as the extent to which they receive coverage in discussions of what political actors knew about the undocumented population in a given era. I can make no guarantee that all important sources have been included, but I believe that I have captured most of the critical ones for the expanse of time between 1970 and 2007. We will soon turn to the first of the distinctive periods that I have identified within this expanse of time; before doing so, however, we must briefly consider the development of the undocumented immigrant population in the United States prior to the 1970s.

Undocumented Immigrants in the United States Prior to the 1970s: An Overview

Chapter 2 of this study has already discussed the process by which the US appears to have initially developed a significant undocumented population. As that chapter suggests, we can trace the emergence of a substantial undocumented population in the US to the 1920s, when increasingly restrictive immigration rules led to a rise in the number of European and Mexican immigrants entering, and residing in, the US without authorization. This initial undocumented population shrank a good deal during the Great Depression—a development that occurred not simply because of economic hard times, but also because of a heavily-publicized deportation program focused on undocumented Mexican laborers that the US undertook in 1929 (Tichenor 2002, 172-3). While the US
Immigration Bureau actually apprehended and deported only a relatively small number of unauthorized Mexican immigrants, Daniel Tichenor indicates that the agency’s “campaign had the intended effect of encouraging hundreds of thousands of Mexican aliens to return home” from a United States in the midst of economic depression (173). Undocumented immigrants appear to have figured prominently in this population of returnees.²³⁰

While the undocumented population seems to have become smaller during the Great Depression, the US’s entry into World War II set into motion forces that promoted this population’s rapid resurgence. One should not conflate the history of Mexican undocumented immigration to the United States with the history of all undocumented immigration to the United States; at the same time, however, much of the unauthorized population’s growth immediately after the Great Depression does appear to be attributable to increases in the number of undocumented Mexican workers, at least in part because various administrative mechanisms enabled many unauthorized Europeans to adjust their residence status and thus exit the undocumented population (see Ngai 2004, 75-90).²³¹ The rise in unauthorized Mexican immigrants has been linked by scholars to the introduction of the Bracero Program, a guestworker program instituted in 1942 that brought Mexicans to the United States to take up jobs. Most of these “braceros” labored in agricultural jobs, although a smaller number worked for railroad companies during the 1940s. The program has often been characterized in public discourse as a straightforward

²³⁰ One should also note here that local government agencies organized (at least putatively) voluntary repatriations of more than 400,000 people of Mexican descent to Mexico in the early 1930s (Ngai 2004, 72). The repatriations appear to have mainly involved US citizens and authorized immigrants receiving assistance from these agencies, though (72-5); as such, we can reasonably assume that these repatriation programs did not substantially influence the characteristics of the US’s undocumented population during the Great Depression.

²³¹ A relatively small number of Mexican unauthorized immigrants were also able to adjust their status as a result of such administrative mechanisms, as well (Ngai 2004, 87-90, 152-4).
response to labor shortages generated by the Second World War, although some contemporary political actors questioned the extent to which the agricultural sector really lacked for workers at the time, and with good reason; Mae Ngai writes that growers did have at least some access to unemployed American workers, but they viewed these workers’ expectations regarding wages and conditions as simply too high (2004, 137).

The Bracero Program had both immediate and longer-term implications for the US’s undocumented population. Between the program’s beginning in 1942 and its end in 1964, roughly 4.5 million contracts with individual Mexican workers were written under the program (Mize 2006, 86). Nonetheless, a large number of Mexican immigrants also came to the US without authorization during this same period of time. As several analysts have argued, the existence of a guestworker program for Mexican workers actually came to facilitate these parallel flows of undocumented immigrants (Massey 1986, 106-7; Ngai 2004, 148)—an ironic state of affairs, given that the program’s advocates had billed it in part as a means of preventing unauthorized immigration. Nonetheless, the program did not offer enough permits to meet the demand from prospective Mexican immigrants, and agricultural employers sometimes preferred to hire workers outside of the official program for reasons of cost and convenience (Ngai 2004, 148); under these circumstances, both agricultural employers and prospective farmworkers had a strong motive to establish economic relationships outside the formal guestworker system (although their economic interests were clearly in conflict in many other respects). At the same time, employers in other segments of the secondary labor market appear to have been interested in securing access to low-wage labor from Mexico.

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232 One cannot conclude from this number that roughly 4.5 million Mexican workers in total participated in the program, as some individuals may have had more than one work contract during their time in the United States.
too. As Douglas Massey has suggested, the braceros appear to have provided the “social infrastructure” that enabled prospective undocumented workers to come to the United States and to establish linkages with potential employers (1986, 103). The guestworker program enabled the braceros to enter the US labor market without preexisting links to communities or employers in the US; once the braceros established themselves in the United States, they then served as a source of information, advice, and practical assistance to friends, family members, and acquaintances considering making the trip north outside of the formal guestworker program (see Massey 1986, 106-7). As such, the Bracero Program appears to have facilitated a significant rise in undocumented immigration during the years in which it operated.

The program continued to have important implications for the undocumented population even after a coalition of concerned labor, religious, and social welfare organizations brought about its demise in 1964 (see Tichenor 2002, 209). The formal end of the program did not disrupt the strong social networks that it had helped to establish, and Mexican immigrants continued to use these networks to facilitate movement into the US after the program’s conclusion. In so doing, of course, they positioned themselves to become additional nodes in the network for immigrants who wished to come to the US after them (Massey 1986, 107). In this respect, we can characterize the process of Mexican immigration to the US in recent decades as classically path dependent in nature. The flow of unauthorized immigrants facilitated by these networks appears to have been intensified by job losses in Mexican agriculture in the 1960s (107), as well as by the relative paucity of opportunities for Mexicans to immigrate to the United States under the Hart-Cellar Act (Tichenor 2002, 224), a major overhaul of the country’s immigration
laws passed in 1965. The end result, the literature suggests, appears to have been a significant increase in undocumented immigration from Mexico in the late 1960s (see 225; Bean, Edmonston, and Passel 1990, 1-2).

Unlike Germany and the United Kingdom, then, the United States seems to have ended the 1960s with a significant undocumented population already in place. In the coming pages, I trace the further evolution of this population across three periods of time: 1970-1986, 1986-1990, and 1990-2007. As we will see, the national composition and the labor market position of the undocumented population have actually not changed a great deal since the end of the 1960s. The US has experienced notable fluctuations in the size of its undocumented population, however; it is these differences that serve as the basis of my division of the expanse of time between 1970 and 2007 into three distinct periods. Let us turn to the first of these periods now.

**Undocumented Immigrants in the United States, 1970-1986**

The first period in our analysis runs between 1970 and the passage of the Immigration Reform and Control Act (IRCA) in 1986. Estimates of the undocumented population’s size during this period vary fairly widely, a situation that seems to have been the result both of changing estimation techniques and of growth in the undocumented population. Nonetheless, estimates throughout the period would have sent the same broad message to political actors, in that they would have suggested that the United States had a fairly large undocumented population. Nearly all of these estimates would have sent a second, somewhat more specific message, too, which is that this population likely numbered three million people or more.
In the early years of this period, political actors had few rigorous estimates of the undocumented population’s size available to them, but government officials did put forward a number of relatively speculative estimates, as various discussions of the state of knowledge regarding the US undocumented population in the 1970s suggest (e.g., Edmonston, Passel, and Bean 1990; Keely 1977; Passel 1986, 185-188). In 1972, the then-Commissioner of the Immigration and Naturalization Service (INS), Raymond F. Farrell, suggested during a Congressional hearing that slightly over a million undocumented immigrants resided in the United States (Edmonston, Passel, and Bean 1990, 16). His successor, Leonard J. Chapman, provided a much higher number to Congress a few years later, indicating that the United States had a population of between 4-12 million undocumented immigrants in 1975 (16)—a shift that analysts have linked to a desire to secure more funding for the agency, rather than to any breakthroughs in the INS’s estimation methods (Edmonston, Passel, and Bean 1990, 16; Keely 1977, 477). Facing some skepticism about this estimate, the INS then hired a private consulting firm to prepare another estimate regarding the undocumented population later on in 1975; the firm’s widely-criticized study ultimately arrived at a figure similar to Chapman’s, as it indicated that between 4.2 to 11 million undocumented immigrants resided in the US during that time (Keely 1977, 477-8). As the 1970s went on, INS leaders introduced further estimates into the public debate; Chapman provided an estimate of 6-8 million in 1976,233 while the next INS Commissioner, Leonard Castillo, told Congress that the United States had 3-6 million undocumented residents in 1978 (Edmonston, Passel, and Bean 1990, 17).

233 The same year, a publication for INS employees put the number at 6 million (Edmonston, Passel, and Bean 1990, 17).
As this period continued, analysts began to supplement these speculative assessments with more rigorous assessments of the undocumented population’s size. Demographers at the Census Bureau developed a number of these assessments; Jeffrey Passel, who later went on to work for various public policy research institutes in Washington, was the Census Bureau analyst responsible for doing a good deal of the work on these early estimates in particular. Writing in 1978, Clarice Lancaster and Frederick Scheuren suggested that the United States had an undocumented population of 3.9 million in 1973 (530-535). In 1985, Passel then calculated that the US undocumented population fell between 2.5-3.5 million in the year 1980; by the time of IRCA’s passage in 1986, Census Bureau estimates indicated that this number had grown to 3-5 million (see Passel 1999, 32-33).

Overall, then, intermediary organizations clearly would have encountered a wide range of estimates of the undocumented population’s size between 1970 and the passage of IRCA. These estimates would have nonetheless sent certain common messages to political actors about the broad character of the undocumented population in the US during this period. In particular, the estimates would have suggested that the United States had an undocumented population that numbered in the millions; in addition, most

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234 One should note two points about the various estimates that have been prepared by Passel (alone and with coauthors), many of which will appear in the pages that follow. First, estimates developed using Passel’s methods only pertain to undocumented immigrants who have settled in the US indefinitely, as well as to a portion of those undocumented immigrants who have been in the United States for a considerable time, yet intend to return to their home countries eventually (see Passel 1986, 187, fn10). Second, Passel’s methods do not permit him to distinguish between asylum applicants and unauthorized immigrants in his data, and he thus includes some asylum seekers in what he describes as estimates of the size of the unauthorized population (see Passel 2007, 12). In both of these respects, his estimates do not fit perfectly with the precise understanding of an “undocumented immigrant” adopted in this study. However, his estimates have nonetheless constituted a prominent part of the political discourse on the undocumented population in the United States for some time, and thus seem quite likely to have influenced how intermediary organizations and other political actors have understood this population in general. As such, I include these estimates here.
of them also would have suggested that this population numbered three million people or more.

As for the national and ethnic composition of the undocumented population between 1970 and 1986, all the available evidence suggests that people from Latin America constituted by far the largest group within the undocumented population during this period. Mexicans appear to have held an actual majority within the population, with people from other Latin American countries comprising another sizeable segment within the population as well. As such, a very large portion of the undocumented population appears to have fit within a single American ethnic classification: the Latino ethnic group. At the same time, of course, other groups proved to be represented in the undocumented population as well, most notably people of Asian ethnicity.

I base these claims about the composition of the undocumented population on the findings of a number of studies. Two of the most important of these studies did not meet with their final publication until 1987, but their findings would have been in circulation prior to the passage of IRCA. In one of the studies, Karen Woodrow and Jeffrey Passel analyzed data from the Census Bureau’s Current Population Surveys, and found that people from Mexico comprised 71 and 68 percent of the likely undocumented immigrants included in the 1979 and 1983 surveys, respectively.\textsuperscript{235} Woodrow and Passel also found that 26 percent of the likely undocumented immigrants included in the 1979 survey and 20 percent of the likely undocumented immigrants included in the 1983 survey came from Latin American countries other than Mexico (1987, 1315-7). Similarly, Robert Warren and Passel found that Mexicans comprised 55 percent of the likely undocumented

\textsuperscript{235} One should note that these surveys, and the census itself, do not ask questions about an individual’s immigration status; rather, demographers use various techniques to identify survey respondents likely to be undocumented. I refer to these individuals here as “likely undocumented immigrants.”
immigrants counted in the 1980 census, with citizens of other Latin American countries comprising an additional 22 percent; with regard to the rest of the population, Warren and Passel found that Asians comprised 10 percent of the total population, Europeans 7 percent, Africans 3 percent, and people from elsewhere in the world 2 percent (1987, 380-1).\footnote{These numbers do not equal 100 percent because of rounding.} Such findings cannot tell us precisely what the undocumented population itself looked like, but (in the absence of better data) they would have helped to shape how intermediary organizations and other political actors viewed this population.

With regard to the labor market position of the undocumented population during this time period, unauthorized immigrants appear to have worked principally in “marginal and low-wage jobs” in the secondary labor market, as Passel has suggested (1986, 194). Due perhaps to the legacy of the Bracero Program, the American public of the time seems to have associated undocumented immigrants with agricultural work in particular. However, analysts stress that many undocumented immigrants apparently worked in other areas of the low-wage, low-status economy between 1970 and 1986 (see, e.g., Bean, Browning, and Frisbie 1984, 684-7; Passel 1986, 193; Portes 1979, 431-2), a point highlighted by the data presented in Table A2.1. Drawn from an article by Barry Chiswick (1984), these data have their origins in a 1975 survey by David North and Marion Houstoun of apprehended undocumented immigrants held in nineteen detention sites in the US. The 628 undocumented people they interviewed who had held jobs in the US proved to be spread out across a number of different occupational categories. 25.1 percent held positions as machine operators; based on the available literature, we can reasonably posit that most of these individuals worked in garment production and other forms of light manufacturing in particular (see, e.g., Armbruster, Geron, and Bonacich
Table A2.1: Distribution of Occupational Categories in North-Houstoun Dataset (1975)

<table>
<thead>
<tr>
<th>Occupational Category</th>
<th>Formerly-Employed Mexican Undocumented Immigrants</th>
<th>All Formerly-Employed Undocumented Immigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>White Collar</td>
<td>1.2%</td>
<td>5.4%</td>
</tr>
<tr>
<td>Craft</td>
<td>14.3%</td>
<td>15.3%</td>
</tr>
<tr>
<td>Operative</td>
<td>22.6%</td>
<td>25.1%</td>
</tr>
<tr>
<td>Non-Farm Laborer</td>
<td>17.9%</td>
<td>14.8%</td>
</tr>
<tr>
<td>Service</td>
<td>16.9%</td>
<td>20.6%</td>
</tr>
<tr>
<td>Farmworker</td>
<td>27%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Number of Interviewees</td>
<td>407</td>
<td>628</td>
</tr>
</tbody>
</table>

Source: Chiswick 1984, 718.

20.6 percent of the interviewees worked in service sector jobs, while farm laborers comprised the third-largest group within the set of interviewees, at 18.8 percent of the total. The numbers do look somewhat different when one focuses exclusively on the Mexican immigrants within the group of interviewees who had held jobs, but not dramatically so. As Table A2.1 suggests, farmworkers were the single-largest occupational group within this set of Mexican immigrants, but they still only comprised 27 percent of this group. Other prominent occupational categories within this Mexican population included machine operators (22.6 percent), laborers outside of the agricultural sector (17.9 percent), and workers in the service sector (16.9 percent).

As discussions earlier in this study would suggest, one must be cautious in approaching the statistics in Table A2.1 and other data of their ilk. While Table A2.1 paints a very interesting portrait of individuals surveyed by North and Houstoun, it cannot be relied upon for precise insights into the characteristics of the undocumented population as a whole. At the same time, though, intermediary organizations and other
political actors simply did not have access to data from a random sample of undocumented immigrants during this period (nor, of course, do they have access to such data today). Moreover, North and Houstoun’s data send a message broadly similar to the message sent by other relatively rigorous attempts to assess the distribution of occupations within the US undocumented population between 1970 and 1986 (see Bean, Browning, and Frisbie 1984, 684-7; Portes 1979, 431-2): the undocumented immigrants of this period do not appear to have been clustered principally in the agricultural sector, but rather to have been spread out across a number of jobs in the secondary labor market. As we will see, the economic position of undocumented immigrants appears to have changed very little in subsequent periods.

Undocumented Immigrants in the United States, 1986-1990

In autumn of 1986, Congress passed, and President Ronald Reagan signed into law, a sweeping piece of immigration reform legislation entitled the Immigration Reform and Control Act (IRCA). One of the main objectives of this law was to reduce the number of people living in the United States in an unauthorized status. The topic of the undocumented population had been fairly high on the legislative agenda in the US since the 1970s (Bean, Edmonston, and Passel 1990, 2), but intense disagreements among politicians and interest groups had stymied a number of previous proposals related to the undocumented (see Tichenor 2002, 252-262). Unsurprisingly, then, the reform legislation that ultimately emerged in the United States adopted a multi-pronged approach to the issue of undocumented immigration; some parts of IRCA can be traced
back to the legislative appeals of employers in the agricultural sector, while others can be linked to the preferences of organized labor, and so on.

The law introduced a number of specific measures intended to reduce the undocumented population, of which three seem particularly important for our purposes. First, IRCA introduced a rule requiring employers to check the eligibility of prospective employees for work in the United States, as well as sanctions for employers found to have knowingly hired undocumented immigrants. Second, it increased the amount of resources given to the INS for the purpose of enforcing immigration rules. Finally, it created two specific regularization programs for preexisting undocumented immigrants and workers: a general regularization program, and the so-called “Special Agricultural Worker” (SAW) program. The general program focused on all undocumented immigrants who had resided continuously in the US since January 1, 1982; it gave them an opportunity to qualify as legal residents and to have eventual access to naturalization rights. The second program offered similar opportunities to seasonal workers who had labored in the American agricultural sector for at least ninety days during the period of time between May 1, 1985 and May 1, 1986. Applications for the former program

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237 This special program for farmworkers appears to have come into existence in part because agricultural employers considered themselves to be uniquely reliant upon immigrant labor, and persuaded at least some political actors concerned about undocumented immigration and/or the condition of agricultural workers in the US to accept this point of view. According to Philip Martin (1994), these actors supported the special regularization program because they thought that it would give farmers access to the workforce they desired, while also ensuring that the members of this workforce had authorization to be in the country; in so doing, it would promote better wages and conditions within the agricultural sector, as regularized farmworkers would have more opportunities to seek out other jobs and thus agricultural employers would have to make farmworker jobs more attractive in order to retain workers. Of course, the major threat to this approach was that farmers would simply hire new undocumented workers, rather than improving the situation of their preexisting workforce. In principle, at least, IRCA’s enforcement provisions might have served to address this issue by making it more difficult for farmers to hire new undocumented workers. In practice, however, the provisions do not appear to have had this effect (as I discuss below); undocumented immigrants continued to be able to come to the US to work in agriculture, and growers continued to use their labor. Martin emphasizes that IRCA does seem to have brought about one significant change in the agricultural sector, though: more farmers took up the practice of hiring laborers through subcontractors.
could be submitted between May 5, 1987 and May 4, 1988, while applications for the latter program could be filed between June 1, 1987 and November 30, 1988.

After IRCA’s passage and implementation, political actors entered a period of some uncertainty about the law’s implications for the size of the undocumented population as a whole. Once launched, the regularization programs clearly changed the status of a considerable number of people; the US ultimately approved 1.6 million of the 1.8 million applications to the general regularization program, and 1.1 million of the 1.3 million applications to the program for agricultural workers (see Baker 2009, 1; Orrenius and Zavodny 2003, 439). Thus, political actors would have likely perceived the regularization programs as measures that substantially reduced the undocumented population during 1987 and 1988. The effects of the law’s other provisions on the size of the undocumented population would have remained unclear for a time, however; political actors (and everyone else) simply would not have known whether the employer sanctions and increased INS spending introduced by IRCA had discouraged new undocumented immigrants from entering the US, or encouraged preexisting undocumented residents who did not qualify for regularization to depart. If these other provisions had worked as their supporters intended, then the US undocumented population could have potentially become much smaller. At the same time, of course,

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238 In considering the effect of these programs on the undocumented population, one must keep in mind that some analysts have argued that the US immigration bureaucracy wound up granting legal residence to numerous applicants who actually did not qualify for it through these programs (see Orrenius and Zavodny 2003, 439; Woodrow and Passel 1990, 60). Inasmuch as these programs regularized the status of individuals who only entered the US to apply for legal status under IRCA in the first place (see Orrenius and Zavodny 2003, 439), then they cannot be said to have actually reduced the size of the undocumented population in the United States. However, I have found no mention of large numbers of individuals entering the US solely for the purpose of obtaining a legal residence status after IRCA’s passage; while some immigrants may have received authorized residence through IRCA without actually meeting the criteria set forward by the law, these individuals largely seem to have been people who already lived in an undocumented status in the US.
political actors also did not know how, if at all, IRCA had altered the national composition and labor market position of the undocumented population. For a few years after IRCA’s passage, then, political actors would have known that the law had transferred many individuals from an unauthorized to an authorized residence status, but they would not have had a clear sense of the characteristics of the remaining undocumented population.

As I will note again in Appendix 3, this period of uncertainty constitutes an unusual moment in the history of political advocacy for the undocumented population in the United States. During this time, intermediary organizations had little evidence regarding the undocumented population’s characteristics with which to work; indeed, they did not even know with certainty that the US had a significant post-regularization population of undocumented immigrants. We would not expect to find organizations pressing for new legislative initiatives related to the undocumented under such circumstances, and indeed they did not; instead, organizations interested in issues related to undocumented immigrants focused on questions related to IRCA’s implementation (see, e.g., Wheeler and Levy 1988). Overall, the years immediately following the passage of IRCA constitute an atypical period for this analysis, and one to which this study’s hypotheses do not readily speak. As such, I do not aim to explain advocacy outcomes during this brief period of time.

By 1990, more information regarding the post-IRCA undocumented population had begun to circulate, and thus organizations’ uncertainty regarding this population would have been reduced. New studies suggested that IRCA may have had some of its intended effects in the short-term, but also that the United States continued to have an
undocumented population that numbered in the millions. For instance, contributors to one prominent 1990 volume concluded that the number of unauthorized crossings between Mexico and the US did go down in the immediate wake of IRCA (see, e.g., Bustamante 1990; Bean, Espenshade, White, and Dymowski 1990; Espenshade 1990); in the same volume, though, Warren and Passel put forward on the basis of Current Population Survey data that 1.9 million unauthorized immigrants continued to live in the United States in 1988, and found no evidence that IRCA had prompted considerable outward flows of undocumented immigrants (1990). A year after the publication of Warren and Passel’s estimate, a preliminary estimate prepared by a Census Bureau official suggested that the US had approximately 3.3 million unauthorized residents in the year 1990 (Woodrow 1991). By approximately 1990, then, intermediary organizations and other political actors would have been aware that the US still had a large undocumented population; if they had thought that IRCA might greatly diminish the number of undocumented immigrants in the United States, they would have likely been disabused of that notion by then. For this reason, I treat 1990 as the end point of the period of uncertainty that followed in the immediate wake of IRCA’s passage and implementation.

**Undocumented Immigrants in the United States, 1990-2007**

As I have just indicated, estimates published at the outset of the 1990s suggest that the undocumented population stood at 1.9 million in 1988 (Warren and Passel 1990), and at 3.3 million in 1990 (Woodrow 1991). This latter figure seems particularly striking when we consider the undocumented population’s development over time, as estimates
from the mid-1980s frequently suggest that the US had an undocumented population of around three million, if not more, in the years leading up to IRCA’s passage, as I indicated previously. Thus, the US undocumented population would have appeared to return to its approximate pre-IRCA size quite quickly. The INS prepared an additional estimate in 1994 that would have reinforced this impression; according to this estimate, the US had an undocumented population of roughly 3.4 million in October 1992 (see Office of Policy and Planning, US Immigration and Naturalization Service 2003, 1).

Demographers for the agency subsequently expressed doubts about the approach used to calculate this estimate (2), but in any event the estimate would have nonetheless been influential at the time. During the first half of the 1990s, then, the message to intermediary organizations and other political actors would have been clear: the size of the post-IRCA unauthorized population had come to approximate the size of the pre-IRCA unauthorized population.

Shortly thereafter, the informational environment surrounding these organizations would have also begun to signal that the undocumented population had not simply returned to its former size, but in fact was steadily growing well beyond the 3 million mark. In 1997, the INS produced an estimate suggesting that 5 million undocumented immigrants lived in the US as of October 1996 (Office of Policy and Planning, Immigration and Naturalization Service 1997, 9); five years later, the Pew Hispanic Center released a report suggesting that the undocumented population fell between 5.9 million and 9.9 million persons in 2001, and gave a mid-range population estimate of 7.8 million (Bean, Van Hook, and Woodrow-Lafield 2002, 2). The population apparently continued to grow in the mid-2000s, too: in reports released shortly after the years for
which they provide estimates, Passel indicated that the undocumented population totaled roughly 10.3 million in March 2004 (2005a, 1-2), 11.1 million in March 2005 (2006, 1), and 11.5 million in March 2006 (2007, 8). In essence, then, the available estimates suggest that the undocumented population stood at approximately 1.9 million in 1988, and then actually sextupled in size between 1988 and 2006. In Figure A2.1, I highlight this sharp increase in the estimated size of the undocumented population over time.

239 Although the present study does not address the years 2008 and beyond, one might also note that Passel and Cohn reported in 2008 that the undocumented population peaked at 12.4 million in 2007, and then declined to 11.9 million in 2008 (1)—a decline that might logically be attributed to the “Great Recession” of 2008 and beyond.
Table A2.2: Estimates of the Undocumented Population’s National Composition for Selected Years Between 1996 and 2006240

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mexico</td>
<td>54%</td>
<td>57%</td>
<td>56%</td>
<td>57%</td>
</tr>
<tr>
<td>Other Latin America</td>
<td>22%</td>
<td>24%</td>
<td>22%</td>
<td>26%</td>
</tr>
<tr>
<td>Asia</td>
<td>7%</td>
<td>9%</td>
<td>13%</td>
<td>10%</td>
</tr>
<tr>
<td>Canada and Europe</td>
<td>7%</td>
<td>6%</td>
<td>6%</td>
<td>2%</td>
</tr>
<tr>
<td>Africa and Other</td>
<td>3%</td>
<td>4%</td>
<td>3%</td>
<td>5%</td>
</tr>
</tbody>
</table>


Although the number of undocumented immigrants in the US appears to have grown a great deal between 1990 and 2007, the distribution of national and ethnic backgrounds within the undocumented population seems to have stayed strikingly stable across this period. Table A2.2 reports several estimates of the population’s national composition from this period; one of these estimates addresses the population in the year 1996, while the remaining three estimates pertain to years close to the end of the period. As Table A2.2 highlights, these estimates suggest that Mexicans comprised between approximately 54 and 57 percent of the undocumented population during the time period under consideration; Latinos from countries other than Mexico appear to have constituted between roughly 22 and 26 percent of the population. At approximately 7 to 13 percent of the population, Asians appear to have been the other notable ethnic group; based on an

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240 Due to rounding at various stages of the process of preparing these estimates, the percentages for a given estimate may not total 100.

241 This table uses the same categories for “place of origin” adopted in the sources from Passel that it cites (Passel 2005a, 2006, and 2007). One might argue that some of these categories prove to be too broad to be fully useful (e.g., the “Canada and Europe” category); however, the way in which the sources present these estimates does not permit the use of more specific categories here.
analysis published by the US government in 2007, we can also add that people from the
Philippines, India, Korea, China, and Vietnam comprised the largest national groups
within the Asian undocumented population in 2000 and again in 2006 (Hoefer, Rytina,
and Campbell 2007, 4). When viewed alongside data presented earlier in this chapter,
these numbers from Table A2.2 point to a further striking conclusion: the national
composition of the undocumented population appears to have been relatively constant not
just between 1990 and 2007, but also across the 1970-1986 and 1990-2007 periods.242
Quite consistently, estimates from these two periods indicate that Mexicans made up a
majority of the undocumented population in the US, that people from elsewhere in Latin
America comprised the next largest group, and that Asians served as the third largest
group.

The labor market position of the undocumented population in the United States
during the 1990-2007 period also appears to have been quite similar to the labor market
position of this population during the 1986-1990 period, as undocumented immigrants
appear to have worked in a wide variety of positions in the secondary labor market
between 1990 and 2007. Toward the end of this period, intermediary organizations and
other political actors would have had a more specific sense of how exactly
undocumented immigrants fit into this secondary labor market, as Jeffrey Passel released
a detailed analysis of the roles played in 2004 by undocumented immigrant workers in
the American economy as a whole, as well as in specific sectors and occupational groups
within it (2005b). Passel estimated that undocumented immigrants comprised 4.3 percent
of the total American workforce, and made up considerably more than 4.3 percent of the

242 I avoid drawing conclusions about the 1986-1990 period here because we do not have evidence that can
offer specific insights regarding the undocumented population’s national composition (and other
characteristics) during that time.
Table A2.3: Industries in Which 10 Percent or More of Total Workforce Estimated to Be Undocumented in 2004

<table>
<thead>
<tr>
<th>Industry</th>
<th>Percentage of Total Workforce Estimated to Be Undocumented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work in Private Households</td>
<td>14%</td>
</tr>
<tr>
<td>Food Processing Industry</td>
<td>13%</td>
</tr>
<tr>
<td>Hotel Industry</td>
<td>13%</td>
</tr>
<tr>
<td>Administrative and Support Services Industry</td>
<td>11%</td>
</tr>
<tr>
<td>Farming Industry</td>
<td>11%</td>
</tr>
<tr>
<td>Construction Industry</td>
<td>10%</td>
</tr>
<tr>
<td>Food and Beverage Services Industry</td>
<td>10%</td>
</tr>
<tr>
<td>Textile Industry</td>
<td>10%</td>
</tr>
</tbody>
</table>

Source: Passel 2005b, 29.

Table A2.4: Occupational Categories in Which 5 Percent or More of Total Workers Estimated to Be Undocumented in 2004

<table>
<thead>
<tr>
<th>Occupational Category</th>
<th>Percentage of Workers in Category Estimated to Be Undocumented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupations Related to Farming, Fishing, and Forestry</td>
<td>19%</td>
</tr>
<tr>
<td>Occupations Related to Building Maintenance and Cleaning</td>
<td>12%</td>
</tr>
<tr>
<td>Occupations Related to Construction and Extraction</td>
<td>12%</td>
</tr>
<tr>
<td>Occupations Related to Food Preparation and Serving</td>
<td>11%</td>
</tr>
<tr>
<td>Occupations Related to Manufacturing</td>
<td>8%</td>
</tr>
<tr>
<td>Occupations Related to Transport or Moving Materials</td>
<td>5%</td>
</tr>
</tbody>
</table>

Source: Passel 2005b, 27.

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243 The available literature suggests that undocumented immigrants working in manufacturing continued to be principally concentrated in light manufacturing during the 1990-2007 period (see, e.g., Chávez 1992, 278; Griffith 2006, 53).
workforce in certain industries (2005, 29); Table A2.3 highlights a number of major industries in which 10 percent or more of the total workforce apparently did not have residence papers in 2004. As the table suggests, these areas of economic activity include work in private households, food processing plants, and hotels, among others. Passel also suggested that 5 percent or more of workers in a number of broad occupational groups lacked papers; Table A2.4 specifies these occupational categories. One should also note that certain specific jobs within these broad categories appear to have had particularly high concentrations of undocumented workers; for instance, although undocumented immigrants made up approximately 12 percent of the population of workers in construction and extractive industries as a whole in 2004, Passel found that 21 percent of roofers, 22 percent of cement masons and finishers, and 27 percent of drywall and ceiling tile installers apparently did not have valid papers (Passel 2005b, 27). Overall, these estimates from Passel would not have dramatically changed how intermediary organizations in the United States viewed the undocumented population of this period; indeed, they suggest that these immigrants held the same types of jobs between 1990 and 2007 as they did in the years prior to IRCA’s passage. Nonetheless, these figures would have given organizations a more detailed view of the undocumented population’s labor market position than was previously available.

To sum up, then, the undocumented population’s national and ethnic composition and labor market position would have appeared to be relatively constant across the 1970-

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244 Dale Belman and Allen Smith do not dispute Passel’s claims regarding the “clustering” of undocumented workers into particular types of construction jobs. At the same time, however, they also emphasize that undocumented immigrants can be found throughout the contemporary construction industry, writing that “substantial numbers [of these immigrants] are present even in the most skilled parts of the trades” (2008, 16). One implication of this situation is that all of the construction unions in the United States have been affected by undocumented immigration to some extent—a point relevant to the analysis provided in Appendix 3.
1986 and 1990-2007 periods. (We might thus speak of highly-institutionalized flows of unauthorized immigrants from Mexico and elsewhere, as well as the highly-institutionalized roles played by these immigrants in the American economy.) The undocumented population would have also consistently appeared to number in the millions between 1970-1986 and 1990-2007, although its precise size seems to have varied somewhat across time. As for the 1986-1990 period, political actors would have had little evidence regarding the undocumented population’s characteristics in the immediate wake of IRCA’s passage and implementation. In Table A2.5, I briefly summarize what we know about the apparent characteristics of the US undocumented population during each of the three periods that I have considered here.

<table>
<thead>
<tr>
<th>Period</th>
<th>Size</th>
<th>National and Ethnic Composition</th>
<th>Labor Market Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-1986</td>
<td>The undocumented population appears to have been fairly large. Estimates from the period vary widely, but they all indicate that the population numbered in the millions. Most estimates suggest that the population encompassed 3 million people or more.</td>
<td>The majority of the undocumented population appears to have been Mexican, with people from elsewhere in Latin America also constituting a sizeable segment of the population. Thus, people understood to be ethnically Latino in American society appear to have comprised a clear majority of the undocumented residents of the US during this period. People understood to be ethnically Asian also constituted another significant group within the undocumented population.</td>
<td>Undocumented immigrants appear to have worked in a wide range of jobs in the secondary labor market during this time.</td>
</tr>
<tr>
<td>1986-1990</td>
<td>In the immediate wake of IRCA’s passage and implementation, intermediary organizations would have been fairly uncertain regarding the characteristics of the undocumented population.</td>
<td>In the immediate wake of IRCA’s passage and implementation, intermediary organizations would have been fairly uncertain regarding the characteristics of the undocumented population.</td>
<td>In the immediate wake of IRCA’s passage and implementation, intermediary organizations would have been fairly uncertain regarding the characteristics of the undocumented population.</td>
</tr>
</tbody>
</table>
Table A2.5, Continued.

<table>
<thead>
<tr>
<th>Period</th>
<th>Size</th>
<th>National and Ethnic Composition</th>
<th>Labor Market Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990-2007</td>
<td>Estimates suggest that the undocumented</td>
<td>See description provided for</td>
<td>See description</td>
</tr>
<tr>
<td></td>
<td>population numbered over 3 million throughout</td>
<td>the 1970-1986 period.</td>
<td>provided for the</td>
</tr>
<tr>
<td></td>
<td>the period; thus, the population appears to</td>
<td></td>
<td>1970-1986 period.</td>
</tr>
<tr>
<td></td>
<td>have consistently remained at or above its</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>pre-IRCA levels.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Estimates also indicate that the population</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>grew rapidly throughout this period; in 2007,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>one estimate suggested that the population</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>had grown to 11.5 million in 2006.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Appendix 3

Organizational Roles and Political Advocacy for Undocumented Immigrants in the United States, 1970-Present

In this appendix, I aim to bring together the evidence presented in Appendix 2 with data related to the overarching political roles and advocacy behavior of US intermediary organizations. In so doing, my ultimate aim is to examine what the US experience suggests about this study’s guiding arguments. I find that much of the evidence regarding advocacy in the United States during the 1970-1986 and 1990-2007 periods fits well with these arguments. (I do not consider evidence from the immediate post-IRCA period for the reasons explained in the previous appendix.)

Immigrant-Serving Organizations, Unions, and Political Advocacy, 1970-1986

The United States had a considerable number of established immigrant-serving organizations in place in 1970, and numerous additional organizations of this type emerged in the US over the course of the 1970-1986 period. Many of these immigrant-serving organizations focused on ethnic groups with considerable representation in the undocumented population, and a few additional organizations espoused an encompassing mission. As such, we would expect to find numerous immigrant-serving organizations engaged in advocacy for the undocumented between 1970 and 1986. Based on the data presented in Tables A3.1, A3.2, and A4.1, we can see that this expectation fits reasonably, although not perfectly, well with organizations’ actual advocacy behavior. Table A4.1, which can be found in the appendix following this one, lists the various immigrant-serving organizations present in the United States in 1986, identifies the key
characteristics of each of these organizations’ constituencies, and indicates which of these organizations engaged in advocacy during the 1970-1986 period. In Tables A3.1 and A3.2, I summarize the key evidence presented in Table A4.1. Table A3.1 focuses on the advocacy behavior of “likely advocates” (i.e., organizations that we would expect to have been advocates), while Table A3.2 addresses the behavior of “unlikely advocates” (i.e., organizations that we would not expect to find engaged in advocacy). As these tables make clear, a majority, though certainly not all, of the likely advocates did in fact serve as advocates, while none of the unlikely advocates played such a role. It is beyond the scope of this “shadow case” to analyze why individual organizations did not behave as we would expect, but I would note briefly that several of the likely advocates that did not actually engage in advocacy during this time had a similar focus: they worked in particular on issues related to the health and well-being of a given ethnic minority group’s members, while also serving as the providers of (often government-funded) services to members of that group. When we turn to the 1990-2007 period, we will find a very similar situation: all of the likely advocates that did not engage in advocacy between 1990 and 2007 also fit this description. Ethnic organizations of this type certainly constitute plausible potential advocates for undocumented immigrants; they would seem...
### Table A3.1: The Advocacy Behavior of Likely Advocates Within the Set of US Immigrant-Serving Organizations, 1970-1986

| Did Engage in Advocacy | 1) Asian American Legal Defense and Education Fund  
| | 2) League of United Latin American Citizens  
| | 3) Mexican-American Legal Defense and Education Fund  
| | 4) National Council of La Raza  
| | 5) National Immigration Forum  
| | 6) National Immigration Law Center  
| | 7) Organization of Chinese Americans  
| Did Not Engage in Advocacy | 1) Asian Pacific Islander American Health Forum  
| | 2) National Asian Pacific American Council on Aging  
| | 3) National Association of Latino Elected and Appointed Officials  
| | 4) National Alliance for Hispanic Health  
| | 5) National Hispanic Council on Aging  
| | 6) Southeast Asia Resource Center  

Source: Derived from Table A4.1.

### Table A3.2: The Advocacy Behavior of Unlikely Advocates Within the Set of US Immigrant-Serving Organizations, 1970-1986

| Did Engage in Advocacy | n/a.  
| Did Not Engage in Advocacy | 1) American-Arab Anti-Discrimination Committee  
| | 2) Arab American Institute  
| | 3) Haitian Refugee Center  
| | 4) International Refugee Committee  
| | 5) Japanese American Citizens League  
| | 6) Polish American Congress  
| | 7) Refugees International  
| | 8) US Committee for Refugees  

Source: Derived from Table A4.1.
especially likely to participate in policy debates related to the provision of social services to the undocumented. Nonetheless, it may be that some characteristic of this type of organization serves to discourage advocacy. In any event, most of the immigrant-serving organizations that I identify as “likely advocates” did in fact serve as advocates during the 1970-1986 period.

When we turn to the trade unions of this period, we see that relatively few unions constituted likely advocates for the undocumented during this time. Only five unions engaged in serious efforts to organize in areas of the secondary labor market in which undocumented immigrants worked: the Amalgamated Clothing and Textile Workers Union (ACTWU), the International Ladies’ Garment Workers Union (ILGWU), the Hotel Employees and Restaurant Employees International Union (HERE), the Service Employees International Union (SEIU), and the United Food and Commercial Workers International Union (UFCW). In part, this situation can be explained by the fact that relatively few unions in the US engaged in intensive organizing campaigns during the 1970s and 1980s; moreover, the organizing campaigns that did occur often did not focus on the sorts of low-wage jobs in which many undocumented immigrants worked (see Bronfenbrenner et al. 1998, 5-6; Clawson and Clawson 1999, 98-100). Of the five unions that did engage in efforts to organize in relevant sectors of the economy, three undertook political advocacy for the undocumented during the 1970-1986 period, as I indicate in Table A3.3: ACTWU, ILGWU, and HERE. (SEIU and UFCW became active in advocacy later on, as we will see below.) I address the advocacy behavior of the

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246 One could potentially attribute these organizations’ lack of involvement with advocacy to their status as providers of government-funded services, but numerous advocates for the undocumented during this period also functioned as providers of such services.
**Table A3.3: The Advocacy Behavior of Likely Advocates Within the Set of US Unions, 1970-1986**

| Did Engage in Advocacy | 1) Amalgamated Clothing and Textile Workers Union (ACTWU)  
|                        | 2) International Ladies’ Garment Workers Union (ILGWU)  
|                        | 3) Hotel Employees and Restaurant Employees International Union (HERE) |
| Did Not Engage in Advocacy | 1) Service Employees International Union (SEIU)  
|                            | 2) United Food and Commercial Workers International Union (UFCW) |

Source: Derived from Table A4.2.

**Table A3.4: The Advocacy Behavior of Unlikely Advocates Within the Set of US Unions, 1970-1986**

| Did Engage in Advocacy | n/a. |
| Did Not Engage in Advocacy | The remaining 23 unions listed in Table A4.2. |

Source: Derived from Table A4.2.

period’s remaining unions in the next table, Table A3.4; as this table suggests, these “unlikely advocates” behaved in keeping with our expectations between 1970 and 1986.

Both of these summary tables are based on evidence presented in Table A4.2 (see Appendix 4), which offers a more complete set of data related to unions during the 1970-1986 period.

**Immigrant-Serving Organizations, Unions, and Political Advocacy, 1990-2007**

As Appendix 2 suggests, the years immediately following IRCA’s passage were not conducive to the types of advocacy for the undocumented that I study here, as intermediary organizations and other political actors faced a good deal of uncertainty regarding the nature of the undocumented population during those years. By approximately 1990, however, political actors would have had more of an understanding
of IRCA’s effects on the undocumented population; in particular, they would have known that a large undocumented population continued to exist in the United States. A considerable number of intermediary organizations acted as advocates for this population over the course of the 1990-2007 period, as we will see.

With regard to the immigrant-serving organizations of this period, I present my full set of data regarding these political actors in Table A4.3 of Appendix 4. The evidence provided in that table is also summarized in Tables A3.5 and A3.6. As Tables A3.5 and A4.3 suggest, a number of new immigrant-serving organizations came into existence during the 1990-2007 period, and several of these new organizations constituted likely advocates for undocumented immigrants. Nearly all of these new likely advocates did in fact become actively involved in advocacy. They were joined in their advocacy work by a number of older organizations, most of which had also served as advocates during the 1970-1986 period. As I suggested previously, all of the likely advocates that did not take on an advocacy role during this time had certain characteristics in common: they all oriented themselves toward issues related to the health and well-being of a particular ethnic minority group’s members, while also providing (often government-financed) services to the members of that group.

Meanwhile, the set of unlikely advocates also expanded between 1990 and 2007, and none of the period’s newer or older unlikely advocates actually undertook advocacy work for the undocumented, as Tables A3.6 and A4.3 make clear. Overall, then, much of the evidence related to immigrant-serving organizations between 1990 and 2007 fits well with this study’s guiding argument.
Table A3.5: The Advocacy Behavior of Likely Advocates Within the Set of US Immigrant-Serving Organizations, 1990-2007

| Did Engage in Advocacy | 1) Asian American Justice Center  
| | 2) Asian American Legal Defense and Education Fund  
| | 3) Irish Lobby for Immigration Reform  
| | 4) League of United Latin American Citizens  
| | 5) Mexican-American Legal Defense and Education Fund  
| | 6) National Alliance of Latin American and Caribbean Communities  
| | 7) National Association of Latino Elected and Appointed Officials  
| | 8) National Council of La Raza  
| | 9) National Immigration Forum  
| | 10) National Immigration Law Center  
| | 11) National Korean American Service and Education Consortium  
| | 12) Organization of Chinese Americans  
| | 13) South Asian American Leaders of Tomorrow  
| Did Not Engage in Advocacy | 1) Asian Pacific Islander American Health Forum  
| | 2) National Asian Pacific American Council on Aging  
| | 3) National Coalition for Asian Pacific American Community Development  
| | 4) National Coalition of Hispanic Health and Human Services Providers  
| | 5) National Hispanic Council on Aging  

Source: Derived from Table A4.3.

Table A3.6: The Advocacy Behavior of Likely Advocates Within the Set of US Immigrant-Serving Organizations, 1990-2007

| Did Engage in Advocacy | 1) Arab American Institute  
| Did Not Engage in Advocacy | 1) American-Arab Anti-Discrimination Committee  
| | 2) American Families United  
| | 3) Immigrant Investors Association  
| | 4) Immigration Equality  
| | 5) Immigration Voice  
| | 6) International Rescue Committee  
| | 7) Japanese American Citizens League  
| | 8) Legal Immigrant Association  
| | 9) Polish American Congress  
| | 10) Refugees International  
| | 11) Tahirih Justice Center  
| | 12) US Committee for Refugees  

Source: Derived from Table A4.3.
The advocacy behavior of labor organizations during the 1990-2007 period also proves to be mostly supportive of this argument. During this period, the overarching political roles of many unions changed considerably, as US labor organizations began to embrace organizing to a greater extent than they had in the immediate past. The roots of this turn toward organizing can be found in the Reagan years, a period during which unions as a whole experienced particularly steep membership losses (Hurd 2004, 7), even as the Service Employees International Union (SEIU) and certain other unions with an emphasis on organizing managed to increase in size (Turner and Hurd 2001, 17-19).

Interest in the organizing approach unsurprisingly grew in this context, and in 1989 the AFL-CIO invested significant resources into this approach by founding the Organizing Institute, an institution that sought to train union supporters in organizing techniques (19). (The Organizing Institute in turn helped to inspire the Trades Union Congress Organizing Academy discussed in Chapter 9.) The existence of this organization, and the various organizers it trained, helped to promote the organizing approach as a strategy for revitalizing the labor movement—a development that in turn appears to have helped set the stage for the victory of the “New Voice” slate in the AFL-CIO’s 1995 leadership elections. Led by the SEIU’s John Sweeney, this set of candidates argued that the trade union movement in the US should focus first and foremost on improving its capacity to organize (Hurd 2004, 8), and, once elected, they transferred a considerable amount of the federation’s resources into initiatives promoting organizing among member unions (Turner and Hurd 2001, 20). The high priority placed on organizing by many trade unionists between 1990 and 2007 was again highlighted in 2005, when a group of unions left the AFL-CIO on the stated grounds that it had failed to promote organizing
adequately; they established a second major organization of US trade unions, the Change
to Win Coalition, that they suggested would place a greater priority on organizing than
the AFL-CIO did.\textsuperscript{247} Shortly after its founding, the new institution’s then-chair, Anna
Burger, used rather striking language to describe Change to Win’s fealty to organizing,
suggesting that “organizing is our core principle” and “our North Star” (Greenhouse
2005). Overall, then, we can safely characterize the 1990-2007 period as one in which
many actors in the trade union movement considered organizing to be a very high priority
indeed.

For the purposes of this analysis, what matters most about this turn to organizing
is that it appears to have encouraged more efforts to organize workers in secondary labor
market jobs. Some unions interested in these workers organized within areas of the
economy in which undocumented immigrants labored; in Table A3.7, I identify the
unions that undertook organizing work in one or more of these areas, and indicate which
of these likely organizational advocates actually undertook advocacy for the
undocumented between 1990 and 2007. Table A3.8, meanwhile, presents data on the
advocacy behavior of unlikely advocates. (Both of these tables are in turn derived from
the more detailed Table A4.4 of Appendix 4.) As these three tables suggest, five of the
ten likely advocates did in fact engage in advocacy between 1990 and 2007, while only
one of the nineteen unlikely advocates did—an outcome that generally supports this
study’s overarching argument.

\textsuperscript{247} Janice Fine and Daniel Tichenor suggest that the 2005 split was in reality “largely over political control
of the federation,” but do make clear as well that “it also had to do with impatience over the pace of
organizing and the AFL-CIO’s unwillingness or inability to hold affiliates accountable for making it their
top priority” (2009, 107).
Table A3.7: The Advocacy Behavior of Likely Advocates Within the Set of US Unions, 1990-2007

| Did Engage in Advocacy | 1) International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America  
2) Laborers’ International Union of North America (LIUNA)  
3) Service Employees International Union (SEIU)  
4) UNITE HERE  
5) United Food and Commercial Workers International Union (UFCW) |
| Did Not Engage in Advocacy | 1) Communication Workers of America  
2) International Association of Bridge, Structural, and Ornamental Iron Workers  
3) International Brotherhood of Painters and Allied Trades of the United States and Canada  
4) United Brotherhood of Carpenters and Joiners of America  
5) United Steelworkers of America |

Source: Derived from Table A4.4.

Table A3.8: The Advocacy Behavior of Unlikely Advocates Within the Set of US Unions, 1990-2007

| Did Engage in Advocacy | 1) American Federation of State, County, and Municipal Employees (AFSCME) |
| Did Not Engage in Advocacy | The remaining 19 unions listed in Table A4.4. |

Source: Derived from Table A4.4.

My finding that most unions remained unengaged in advocacy during this time may seem somewhat surprising, given the high profile of the AFL-CIO’s 1999 Executive Council resolution calling for a broad regularization program and for an end to sanctions on the employers of undocumented immigrants (see Fine and Tichenor 1999, 106). This resolution certainly did mark an important shift for the AFL-CIO, as it involved repudiating a policy instrument—employer sanctions—that the organization had previously embraced.248 The federation’s call for a regularization program should also be regarded as an important development, albeit one more in keeping with the organization’s

248 For a full discussion of why the AFL-CIO’s views regarding sanctions changed so dramatically, see Haus 2002, 97-100.
previous policy stances (see Fine and Tichenor 2009, 106; Haus 2002, 95-96).

Nonetheless, not all of the AFL-CIO’s affiliates appear to have fully supported the federation’s approach to the employer sanctions and regularization issues. Moreover, one must keep in mind that this study ultimately focuses on the advocacy behavior of organizations, rather than their expressed policy preferences. The AFL-CIO’s 1999 resolution does seem to have encouraged more unions to express their support for regularization policies, but the key question for our purposes is whether unions expressing support for such policies actually invested resources in advocacy. The evidence that I have gathered suggests that a number of them did not. As such, we can say that the AFL-CIO’s 1999 resolution did not have a major impact on union advocacy, despite its impact on unions’ expressed policy preferences and on political dynamics more generally.

A second aspect of the analysis presented here may seem surprising, in that this discussion has not engaged with the well-publicized, though temporary, split within the labor movement’s ranks over immigration reform legislation in 2007. As has been discussed elsewhere (see, e.g., Fine and Tichenor 2009, 108-111), this split occurred over the Border Security and Immigration Act, an (ultimately failed) piece of legislation that included provisions for both a broad regularization program and a “guestworker” program. The key point of contention was the guestworker program; the AFL-CIO and various other unions found the idea of a guestworker program unacceptable, as they thought that such a program would encourage worker exploitation, depress labor standards, and lead to the isolation of workers from unions and other civil society
groups. The SEIU, UNITE HERE, and the (very small, but symbolically important) United Farm Workers union also did not favor the development of a guestworker program, but they proved willing to support the legislation in order to keep the possibility of a regularization program alive. Interestingly, one former SEIU official suggested in an interview that the union’s greater openness to a guestworker program stemmed in part from its history of successfully organizing immigrants; in the SEIU’s judgment, the union would be able to organize guestworkers successfully and thus forestall some of the problems that could arise from a guestworker program, while also gaining new members. In any event, this conflict within the labor movement clearly constituted a very significant development in US immigration politics in the 2000s. At the same time, however, one must keep in mind that labor actors on both sides of the debate constituted political advocates for the undocumented, as they had devoted considerable resources to obtaining a regularization program for undocumented immigrants; in essence, then, the conflict over the Border Security and Immigration Act can be regarded a conflict within a broader coalition of labor advocates for the undocumented. Viewed from the vantage point of this particular study, then, the debate over the Border Security and Immigration Act functions as an interesting, but ultimately secondary, concern; what seems so interesting about the US case is not the fact that US labor actors have disagreed regarding particular policy proposals related to undocumented immigrants, but rather that so many of these trade union actors attempt to advocate for programs favorable to the undocumented at all.

Conclusion

In this appendix, I have briefly sought to examine what developments in the United States between 1970 and 2007 suggest about the arguments at the heart of this study. One must proceed with particular caution when attempting to draw conclusions from a relatively short “shadow case,” of course. Nonetheless, we can say that much, though not all, of the admittedly limited evidence arrayed here does seem supportive of this study’s main arguments.
Appendix 4

Supplemental Tables

The following four tables supplement the “summary tables” regarding US organizations that I presented in Appendix 3.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: Do the ethnic group(s) represented by the organization appear to be present in the undocumented population?</th>
<th>Did this organization undertake advocacy work for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>American-Arab Anti-Discrimination Committee&lt;sup&gt;251&lt;/sup&gt;</td>
<td>Ethnic (Arab American).</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Arab American Institute&lt;sup&gt;252&lt;/sup&gt;</td>
<td>Ethnic (Arab American).</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Asian American Legal Defense and Education Fund&lt;sup&gt;253&lt;/sup&gt;</td>
<td>Ethnic (Asian Pacific American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Haitian Refugee Center&lt;sup&gt;255&lt;/sup&gt;</td>
<td>Refugees and asylum seekers (from Haiti).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>International Rescue Committee</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Mexican-American Legal Defense and Education Fund</td>
<td>Ethnic (Mexican and Latino American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
</tbody>
</table>

<sup>251</sup> This organization was founded in 1980.
<sup>252</sup> The Arab American Institute came into existence in 1985.
<sup>253</sup> This organization formed in 1974.
<sup>254</sup> This organization came into existence in 1986.
<sup>255</sup> The Haitian Refugee Center was founded in 1978.
<sup>256</sup> The National Asian Pacific American Council on Aging was founded in 1979.
<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: ethnic group(s) represented by the organization present in the undocumented population?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Association of Latino Elected and Appointed Officials&lt;sup&gt;257&lt;/sup&gt;</td>
<td>Ethnic (Latino American).</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>National Coalition of Hispanic Health and Human Services Providers&lt;sup&gt;258&lt;/sup&gt;</td>
<td>Ethnic (Latino American).</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>National Council of La Raza</td>
<td>Ethnic (Latino American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>National Immigration Forum&lt;sup&gt;260&lt;/sup&gt;</td>
<td>Encompassing.</td>
<td>n/a.</td>
<td>Yes.</td>
</tr>
<tr>
<td>National Immigration Law Center&lt;sup&gt;261&lt;/sup&gt;</td>
<td>Encompassing (of all lower-income immigrants)</td>
<td>n/a.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Organization of Chinese Americans&lt;sup&gt;262&lt;/sup&gt;</td>
<td>Ethnic (Chinese American)</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Polish American Congress</td>
<td>Ethnic (Polish American)</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Refugees International&lt;sup&gt;263&lt;/sup&gt;</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Southeast Asia Resource Center&lt;sup&gt;264&lt;/sup&gt;</td>
<td>Ethnic (Cambodian/ Laotian/ Vietnamese American)</td>
<td>Yes.</td>
<td>No.</td>
</tr>
</tbody>
</table>

<sup>257</sup> This organization formed in 1975.

<sup>258</sup> Founded in 1973, this organization has had several different names during its history. Prior to adopting the National Coalition of Hispanic Health and Human Services Providers as its name, it was called the Coalition of Spanish-Speaking Mental Health Organizations and the National Coalition of Hispanic Mental Health and Human Services Organizations. It is now known as the National Alliance for Hispanic Health.

<sup>259</sup> The National Hispanic Council on Aging was founded in 1980.

<sup>260</sup> The National Immigration Forum was established in 1982.

<sup>261</sup> The National Immigration Law Center was founded in 1979.

<sup>262</sup> This organization formed in 1973.

<sup>263</sup> Refugees International came into existence in 1979.

<sup>264</sup> The Southeast Asia Resource Center was founded in 1979.
<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: ethnic group(s) represented by the organization present in the undocumented population?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States Committee for Refugees</td>
<td>Legal class (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first, second, and fourth columns from the left: see Chapter 7. Sources used to complete the third column from the left: see Appendix 2.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1986)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Did undocumented immigrants work in any areas of the economy covered by this union?</th>
<th>Did this union attempt to organize in the secondary labor market during some or all of these years?</th>
<th>Did this union undertake advocacy work for the undocumented for part or all of this time?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amalgamated Clothing and Textile Workers Union (ACTWU)\textsuperscript{266}</td>
<td>195,000</td>
<td>Private sector; textile field; range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>American Federation of Government Employees (AFGE)</td>
<td>157,000</td>
<td>Public sector; many fields; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>American Federation of State, County, and Municipal Employees (AFSCME)</td>
<td>1,032,000</td>
<td>Mainly public sector; many fields; wide range of jobs.</td>
<td>No.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>American Federation of Teachers (AFT)</td>
<td>499,000</td>
<td>Mainly public sector; mainly within the education field; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

\textsuperscript{265} Some of the unions listed in this table have divisions outside the United States. For these unions, the membership figures provided here may include not only members in the United States, but also members elsewhere as well (see Gifford 1988).

\textsuperscript{266} This union formed as a result of the 1976 merger of the Amalgamated Clothing Workers of America and the Textile Workers Union of America.
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Postal Workers Union (APWU)</td>
<td>230,000</td>
<td>Public sector; postal field; mail clerks, maintenance, and transportation workers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Bakery, Confectionery, and Tobacco Workers International Union (BCTW)²⁶⁷</td>
<td>109,000</td>
<td>Private sector; baking, food processing, and tobacco processing; range of jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Communications Workers of America (CWA)</td>
<td>515,000</td>
<td>Mainly private sector; telecommunications and other fields; range of jobs.</td>
<td>No.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Graphic Communications International Union (GCIU)</td>
<td>136,000</td>
<td>Mainly private sector; communications field; printing specialists.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

²⁶⁷ This union came into existence as a result of the 1978 merger of the American Bakery and Confectionery Workers Union and the Tobacco Workers International Union.
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel Employees and Restaurant Employees International Union (HERE)</td>
<td>293,000</td>
<td>Private sector; hospitality and casino gambling fields; range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>International Association of Bridge, Structural, and Ornamental Iron Workers</td>
<td>122,000</td>
<td>Private sector; construction field; ironworkers.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>International Association of Fire Fighters</td>
<td>142,000</td>
<td>Public sector; public safety field; fire fighters and paramedics.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>International Association of Machinists and Aerospace Workers</td>
<td>509,000</td>
<td>Mainly private sector; aerospace, transportation, and other fields; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>International Brotherhood of Electrical Workers (IBEW)</td>
<td>765,000</td>
<td>Mainly private sector; construction, building maintenance, and utilities fields; electricians and power line technicians.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union</td>
<td>Number of members (in 1989)</td>
<td>Sector(s), field(s), and job(s) represented</td>
<td>Undocumented working in areas of the economy covered by union?</td>
<td>Organizing in secondary labor market?</td>
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</tr>
<tr>
<td>International Brotherhood of Painters and Allied Trades of the United States and Canada</td>
<td>128,000</td>
<td>Private sector; construction and building maintenance fields; painters, glaziers, drywall finishers, and related jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>International Ladies’ Garment Workers Union (ILGWU)</td>
<td>173,000</td>
<td>Private sector; textile field; range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>International Union of Electronic, Electrical, Technical, Salaried, and Machine Workers (IUE)</td>
<td>185,000</td>
<td>Private sector; electronics manufacturing; range of jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>International Union of Operating Engineers</td>
<td>330,000</td>
<td>Mainly private sector; construction and building maintenance construction fields; operating engineers, operators of construction equipment, and other related fields.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union</td>
<td>Number of members (in 1989)</td>
<td>Sector(s), field(s), and job(s) represented</td>
<td>Undocumented working in areas of the economy covered by union?</td>
<td>Organizing in secondary labor market?</td>
<td>Advocacy for the undocumented?</td>
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</tr>
<tr>
<td>Laborers’ International Union of North America (LIUNA)</td>
<td>371,000</td>
<td>Mainly private sector; construction, postal, and health care fields; wide range of jobs (within the construction industry, typically associated with relatively “unskilled” jobs).</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>National Association of Letter Carriers</td>
<td>200,000</td>
<td>Public sector; postal field; urban mail carriers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Retail, Wholesale, and Department Store Union</td>
<td>140,000</td>
<td>Mainly private sector; retail, health care, and other industries; range of jobs.</td>
<td>No.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Service Employees International Union</td>
<td>762,000</td>
<td>Mixed public and private sectors; health care, building maintenance, and many other fields; wide range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>Sheet Metal Workers International Association</td>
<td>108,000</td>
<td>Private sector; construction and shipbuilding fields; sheet metal specialists.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>
Table A4.2, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada</td>
<td>220,000</td>
<td>Private sector; construction and building maintenance fields; workers who construct and maintain piping systems.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>United Automobile, Aerospace, and Agricultural Implement Workers of America, International Union</td>
<td>998,000</td>
<td>Private sector; manufacture of automobiles, automobile parts, farming equipment, and airplanes; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>United Brotherhood of Carpenters and Joiners of America</td>
<td>609,000</td>
<td>Private sector; construction field; carpentry and related jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>United Food and Commercial Workers International Union\textsuperscript{268}</td>
<td>1,000,000</td>
<td>Private sector; supermarket, food processing, retail, manufacturing, and other fields; wide range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
</tbody>
</table>

\textsuperscript{268} This union came into existence as a result of the 1979 merger of the Amalgamated Meat Cutters Union and the Retail Clerks International Union.
Table A4.2, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 1989)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
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<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Paper Workers International Union²⁶⁹</td>
<td>221,000</td>
<td>Private sector; paper production; range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>United Steelworkers of America</td>
<td>494,000</td>
<td>Private sector; steel and other manufacturing (including light manufacturing); range of jobs.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first three columns on the left: Gifford 1988 and individual union websites. Sources used to complete the fourth column on the left: see Appendix 2. Sources used to complete the remaining two columns: see Chapter 7.

²⁶⁹ This union formed in 1971 through the merger of the United Pulp and Paper Workers and the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: Do the ethnic group(s) represented by the organization appear to be present in the undocumented population?</th>
<th>Did this organization undertake advocacy work for part or all of this time period?</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Families United(^{270})</td>
<td>Legal class (individuals wishing to sponsor family members for visas).</td>
<td>n/a.</td>
<td></td>
</tr>
<tr>
<td>Immigrant Investors Association(^{272})</td>
<td>Legal class (individuals holding EB-5 investor visas).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
</tbody>
</table>

\(^{270}\) American Families United formed in 2006.

\(^{271}\) Founded in 1991, this organization was originally called the National Asian Pacific American Legal Consortium.

\(^{272}\) This organization was founded in 2005.
<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: ethnic group(s) represented by the organization present in the undocumented population?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immigration Equality(^{273})</td>
<td>Legal class (individuals wishing to sponsor their life partners for immigration visas).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Immigration Voice(^{274})</td>
<td>Legal classification (individuals holding employment visas for highly-skilled workers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>International Rescue Committee</td>
<td>Legal classification (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>Irish Lobby for Immigration Reform(^{275})</td>
<td>Ethnic (Irish American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Legal Immigrant Association(^{276})</td>
<td>Legal classification (individuals holding employment visas for highly-skilled workers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
</tbody>
</table>

\(^{273}\) This organization was founded in 1993 as the Lesbian and Gay Immigration Rights Task Force.

\(^{274}\) Immigration Voice formed in 2005. The organization itself was run entirely by volunteers, but I have included it in the set of established intermediary organizations for this period because it had sufficient resources to hire professional lobbyists to act on the organization’s behalf.

\(^{275}\) The Irish Lobby for Immigration Reform came into existence in 2005.

\(^{276}\) This organization was established in 2007.
Table A4.3, Continued.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: ethnic group(s) represented by the organization present in the undocumented population?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mexican-American Legal Defense and Education Fund</td>
<td>Ethnic (Mexican and Latino American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>National Alliance for Hispanic Health</td>
<td>Ethnic (Latino American).</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>National Alliance of Latin American and Caribbean Communities 277</td>
<td>Ethnic (Latino American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
</tbody>
</table>

277 This organization was founded in 2004.
278 This organization formed in 1999.
<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: ethnic group(s) represented by the organization present in the undocumented population?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Council of La Raza</td>
<td>Ethnic (Latino American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>National Immigration Forum</td>
<td>Encompassing.</td>
<td>n/a.</td>
<td>Yes.</td>
</tr>
<tr>
<td>National Immigration Law Center</td>
<td>Encompassing (of all lower-income immigrants).</td>
<td>n/a.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Organization of Chinese Americans</td>
<td>Ethnic (Chinese American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Polish American Congress</td>
<td>Ethnic (Polish American).</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Refugees International</td>
<td>Legal classification (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>South Asian American Leaders of Tomorrow</td>
<td>Ethnic (South Asian American).</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
</tbody>
</table>

279 This organization came into existence in 1994. 
280 South Asian American Leaders of Tomorrow was founded in 2000.
Table A4.3, Continued.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature of constituency served by organization</th>
<th>For ethnic organizations: ethnic group(s) represented by the organization present in the undocumented population?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tahirih Justice Center</td>
<td>Legal classification (women refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
<tr>
<td>United States Committee for Refugees</td>
<td>Legal classification (refugees and asylum seekers).</td>
<td>n/a.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first, second, and fourth columns from the left: see Chapter 7. Sources used to complete the third column from the left: see Appendix 2.

---

281 This organization was founded in 1997.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Did undocumented immigrants work in any areas of the economy covered by this union?</th>
<th>Did this union attempt to organize in the secondary labor market during some or all of these years?</th>
<th>Did this union undertake advocacy work for the undocumented for part or all of this time?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amalgamated Transit Union</td>
<td>182,109</td>
<td>Mixed public and private sector; mainly within the transportation field; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>American Federation of Government Employees</td>
<td>229,248</td>
<td>Public sector; many fields; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>American Federation of State, County and Municipal Employees</td>
<td>1,470,095</td>
<td>Mainly public sector; many fields; wide range of jobs.</td>
<td>No.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>American Federation of Teachers</td>
<td>832,058</td>
<td>Mainly public sector; mainly within the education field; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Some of the unions listed in this table have divisions outside the United States. For these unions, the membership figures provided here may include not only members in the United States, but also members elsewhere as well (see Gifford 2008).
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007)</th>
<th>Sector(s), field(s), and job(s) represented</th>
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<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Postal Workers Union</td>
<td>283,279</td>
<td>Public sector; postal field; mail clerks, maintenance, and transportation workers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Communications Workers of America&lt;sup&gt;283&lt;/sup&gt;</td>
<td>559,083</td>
<td>Mixed public and private sector; tele-communications, journalism, health care, manufacturing, and other fields; wide range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States and Canada&lt;sup&gt;284&lt;/sup&gt;</td>
<td>108,386</td>
<td>Private sector; arts and entertainment field; scenic artists, stagehands, and other “behind-the-scenes” personnel.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

<sup>283</sup> The International Union of Electronic, Electrical, Technical, Salaried, and Machine Workers (IUE) became part of the Communication Workers of America in 2000.

<sup>284</sup> Prior to 1995, this union was known as the National Alliance of Theatrical Stage Employees.
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007)</th>
<th>Sector(s), field(s), and job(s) represented</th>
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</tr>
</thead>
<tbody>
<tr>
<td>International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers</td>
<td>134,134</td>
<td>Private sector; construction field; ironworkers.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>International Association of Fire Fighters</td>
<td>283,932</td>
<td>Public sector; public safety field; fire fighters and paramedics.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>International Association of Machinists and Aerospace Workers</td>
<td>646,933</td>
<td>Mainly private sector; aerospace, transportation, and other fields; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>International Brotherhood of Electrical Workers</td>
<td>697,863</td>
<td>Mainly private sector; construction, building maintenance, and utilities fields; electricians and power line technicians.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union</td>
<td>Number of members (in 2007)</td>
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<td>--------------------------------</td>
</tr>
<tr>
<td>International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America(^\text{285})</td>
<td>1,398,573</td>
<td>Mainly private sector; transportation and shipping, manufacturing, construction, food processing, and a range of other fields; wide range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>International Union of Painters and Allied Trades</td>
<td>129,499</td>
<td>Private sector; construction field; painters, glaziers, drywall finishers, and related jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>International Union of Operating Engineers</td>
<td>397,348</td>
<td>Mainly private sector; construction and building maintenance fields; operating engineers, operators of construction equipment, and other related fields.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

\(^{285}\) In 1957, the AFL-CIO ejected the Teamsters Union from its membership ranks due to issues stemming from the extensive corruption within the union. The Teamsters did not rejoin the labor federation until 1987.
Table A4.4, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007)</th>
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<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laborers International Union of North America (LIUNA)</td>
<td>657,197</td>
<td>Mainly private sector; construction, postal, and health care fields; wide range of jobs (within the construction industry, typically associated with relatively “unskilled” jobs).</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>National Association of Letter Carriers</td>
<td>287,036</td>
<td>Public sector; postal field; urban mail carriers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>National Rural Letter Carriers’ Association</td>
<td>111,893</td>
<td>Public sector; postal field; rural mail carriers.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>National Postal Mail Handlers Union</td>
<td>249,509</td>
<td>Public sector; postal field; mail processing jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Union</td>
<td>Number of members (in 2007)</td>
<td>Sector(s), field(s), and job(s) represented</td>
<td>Undocumented working in areas of the economy covered by union?</td>
<td>Organizing in secondary labor market?</td>
<td>Advocacy for the undocumented?</td>
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<td>---------------------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>---------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Screen Actors Guild</td>
<td>176,455</td>
<td>Private sector; arts and entertainment fields; actors and actresses.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Service Employees International Union (SEIU)</td>
<td>1,575,485</td>
<td>Mixed public and private sectors; health care, building maintenance, and many other fields; wide range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Sheet Metal Workers International Association</td>
<td>149,149</td>
<td>Private sector; construction and shipbuilding fields; sheet metal specialists.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td>Transport Workers Union of America</td>
<td>115,145</td>
<td>Public and private sector; rail and airline transportation fields; wide range of jobs.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>
### Table A4.4, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>UNITE HERE</strong></td>
<td>458,901</td>
<td>Private sector; hospitality, casino gambling, textile, laundry, and food service fields; wide range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
<tr>
<td><strong>United American Nurses</strong></td>
<td>157,055</td>
<td>Mixed public and private sector; health care field; registered nurses.</td>
<td>No.</td>
<td>No.</td>
<td>No.</td>
</tr>
<tr>
<td><strong>United Association of Journeymen and Apprentices of the Plumbing, Pipefitting, and Sprinkler Fitting Industry of the United States and Canada</strong></td>
<td>332,205</td>
<td>Private sector; construction and building maintenance fields; workers who construct and maintain piping systems.</td>
<td>Yes.</td>
<td>No.</td>
<td>No.</td>
</tr>
</tbody>
</table>

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**Notes:**

286 UNITE HERE formed in 2004 as a result of the merger of the Union of Needletrades, Industrial, and Textile Employees (UNITE) and the Hotel Employees and Restaurant Employees International Union (HERE). The UNITE union itself was the product of a merger during this time period; it formed in 1995 following the merger of the International Ladies’ Garment Workers Union (ILGWU) and the Amalgamated Clothing and Textile Workers Union (ACTWU). (One might also note that considerable conflict developed within UNITE HERE in the years immediately following the merger, and eventually a sizeable faction of the union broke away in 2009 under the leadership of Bruce Raynor, who had previously been a major figure within the new union. Raynor’s breakaway faction formed a new union, Workers United, which affiliated itself with the Service Employees International Union. While an important development in the history of the contemporary American labor movement, the conflict surrounding UNITE HERE occurred after the period of time addressed in this study, and in any event does not appear to have caused major changes in the nature of political advocacy for the undocumented in the United States; both UNITE HERE and Workers United remain active advocates for undocumented immigrants.)

287 This organization joined the AFL-CIO in 2001.
<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Automobile, Aerospace, and Agricultural Implement Workers of America International Union</td>
<td>538,448</td>
<td>Mainly private sector; manufacture of automobiles, automobile parts, farming equipment, and airplanes; health care, higher education, and other fields; wide range of jobs.</td>
<td>No.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>United Brotherhood of Carpenters and Joiners of America&lt;sup&gt;288&lt;/sup&gt;</td>
<td>523,126</td>
<td>Private sector; construction field; carpentry and related jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
<tr>
<td>United Food and Commercial Workers International Union</td>
<td>1,304,061</td>
<td>Private sector; supermarket, food processing, retail, manufacturing, and other fields; wide range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>Yes.</td>
</tr>
</tbody>
</table>

<sup>288</sup> This union left the AFL-CIO in 2001 and joined Change to Win in 2005. (It subsequently left Change to Win in 2009.)
Table A4.4, Continued.

<table>
<thead>
<tr>
<th>Union</th>
<th>Number of members (in 2007)</th>
<th>Sector(s), field(s), and job(s) represented</th>
<th>Undocumented working in areas of the economy covered by union?</th>
<th>Organizing in secondary labor market?</th>
<th>Advocacy for the undocumented?</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial, and Service Workers International Union (USW)(^{289,290})</td>
<td>730,936</td>
<td>Mainly private sector; manufacturing (especially steel manufacturing), health care, food processing and many other fields; wide range of jobs.</td>
<td>Yes.</td>
<td>Yes.</td>
<td>No.</td>
</tr>
</tbody>
</table>

Sources used to complete the first three columns on the left: Gifford 2008 and individual union websites. Sources used to complete the fourth column on the left: see Appendix 2. Sources used to complete the remaining two columns: see Chapter 7.

\(^{289}\) This union formed after the merger of the United Steelworkers of America with the Paper, Allied-Industrial, Chemical and Energy Workers International Union (PACE) in 2005. PACE itself was the product of a merger during this period; it emerged in 1999 following the merger of the United Paper Workers International Union and the Oil, Chemical, and Atomic Workers Union.

\(^{290}\) One might note here an interesting development related to the USW that occurred after the period of time addressed in this study. In 2008, the USW and one of the unions discussed in Chapter 9, the UK-based Unite, created a “global union” called Workers Uniting. As of yet, Workers Uniting appears to function more like an alliance between two separate entities than a single organization. Its evolution will be interesting to observe over time, however.


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