'A Forest with many trees' – Mapping the migration industry and accountabilit(ies) in Europe[1]

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Migration Working Group

FEPS YAN 6th Cycle

June 2019

This paper represents not collective views of FEPS or Renner Institute, but only the opinion of the respective authors.

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[1] This working paper is a previous version of a book chapter, published by the authors - Borrelli, Lisa Marie, Rebecca Mavin, and Giorgia Trasciani. 2019. '"A Forest with Any Trees" - Mapping Migration Governance and the Dispersion of Authority in Europe'. In *Exclusion and Inclusion in International Migration: Power, Resistance and Identity*, edited by Armağan Teke Lloyd, 29–50. Migration Series. London: Transnational Press London.

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ABSTRACT

This paper discusses the difficulties of attributing accountability in the management of migration in contemporary Europe.

The management of migration has traditionally been the responsibility of the state. However, we highlight how the state is a diverse assemblage of actors, characterised by constant processes of restructuring. Moreover, recent decades have witnessed reforms aimed at privatization and marketization. As a result, we can detect increasing confusion and contestation with the ascription of accountability. We also encounter more deep-seated struggles concerning the effectiveness of bureaucratic restructuring and managerial approaches within public administration. The so-termed 'migration crisis' has brought these problems into sharp relief, leading to discussions about how to attribute accountability in an increasingly diverse pool of actors.

We engage with this problem of accountability on two levels. First, we discuss how marketization has increased the number and type of actors who work in the management of migration- often leading to unclear structures of accountability. Second, how the common framing of migration as 'crisis' postpones discussions on long-term governmental solutions and enables actors to refrain from taking on accountability. Case studies of the UK, Germany, and Italy are used to highlight how the concepts of marketization and crisis have led to dispersion regarding the notion of accountability, and the impacts this has had on the macro-, meso-, and micro- levels.

AUTHORS

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CONTENT OF THE PAPER

Introduction

> "*Accountability is the duty to give account for one's actions to some other person or body*." (Scott 2000, 3)

Who is accountable in systems of migration management in contemporary Europe? How effectively can established structures of accountability function to ensure that processes of management are effective and just? As states consistently engage in reforms leading towards privatization and marketization, and as political and public discourses forwarding the idea of an unprecedented migration crisis become more entrenched, these questions become more difficult to answer. Often, it remains unclear who is responsible, not only to the *subjects* of public administration and welfare provision- in this case, citizens and migrants- but also to governmental actors and bureaucrats themselves (Eule et al. 2019; Borrelli 2018).

In recent decades the migration policies, and thus migration regimes, of EU member states have rapidly changed. A migration regime, defined by 'the set of rules and practices historically developed by a country' (Sciortino 2004, 32) consists of many actors, each of whom have a role in managing migration. This management 'strives for a coordination of states' regulatory (inter)-actions to render international migrations predictable and beneficial for all stakeholders' (Ahouga 2018, 2) and includes control mechanisms, as much as incentives for migration. Further, it includes practices of border control, deportation and internal security, actions to combat human trafficking or smuggling, but also the illegal labour market, as much as programs for better economic and social integration, asylum procedures and reception systems all falling under the management of migration.

In this rapidly changing context, and with the increasing involvement of non-state actors in the management of migration, we can detect a deficit of accountability. Existing frameworks and processes of attributing accountability reveal themselves to be insufficient in the face of ever-more complex political structures and a rising number of actors (see Gilad 2008; Benish and Levi-Faur 2012; Lodge and Stirton 2010). Reforms based on the logic of New Public Management (NPM)- namely privatization, outsourcing, and the creation of a quasi-market- have created new realities which public administrations must address (see Scott 2000; Hood 2000). The old political and legal mechanisms used to attribute accountability and encourage actors to take responsibility cannot function effectively, and political responsibilities are ever-more overlapping (Brodkin 2012). Increasingly within the field of migration management, the state does not appear as a coherent actor following a unified goal. Nor is the state the only- or even the primary- actor involved in the management of migration on the local level. These facts raise difficult questions about how

accountability ought to be understood in this newly hybrid context (Byrkjeflot, Christensen, and Lægreid 2014; Mulgan 2000).

This paper examines how accountability is attributed within regimes dealing with the management of migration inflows across Europe (Borrelli, Mavin, and Trasciani 2019), assessing the difficulties and complications associated with allocating accountability in the contemporary context. It proceeds in three parts, beginning with a short summary of the context of migration in Europe, encompassing both data on the number of migrants arriving, and the measures and expenditures taken by governments to control incoming migratory flows. We link this to a theoretical discussion concerning the nature and impact of NPM-inspired reforms and the increase of actors in charge of migration control, to argue that privatization and marketization have blurred the lines of accountability. This first section concludes by linking current reorganization and policy failures to the assumed state of 'crisis.' Drawing on Agamben's understanding of the 'state of exception' (Agamben 2005) in which chaos is characterised as the norm and increasingly illiberal forms of governance are thereby justified, we critically discuss how such an understanding further blurs the lines of accountability by prompting panic, as opposed to addressing the structural processes underpinning problems in the management of migration (McAdam 2014). As opposed to accepting these discourses of crisis and exception, we suggest that they should in fact be understood as a particular form of governmentality[2] that is based less on ideas about justice and accountability, and more on an optimized means-end perspective (Bröckling, Krasmann, and Lemke 2011).

We then move on to adopt a more applied approach, to lend specificity to our discussion. Taking the case studies of the UK, Italy and Germany, we chart how policy and its implementation vary across the European context, and how different systems of accountability lead to different relationships between macro-, meso- and micro- level actors. We have chosen these case studies to illustrate a variety of contexts from across the EU: the UK is a devolved parliamentary system situated on the northern border of Europe, whose current relationship to the EU is- to say the least- contentious. Germany is a federal nation at the geographic and political heart of Europe, and the German government's decisions on policy and financial responses to migration related issues are highly influential. Italy is a parliamentary republic situated at the southern border of Europe, meaning that it deals with high numbers of migrant arrivals, often on a restricted budget, and has played a significant role in EU-wide search-and-rescue operations in the Mediterranean. Each of these national contexts are different, and have distinct political climates, histories of migration, political actors, and aims vis-à-vis migration. The case studies presented here retain this variability, and do not attempt to homogenise these three national contexts. Rather, we analyse

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[2] The concept of governmentality was firstly developed by Michel Foucault (2008, 2007, 2000) and defines the art of government, including its organised practices and ways to govern and produce citizens. It includes a new understating of power as decentralised, interiorised by actors, and concretised in societal control (Burchell, Gordon, and Miller 1991). In this sense the state of exception increases the ability of bureaucratic regimes to use uncertainty produced by urgency and crisis as instrument of control.

different government bodies, policies, and civil societies in each section, reflecting the situation in each context.

However, within these varying national contexts, we highlight core commonalities: first, that the field of migration management has become increasingly crowded and convoluted. The management of migration within Europe simultaneously affirms and complicates a 'top-down' model of power: on the one hand, national governments hold the power of decision over what migration policy will entail and how it will be implemented, but on the other, various state and non-state actors working within the milieu of migration management have discretion to interpret and 'apply' policies in their own distinctive vernaculars (Lipsky 2010; Eule et al. 2019). We also illustrate that it is often difficult to decisively say whether policies and services are co-constructed and collaborative, or whether local actors, CSOs and non-governmental organisations simply function to implement policies and supply services, and thus follow a model of co-production (Vaillancourt 2009) National policies differ; the actors involved differ in their aims, capabilities and activities; and these actors relate to one another in different ways, but in all three cases we find an increased dispersion of accountability- often leading to a discourse of crisis and a policy of inaction (Stel 2017, 171, 196).

The conclusion and subsequent policy recommendations attempt to lay the foundations for an alternative perspective. Based on the problematic aspects of the current system, we posit a shift in understanding conducive to a form of migration management that is less focussed on economic efficiency, and more attentive to coherence and clear structures of accountability. Moreover, we suggest that structures of migration management should draw on the capacities of local and non-governmental actors in more effective ways (see the Italian case), to prevent the replication of service provision and instead produce a more coherent system.

Migration in the Contemporary European Context

Since the implementation of the Schengen system in the mid-1980's, migration both into and within Europe has been consistently high, and has functioned as "the principal driver of EU population change" (Eurostat, 2015). In recent years, international immigration into the EU has risen, with the year 2014-2015 witnessing 1.2 million arrivals, largely from conflict areas such as Syria, Afghanistan, and Iraq. Sources estimate that a million people attempted to enter the EU in 2015, and suggested that between 2016 and 2018, over 3 million more people would attempt to enter (Kingsley 2015).

This upsurge of migration to Europe since the mid-1980s represents a historical shift. The continent has gone from an area of mass emigration in the nineteenth and early twentieth centuries to one of large scale inflows from all over the world, and significant movement within Europe (Castles et al. 2014, 123). In response to this, most EU member states have experienced the urge to gear up, and attempt to gain control over their external borders and the number of people entering their territories (Vollmer 2016). The general policy of European countries, informed by the recommendations of European Commission, has drifted towards a tightening of channels for legal migration and tightening of asylum recognition (Lulle and King 2016, p 39). These heightening policies have coincided with, and to some extent been justified by, a discursive linking of migration with security, and the proliferation of the view that migrants pose a threat to national security, the integrity of the welfare state, and national identity (see Huysmans 2006).

This widespread uncertainty surrounding the issue of immigration, combined with the fluctuating volume of migrants arriving at European borders, has led to a rise in expenditures regarding border control technology and security programmes, as well as increasing manpower being directed towards the management of migration and the creation of specific structures to receive and detain non-EU migrants. This has occurred on a national level- for example, the construction of a hard border between Croatia and Hungary (Grierson and Weaver 2015), and on the EU level, for example through the creation of Frontex, an EU-wide organisation aimed at coordinating and developing European border management in line with the EU fundamental rights charter and the concept of Integrated Border Management (Frontex, 2018).

While the European context is diverse and multi-levelled, it is characterised by a number of overarching characteristics. First, political discourse across Europe has framed the current rise in incoming migrants in terms of an unprecedented crisis: this view has been articulated in EU-level analyses European Council, April 2015) and by national leaders- as was exemplified by the former Prime Minister of the UK, David Cameron, who referred to incoming refugees as a 'swarm,' and pledged to increase security at the border (BBC, 2015). Secondly, across Europe, an increasing number of actors are involved in efforts to address this 'crisis'. EU-level organisations such as Frontex exert an increasing level of regulation over the management of migration. However, national and regional governments exercise

significant autonomy over migration, including decisions about how many migrants will be permitted to enter each member state, and the reception conditions they are provided with. The management of migration within Europe simultaneously affirms and complicates a 'top-down' model of power. While national governments dictate decisions over what migration policy, in accordance with EU rules, various local and non-state actors working within the milieu of migration management interpret and 'apply' policies in their own distinctive vernaculars.

The Crowded Field and the Rise of the Economisation

The European Union's main role in migration system is to lay down the conditions of entry and legal residence. Since 2005 the European Commission's Global approach to migration and mobility (GAMM) agenda has been in place, attempting to find coherent ways to organise legal migration, fight irregular migration, encourage the development impact of migration and mobility, and promote international protection for asylum seekers. The EU has also set up the Common European Asylum System (CEAS), which is loosely harmonized and abides under the Dublin III Regulation. The regulation requires that asylum seekers register their asylum claim in the first country they arrive in, and that the decision of the first EU country they apply in is the final decision in all EU countries. This has faced criticism for placing a high burden on Member States with external borders, such as Greece and Italy. Criticism has also arisen as most European Member States have failed to implement CEAS correctly, giving way to 28 different legal (migration) regimes. While the European Commission sets out recommendations for member states, states retain the power to implement policies and to set quotas as they see fit. This means that there is a lack of visibility, an uncoupling from representative institutions, and composition of networks, which contribute to actors being trapped in the "EU maze," where responsibilities are diffuse, and accountability is difficult to allocate.

Structures of public administration and welfare provision have, of course, evolved differently in different European contexts. However, there are certain features which point towards a common development towards a regulatory state, such as the increasingly privatisation of state-owned assets (Yeung 2010). Such emerging similarities can all be characterised by a logic of New Public Management, describing a shift from institutional monopoly to an extended regulatory system, keeping private institutions somehow attached to the government (ibid.) but transferring the ownership to private companies, via contracting. Governments across Europe have franchised the running of various aspects of migration systems- such as the provision of accommodation and the running of detention centres- to private companies. However, this can often be seen to result in a lack of clarity concerning who should be held accountable when problems arise; poor quality service provision; and harsh cuts to services in the name of economic efficiency. The introduction of private actors and economic competition into the provision of services previously overseen by the state has led the regulatory state to produce a "quasi-market", whereby market logics have been introduced where they were previously absent. In line with NPM logic, such a change introduces competition, which is justified through the ability to provide individual tailored services; and efficiency, which implies a cut of costs, or at least to a reduction in local authorities' bureaucratisation.

The idea of an increasingly crowded field is further supported by a steady increase of non-governmental organisations, becoming part of the migration regimes. NGOs are a further category of organisations, accommodating a plethora of different groups and networks, including humanitarian or charitable organisations who work to support or

advocate for migrants, as well as businesses who are contracted to participate in the migration regime.

The relevance of NGOs has been addressed by various scholars: migrant associations can facilitate integration and adaptation (Cheetham 1988); provide crucial services to migrant communities (Richmond and Shields, 2005); attract political attention through activism (Millner, 2011); or alter the framing of migrant issues in the public domain (Ihlen, Figenschou and Larsen, 2015). However, non-governmental actors becoming part of a migration regime means that they also face challenges, and can be seen to have a complex relationship with state power. In some cases, they work to actively enforce policy and law, whereas in others they can step in to provide services when the state does not, though being constrained by the state itself. At other moments, they can function to directly oppose state policy, and advocate for alternatives. However, in both moments these non-state actors engage in the migration regime with a new intensity, and often to great effectiveness, while becoming part of the so-termed 'migration industry' (Andersson 2014). As such, despite their independent status and, often, their humanitarian aims, NGOs and activist networks find themselves embroiled in the broader context of migration, whereby policy restrictions and questions of funding and efficiency steer their activities.

The overall aim "of restructuring the provision public service, based on the separation of public policymaking functions from operational or service delivery functions" (Yeung 2010, 2; see also Christensen and Lægreid 2007) was intended as a shift of responsibilities. Service delivery was now supposed to be in the hands of the private and voluntary sector. Consequently, the contracting of third-parties becomes increasingly influenced by economic considerations, paying attention to streamlining and efficiency. However, the outcome-focused measurement of success means that the management of migration has become something of an 'industry' (Andersson 2016; Hernández-León, Gammeltoft-Hansen, and Sørensen 2013) with increasingly complex structures, not only limited to the bureaucratic context. Instead, 'the extended mechanisms of accountability in the regulatory state' have led to a blurring of the lines of accountability in a system that was already unclear (Scott 2000, 11). The moment to decrease and eventually control discretionary authority through the creation of evaluatory mechanisms and models to 'improve the quality for discretionary decisions' (ibid.: 5) has largely been missed. Rather, the "feature of regulatory state governance is fragmentation of responsibility for provision and oversight" (ibid.: 7) – for example in the management of detention facilities – leading to overlapping and fuzzy divisions of responsibility and accountability.

At the same time, the state has never been a single, monolithic entity: such reforms have the ability to further diffuse and alienate a policy-focused core from the implementing units, 'hollowing out' institutions (Rhodes 1994). The authority of and relationship between national- and local- level government differs across the European context. In federal states- such as Germany- local government is subservient to the national government, but usually still retain a significant degree of autonomy over public policy in certain sectors in contrast to unitary states, where political control rests more heavily in the hands of centralised

government. Italy and the United Kingdom- which have devolved systems- display a hybrid of these two forms of governance. Devolved parliaments- such as those in the UK- often have a significant amount of decision-making power when it comes to policymaking, whereas local authorities within each territory are broadly devoid of policymaking power. Nevertheless, local and regional governments are often tasked with upholding the executive policy decisions of central government, while simultaneously making and/or implementing policies in ways that are appropriate to their local area. In terms of migration management, this means that there are often tensions *within* states themselves. Local and regional governments often find themselves balancing the demands of central government with effective implementation in their locale, as well as managing increasingly stringent budgetary restrictions and demands for adequate service provision.

This has inevitably led to internal accountability structures succumbing to confusion and ineffectiveness. In the UK and Italy, for example, the contracting of the provision of accommodation to asylum seekers to private companies has meant that- when problems arise- it is unclear whether complaints should be directed to the state, or to these private contractors. In Germany, the outsourcing of guarding and managing refugee centres to private security firms, happened often unregulated, allowing for former criminal convicts and neo-nazis to gain employment (Komaromi 2016). Thus, the rising number of actors, diversification of responsibilities, and increased marketization within the governance of migration does not only lead to a blurring of the lines between public and private, and a complication of the notion of accountability: it also implies more fundamental questions about the effectiveness of the present approach to managing migration, and whether a shift in norms and practices might be beneficial for both states and migrants.

Crisis and the State of Exception

In addition to the crowding and increasing marketisation of migration systems, discourses of crisis have profoundly impacted the field, and affected how accountability is understood. the use of 'crisis' and reformulating current issues as 'state of exception' (Agamben 2005), postpone necessary discussions on long-term solutions, instead preferring quick fixes in an ever-changing environment. Speed and urgency became the dominant framework, based on the established logic of threat and rising panic, rather than building upon a culture of need (Vollmer 2016).

Since the meaning of exception includes 'the opposite of normal conditions' (Agamben 2005: 2), it not only enables states to immediately respond with extreme measures, but also to refrain from taking up responsibility due to the exceptional and unpredictable situation. Campesi (2011) illustrates this, showing how the 'migration crisis' is a political construction, built on 'the dirty job of a bunch of police states ruled under a regime of permanent emergency' (ibid.: 1). The political aspects of crisis manifest, for example, in the switching positions of the Italian Minister of Home Affairs speaking at times in terms of humanitarian emergency, at times in terms of security emergency, where the crisis is 'reverberating on the complex institutional structure build over years for the governance of the European internal and external borders.' (ibid.: 2). Thus, a voluntary creation of exceptional situations, which becomes more or less permanent can be observed as common practices of democratic states (Agamben 2005).

The current norm of using crisis as a constant characterisation of the state of affairs neglects the actual definition of crisis as a concept. In contrast, crisis demarcates 'tipping points' (see McAdam 2014), which are not only caused by certain events but also by the inadequacy of governmental structures themselves. Consequently, the migration industry (Hernández-León, Gammeltoft-Hansen, and Sørensen 2013; Andersson 2014) and governmental migration regime can be seen as part-causes of the 'state of crisis'. Their structural processes often produce responses that are inappropriate or untimely. Many pre-existing stressors – such as poverty and conflict- were well known before the outbreak of this 'crisis', but the consequence of increased migration was not prepared for. An extreme event might therefore trigger migration until a certain perception of crisis is reached, but cannot be said to cause the crisis in first place. Rather, the cause of increased migration is a 'complex combination of social, political, economic and environmental factors' (McAdam 2014: 10). The current discourse of crisis, then, cannot be seen to result from a genuine state of emergency, but rather ought to be understood as a discursive mechanism which serves to explain current events, and justifies European states' lack of an adequate response by sustaining the idea that states are struggling to maintain the status quo.

Moreover, recourse to the 'state of exception' means that states are able to implement harsh, short-term responses. In the state of exception, 'necessity has no law'

(Agamben 2005: 1), thus in an exceptional state there cannot be a juridical form. This facilitates both the refusal of responsibility, restrictive policies and a lack of attention to the actual causes of migration. Recent European responses to the migration crisis epitomise this: The suspension of the Schengen arrangement and the closing of borders; the arrangement with Turkey[3], and Italy's refusal to take in search and rescue vessels, can all be understood as examples of such short-term, unsustainable solutions. On the other hand, Angela Merkel's decision to open the German borders to refugees in 2016 can also be understood in these terms, despite the fact it represents a more progressive action. While, at certain moments, the discourse of crisis and exceptionalism has led to humanitarian responses, in general it has prompted European states to employ restrictive measures. None of these responses have proven effective, and the increasingly crowded and marketized migration industry has proven itself incapable of responding adequately.

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[3] which saw the Turkish state resettle Syrian migrants whose asylum claim had been rejected by an EU state

Three cases of Crisis Management and Responsibility Shifting

In the three short case studies that follow, we illustrate how an increasingly crowded field has led to a multi-faceted and complex migration regime. Migration management has become confusing, lacking a concise system of who is responsible for certain tasks, and who ought to be held accountable when problems arise. The common view of being in 'crisis' further exacerbated this problem, also encouraging unsustainable, reactionary policies, and shutting down opportunities for discussion of long-term solutions. As such, while the differences of each national context are highlighted, we also seek to draw out these common structural problems.

The German case deals with caseworkers in social service agencies and a Landespolizei (police in each *Land*) of one *Land* (a federal state within the German Federal Republic), dealing with the enforcement of migration policies, including the implementation of deportation orders. Data was collected through three weeks of participant observation and the collection of 19 semi-structured interviews.

The UK case focuses on the UK's tumultuous relationship with the EU vis-à-vis migration, and the British Government's increasing tendency to privatize aspects of the management of migration. Data was collected from a critical review of British migration politics, and a period fieldwork in which the processes of the migration system were observed in action.

The Italian case focuses on the Reception System of Asylum seekers and Refugees. The Italian system of reception became notable in recent years, due to the sheer number of people arriving in Italy (200.000 in 2017) and numerous scandals. Data was collected with two semi-structured interviews and a review of the legal documentation concerning the procurement contracts and procedures.

Germany – The Idea of a 'Breathing Authority'

Germany, as a Federal State, is characterised by certain monopolies, which the *Länder* (16 Länder or states exist in the Federal Republic of Germany) hold. However, the decision on asylum applications is made by a central government agency, the BAMF (Federal Office for Migration and Refugees), and the allocation of people to each *Land* is decided by an overall statistical tool, called "Königssteiner Schlüssel". Once asylum applications are decided, the respective *Land* in which the (rejected) asylum seeker is placed becomes responsible for the eventual deportation. The central government expects that each Land responds to their responsibilities, which under Basic Law (Grundgesetz) includes overseeing reception conditions by accommodating and financially supporting newly arrived refugees. However, this is not a standardised process. In each Land there are administrative districts, with migration offices and further state organisations dealing with the reception, but also detection, detention and deportation of migrations. In total there are 294 administrative districts, amounting to vast differences between their structure and decision-making (Eule 2014). Similarly, each *Länderpolizei* (police in each Land) works differently, depending on whether there is a detention facility nearby or – according to informants – how the political mood of the federal state changes. Interlocutors in the studied Land mention the more liberal and left-wing position of the current government, not particularly interested in detaining rejected asylum seekers or individuals with precarious legal status and thus forcing the state authorities to work around this logistical disadvantage. Further, interlocutors from different researched agencies mention their partly overlapping tasks, as well as the at times contradictory aims of their authority in respect to other government agencies.

In this section, the perspective of the street-level bureaucrat will be highlighted, caught between competing demands of 'doing the job', but pressured by politically changing directives. They have to fulfil the demands of their positions, but they now also face demands to close cases quickly and efficiently; and face heightening pressure to find 'irregular' migrants, process their cases, and begin deportation proceedings. At the same time, they now have to keep in mind new public management ideas of 'the efficient state'. This perspective has become ingrained in the 'workings of the state', demanding that street-level bureaucrats consider both business ideas of individual work and efficiency alongside the structure of governance, and has been criticised for hollowing out the state (Bevir 2012, 75).

Interviews conducted with police officers highlight how responsibilities are constantly shifted and how the experience of crisis did not only critically affect the administrative work, but also the set of solutions and accountabilities within the system. During 2015, when an increase in the arrivals of asylum seekers caused the system to breakdown, an official from the LAF (State Office for Refugee Affairs) remembered the extreme pressure to get people into accommodations and the relief after a 10-12 hour work day when she could put people into busses, which brought them to housing facilities-effectively bringing her responsibilities to an end. Interestingly the perceived crisis,

highlighted by street-level bureaucrats was not one of migration, but one of politics and logistics.

Rather than mentioning suddenness of the perceived crisis, street-level bureaucrats highlight how government structures were not adequate and how reactions came too late. One former police officer now working for the BAMF recalls how passports were simply stored in brown cartons, causing not only a great lack of oversight but also flawed documentation checks. An official of the BAMF acknowledges that they had a great increase in demands and personnel. 'Before the start of the crisis, the office has been in a deep sleep, like the sleeping beauty.' Further, police officers and officials of the LAF underline how they felt neglected by politicians and their politics 'which are far away from reality'. The feeling of neglect and lack of support caused many employees to leave what can be described as sinking ship, because employees did not feel appreciated.

As reaction to the chaos, a new approach was adopted, which placed all relevant actors in one, centralised headquarters. The centralized offices encompass several state authorities playing a crucial role in the asylum procedure work together in the same building, including the BAMF, migration office, police, prosecutor, but also the employment office and the office which hands out tickets for public transportation, as well as the newly created LAF – now in charge for arrival and housing. For a while a medical service was also placed there, though this has moved to the emergency/reception housing facility. After the establishment of this centralized office, up to 320 individuals were registered in the shared facility each day, and current plans aim to increase the number of potential registrations per day to up to 1000 if needed. The ability to adapt to fluctuating numbers has created the idea of a 'breathing authority', a system which can increase or decrease the number of staff according to the needs and enabling a quick reaction to a potential rise in application numbers.

However, the new centralized system is not without flaws. While the police have supported the LAF, especially the initial phase of the centralization project, it is clear how little short-term solutions support authorities in their everyday work. The BAMF – according to an official – is a security service, 'something which has not been acknowledged previously and was not perceived as such.' Security here is connected to the sensitive data and work procedures of the authorities. According to the interlocutor, 'with the crisis and the often-changing employees, one has realized that it is not possible to function that way. Staff work with very confidential questions and we need to have long-term employees.' As such, the idea of a breathing agency has been refuted. 'First, there were only half-year contracts, then temporary ones. But this means there is a lot of change, also in the quality – which should not exist. An authority like this one should not be "breathable", because the work is so complex, the initial training takes a quarter of a year and one sees a lot of confidential information. We have now – while reducing staff – tried to keep as many employees as possible and to dampen the downsizing. But of course, the salary is low for the particular kind of work.' The police have a similar position towards the idea of a structure able to quickly expand or reduce their staff. Continuous training is needed, something which cannot be accomplished with a system

The established structure was first created after the peak of the perceived crisis, forcing agencies to act. All interlocutors mention awareness of the increasingly critical situation, refusing the 'all-of-a sudden' rhetoric usually used on political level. Two police officers, working closely with the local migration office explain that one has realized that different means were needed to stem the workload – which is why the cooperation was established as a reaction to the migration crisis.

While the newly established system is taken as positive example of how restructuring can facilitate procedures, it has not been entirely able to reduce the 'many hands' involved in the asylum procedure who are expected to not only work together, but also manage their similar or overlapping tasks. For example, several police officers explained how much they needed to support the State Office for Health and Social Affairs, especially in the end of 2015 since the police possesses a double responsibility/authority: While the Office for Health and Social Affairs and later the LAF is in charge of registration, the same holds true for the police, causing intersecting responsibilities.

We also find discrepancies between national and federal tasks and abilities to cooperate. For the BAMF cooperation is difficult. 'We are a national authority and have no contact to federal authorities. It is prohibited. But one has noticed that this is barely possible. That it is not doable and that the national branch offices (of the BAMF) need certain ranges of autonomy. We need certain leeway.' In the centralized facility BAMF staff and police share an office – something that is perceived as rather unconventional, because data must not be exchanged due to data protection. However, one can share general knowledge about document controls and the police do not send potential fraudulent documents to the national office of the BAMF, but to their own Land Office of Criminal Investigation. Again, this blurs the lines of responsibilities and is not coherent with other federal state practises.

Generally, police officers retain a certain idea of them being simply responsible for the enforcement of orders. Since it is the BAMF deciding on the asylum applications, migration offices and police units can easily refer back to that it was not their decision to reject a migrant. As one police officer puts it: ‚We are the handymen of the law.' (Police Officer, Landespolizei 2017). Indeed, officers explain that the enforcement always goes through the migration office, which ‚deals with question whether or not someone goes, while the police decides on the how' (Police Officer, Landespolizei 2017). While the police perceives themselves as the last authority in a row of deciding bodies, thus arguing that responsibilities on correct decisions lies elsewhere, also within the BAMF we encounter a diffusion of responsibility. An employee of the BAMF, working in the proceedings unit, where appeals against asylum decisions are processed, and the communication to the Courts is done, mentions that their work 'is often forgotten, but extremely dependent on politics.' He complains that asylum decisions are often done quickly, with an attitude of 'devil may care', because a quick decision pushes the cases further in the administrative line of processing and abets the intense political pressure.

Migration management is thus a system of many actors and highly politicised, enabling street-level bureaucrats to easily deflect responsibility, while also causing uncertainties about tasks. Police officers voice concerns of their double-edged responsibilities, balancing between prevention and repression. The police authority has sections called AGIA (work area on intercultural tasks) in which staff mostly engages in regular contact to religious and migrant associations, and networking. However, they also have to support unannounced deportations. The different and various tasks of each section can lead to difficulties: ,It can happen that today we are tasked with preventive orders, engage in preventive work, while tomorrow we are forced to do repressive work, like deportations. This is a conflict of interest.' This binary is not only endangering the preventive work based on trust, but also creates uncertainty not only for the street-level bureaucrat, but also for migrants.

State authorities are often caught in a dilemma of implementing often abstract policies and ideas, while dealing with a constantly changing environment. At the same time, state agencies lack a coherent mandate and experience issues in placing themselves within the migration regime, which is defined by many hands with often diverging interests.

The UK: European exceptionalism, and increasing privatisation

The state apparatus for handling the management of immigration in the UK is vast and complex. At the national level, policy and its implementation is overseen by the Home Office, a ministry of the central government. The Home Office also oversees a number of bodies- such as the UK Border Agency, the Police, and the National Asylum Support Service- which fulfil various aspects of the management of migration and the monitoring and support of migrants. Devolved governments and local authorities, do not have direct influence over making immigration policies, but have significant freedom in implementing certain aspects of policy. An increasingly dense network of NGO's and migrant associations exists in the UK, serving both to provide practical services and legal and emotional support- to varying levels of effectiveness and sustainability (see Pearl and Zetter, 2010; Piascentini, 2012). In recent years, there has also been significant debate in the UK concerning the governments franchising of many aspects of the management of migration- such as the running of detention centres and the conducting of removals from the country- to private companies (Menz, 2011).

Another aspect of migration management unique to the British context is the UK's often strained relationship with EU-level governance. This is not exclusive to the current 'Brexit' context: since the incorporation of the Schengen Agreement into European Law in 1999, the UK has had discretion over which of the Schengen *acquis* it converts into national law (UK Government, 2015) and rather, can 'opt-in' to specific articles of the Schengen Agreement with the consent of the other member states. Moreover, in 2013, then-Prime Minister David Cameron advocated for further UK exemptions from EU freedom of movement policies, including limiting EU migrants' access to the welfare state (BBC, 2016). Following the UK's decision to exit the European Union, it is not yet clear precisely how and to what extent freedom of movement or the UK's participation in the Dublin Regulation will be continued, but it seems likely that the UK will continue to limit and caveat the influence of EU regulation over its migration management practices.

This case study focusses on these two issues- the UK's tumultuous relationship with the EU vis-à-vis migration, and the British Government's increasing tendency to privatize aspects of the management of migration, to highlight how both an increasingly crowded field, and increasingly powerful discourses of crisis and exceptionalism, have fuelled a crisis of accountability in the British context.

As mentioned, the UK has long had a turbulent relationship with EU-level regulation and has sought exceptions and exemptions on a number of issues. Migration from the EU, specifically unrestricted freedom of movement, has always been a contentious political issue in the UK. The UK decided to opt in only to the uncontroversial aspects of the Schengen agreement, such as the shared policing and crime measures, but elected not to participate in freedom of movement. This means that although the UK is obliged to admit EU citizens and their families as a result of their EU membership, it does not have to automatically permit free movement for non-EU nationals that have a Schengen visa, or who reside in another EU country- arguably, then, the UK opted out of the most fundamental parts of the Schengen Agreement (Monar, 2010: 280).

With regards to asylum, the UK is a signatory of the Dublin regulation. However, this too has been debated: British MP's voiced criticism of European Commission reform plans due to the fact that they would make it more difficult for the UK to remove asylum seekers back to other member states (Hansard, 2016). There were also reports that the British government was fighting to enforce the Dublin regulation even in inappropriate cases, such as when asylum seekers had faced sexual abuse or violence in other European countries (Grant, 2016).

This has led to a confused understanding of accountability, both within individuals working in migration enforcement, and among the public more broadly. EU rules and regulations apply in the UK, but often only partially, or are difficult to enforce. In some regards, the UK's desire for exceptions and opt-outs has functioned to make it more difficult to discern who is ultimately responsible for border control and the management of migration, and who ought to be held accountable when migration management techniques fail to function as intended. For example, the UK's desire to opt in to the Dublin Regulation but simultaneously insist that it retain sovereign control over its borders and entries means that it is difficult to accurately attribute 'blame' for instances when the Dublin Regulation 'fails': is it the fault of the EU and its member states for not ensuring asylum seekers remain in the first state they entered, or should the UK Border Agency be held accountable for failing to detect and manage these individuals at the border? Partial adherence to EU regulation has ostensibly done little to help the UK reduce the level of migrants entering the country, but *has* functioned to confuse the structures of responsibility and accountability within the management of migration.

In addition, the increasingly complex domestic landscape adds to the unclarity regarding structures of accountability. In particular, the British government's move to privatize many aspects of the management of migration has contributed to a significant level of confusion concerning who is responsible for various aspects of management, and who ought to be held accountable in the face of problems. This has been particularly pertinent in the management of asylum seekers. Immigration detention centres have been undergoing a process of privatization since the 1970's (Menz, 2011) and by 2015 all but two detention centres were run by private contractors, in a business which is projected to earn private contractors £780 million in the period 2004-2022 (Arbogast, 2016: 20). Moreover, in 2010, the government announced that the provision of reception services and dispersal accommodation for asylum seekers would be removed from the remit of local authorities, and handed over to a series of private providers. Of course, a progressive perspective understands immigration detention as a fundamentally inappropriate technique of governance in all but the most serious of cases, and would generally call for European states to halt the use of widespread detention. However, given the consistently high numbers of asylum seekers subjected to detention (Silverman and Griffiths, 2018,) it is apparent that it is *not* seen as a last resort, but must be seen as a routine facet of the British government's approach to migration management. While this is unfortunate, it would be naïve to overlook the centrality of migration detention as a strand of the UK's approach to managing migration, and moreover, one which has increasingly illustrated the diffusion of accountability and growing marketisation on which this paper focuses.

On the one hand, this process of privatisation- particularly in the context of immigration detention- has led to widespread reports of neglect and human rights abuses by guards, as was exposed in TV documentaries by UK Channel 4 in 2015, and BBC Panorama in 2017. Beyond these abuses, widespread privatisation within the British asylum system has also led to a crisis of accountability. First, privatisation causes a transfer to a neoliberal logic, whereby services are provided on a market-oriented basis (Darling 2016), effectively producing what one private provider, G4S, dubbed an *asylum seeking market*. This created a new assemblages of governance, and means that responsibilities are allocated based on their value for money, as opposed to their quality, suitability for local contexts, or sustainability. Moreover, the decision to remove the responsibility for reception facilities and housing from local authorities- and instead allocate this responsibility to private providers who report directly to central government- means that services are often provided in ways that are unsuitable for or insensitive to local contexts. Moreover, Darling suggests that by removing responsibility from local authorities and placing it in the hands of large, corporate entities, the government has effected a depoliticisation of service provision- rendering it a managerial issue as opposed to a political or policy focussed debate (ibid.), effectively shutting down prospects for alternative possibilities concerning the management of asylum seekers- ultimately leading to political neglect of the issue, and a reduced quality of service provision (Glorius et al., 2016).

In addition to depoliticising the management of migration in favour of implementing an economic logic, privatization also produces a deficit of accountability. The running of detention centres by unqualified contractors has led HM Inspector of Prisons and a number of NGO's to voice concerns about the lack of opportunity for detained asylum seekers and migrants to complaints about their experiences in detention, indicating that there is no clear, robust, reliable structure for voicing grievances (Medical Justice, 2014). However, even when complaints are voiced, there is a lack of clarity over who ought to be held to account: does accountability lie with the private contractors who run detention centres, or should it ultimately lie with the state, which- as the overall authority in the asylum system- funds and selects who runs detention centres. Similar problems have arisen with the management of reception facilities and dispersed housing. Privatisation has not only led to a decline in the quality of asylum seekers' accommodation (Phillips, 2006), it has also led to a lack of accountability when it comes to addressing problems and concerns. Previously, local authorities acted as a tangible 'face' of authority: they understood the local context, and could become familiar with individual asylum seekers and their needs. Now, private contractors can often be a distant, abstract authority with whom asylum seekers struggle to get in touch, and- as in the case of detention- it is often unclear whether accountability lies with private providers or the Home Office. This lack of clarity concerning accountability means that, oftentimes, asylum seekers find themselves in situations where they are forced to tolerate inadequate conditions, or where they face active discrimination from contracted workers, without any proper route for voicing these grievances. Moreover, it is often the case that it is unclear to professionals within the migration industry who ought to be held accountable for particular issues. In many cases, asylum seekers and their advocates are sent back and forth between private contractors and state bodies when seeking assistance, and face lengthy waits for problems to be adequately addressed.

This discussion of the UK has highlighted two key features of the British context- its exceptional relationship with the European Union, and its increasing turn to privatisation- which blur notions of accountability within the management of migration. These are not the only problems apparent within the British context: austerity has led to an overall decline in service provision to migrant communities, and an increasing reliance on non-state actors for representation and support, and the 'Brexit' vote has created deep uncertainty over the future of migration to the UK. However, these two elements of the British system illustrate two structural issues which it shares with the other national contexts explored in this paper. First, that the increasing number of actors present in the field of migration management- and the unclear and changing relationships between these actors- has produced a lack of clarity in terms of how accountability is understood and attributed. And secondly, that notions of unprecedented crisis and exceptionalism can preclude addressing these issues, and instead lead to reactionary, unsustainable political decision making regarding migration.

Italy: the Italian Reception System, special centres, and corruption scandals

The Italian case study discusses the reception system for asylum seekers. Between 2017 and 2018 in Italy, around 200,000 asylum seekers and refugees have been hosted in Italian reception centres. While many are housed in huge reception centres, such as Europe's largest in Mineo, Sicily, others are sent to smaller properties, where landlords, hotel managers and restaurant proprietors have turned their available space into housing.

The system of reception is divided in three different types of centres: CARA – *Centri Accoglienza Richiedenti Asilo* – Asylum Seekers Reception Centres; SPRAR *Sistema di protezione per richiedenti asilo e rifugiati* – Protection System for Asylum Seekers and Refugees, and CAS – *Centri Speciali di Accoglienza* - Special Centres of Reception. This creates some confusion: while the CARA centres are governmental centres, and the CAS has been created as an answer to the emergency and the growing number of people host, the logics behind the allocation schemes remain unclear.

The number of actors has increased constantly in the last 15 years, both among and within different levels of governance. Nowadays several departments of Ministry of Interior, some of the Social affairs, Prefecture, Regional Offices, Municipalities, a growing number of social cooperatives and social enterprises, for-profit enterprises, hotels, and touristic centres are involved in the sector.

Furthermore the Europeanization of asylum and immigration policies since the 1990's- under policies such as the Dublin Agreement- have strongly impacted the structures of reception at European level. This is particularly notable in Italy, where a high number of asylum seekers arrive and ask for protection.

At the national level, the *Prefettura* - prefecture- represents the Ministry of Interior, and is also in charge of reception and integration at the local level. In each Italian Prefecture there is a "territorial councils for immigration" (Cti), responsible for monitoring the presence of immigrants and the capacity for the area to absorb migratory flows. The prefecture together with mayors define the number and modalities of accommodation provided at local level. The prefectures are points of contact between the ANCI, the Network of Italian Municipalities, and Minister of Interior, in the so-called SPRAR - *Sistema di protezione per richiedenti asilo e rifugiati* – Protection System for Asylum Seekers and Refugees. The SPRAR, *Sistema per Sistema di protezione per richiedenti asilo e rifugiati* - Protection System for Asylum Seekers and Refugees, which is extensively described below, is defined as the cornerstone of the Italian reception system.

Other bodies are also involved in migration issues, both from the operative point of view and by carrying out research on migration issues. The UNHCR branch office has been operative in Italy since 1953 and its representatives participate both at the National Commission for Asylum Right and in the Territorial Committee for Immigration. In order to carry out its various programs, the Italian Government collaborates with the International Organization for Migration (IOM), which has operated in Italy since its establishment in 1951. Activities cover different areas of intervention, such as technical cooperation, counter-trafficking and assistance to victims, migration and development, labour and circular migration, assisted voluntary returns including reintegration in the countries of origin, facilitating family

reunification. Moreover, there is also a large network of NGOs and humanitarian associations, MSF – Medici Senza Frontiere, Amnesty International, MEDU - Medici per i Diritti Umani, which deal with various aspects, particularly a function of control on the structures for respecting human rights.

For some years, the Italian Red Cross has been the main private organisation mandated to work in a quite large number of reception centres for asylum seekers and in the Italian CIEs[4]. The charity provides a range of services, including catering, health, accommodation, psychosocial support, cultural and linguistic assistance and logistics. After a number of serious incidents (in particular fires and deaths in the centres) and while the Red Cross criticised the lack of human resources, the Italian government decided to bring more civil society organisations into the sectors, opening to concurrence with the aim of reducing costs and augmenting the number of organisations involved. In 2002 the SPRAR system has been created.

The SPRAR is the main Italian system of reception, and it is based on multilevel governance to promote and develop local networks with the involvement of all actors and privileged interlocutors at very different level. So, differently from the CARA, which are governmental centres, the organisations involved in the SPRAR system are local (municipalities, regions, and provinces). Furthermore the system works on a voluntary basis, so the local authority can adhere but they are not obliged. It means that municipalities, provinces and regions can also opt out of the network, and do not offer services of reception in their areas through the system. On the other hand, the CAS are imposed by the Prefecture to respond to the perceived emergency (a situation which often arises when the municipality do not adhere to the SPRAR Network). CAS as well are structures of reception, defined special, to differ them from the SPRAR, which is the baseline, and to highlight the motivation behind their creation, the emergency situation, created by the increased flow. All of these centres are managed by private actors- such as social cooperatives or associations, social enterprises as well as for profit organisations, and small enterprises- particularly small hotels, which find more profitable to enter in this business instead of continuing their activities. There is very little control on this kind of structure and data and information are not available, as the documents have been classified as sensible and not accessible to the public.

Following the current wave of arrivals- from 22.118 in 2013, to 186.530 in 2017 (Ministry of Interior Data) – third sector organisations (TSOs) have gained momentum. Social cooperatives, associations, social enterprises and NGOs have rapidly grown in the sector. As already mentioned the normal system of reception, the SPRAR, is constituted by a network of local authorities, which entrust the integrated reception projects to associations and cooperatives from the third sector, which in turn may deal directly with the persons taken into protection, or offer integration and placement services in a social network that supports different entities, such as private homes, foster care, etc. Though, in recent years, the reception system in Italy has been characterised by an "exceptional situation" under the justification of growing number of arrivals. Even if the SPRAR system is shown as the rule, a very small part of the reception is based on this virtuous system. Based on the data from the Ministry of Interior and ANCI, the CAS in 2015 answered the 70% of the demand, offering

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[4] Cie – *Centri di Indentificazione e Espulsione* (Expulsion Centre) – today C.P.R. –*Centri di Permanenza per i Rimpatri* - Permanence and Expulsion Centre (Law Minniti-Orlando, L 46/2017). Irregular immigrants, who can not ask for international protection in Italy, are held in the identification and expulsion centres (Cie). Unlike the other centres here they are locked up and can not freely leave.

70.910 Accommodations against 21.814 Sprar Network accommodations, growing in 2016: 137.000 CAS; and just 26.000 SPRAR (15%) (data from the annual Rapporto Sprar, 2016). In 2017, 9.073 CAS were active and just 197 SPRAR centres, so the 80,70% of migrants is hosted in the CAS centres. As mentioned, the CAS is intended to function as an emergency solution, when other reception places are full to capacity. The extensive use of these provisions cast doubt on the functioning of the entire system, and raise questions about who is truly accountable for the management of asylum seekers in Italy.

A Parliamentary Commission of Inquiry on "the accommodation system, identification and expulsion, and conditions of detention of migrants" has been entitled in 2014, to analyse the use of public resources by the organisations involved into the sector and with the aim of reporting to the chamber of deputy. The Commission declared that "the management philosophy of the CAS is criticisable because of the frequent recourse to direct assignments, too often justified to face emergencies, as well as to the frequent occurrence of monopoly situations, favoured by the coincidence between the managing body and the figure of the owner of the structure" (p.109, Atti Parlamentari XVII Legislatura Doc. XXII-bis N. 21).

The "Code of Public contracts of works, services and supplies" introduced by Legislative Decree 12 April 2006 n. 163, then reformed in 2016, defined the legal features of the public procurement system. The procurement contracts are awarded through the open procedure normally but the procedure allowing for direct purchasing in some circumstances is defined as exception, to maintain a good level of quality standards, and control over the structures and organisations would be appointed. Data from the Anti-corruption Authority shows that the recourse of the direct assignment is used in the 15,28% of the contracts on average, with very significant differences on the regional level. Actually, in Calabria and Molise Regions respectively the use of direct assignment is 49,34% and 43,59%. The same authority reports many cases of failure to apply the rules properly, because of the direct assignment. Finally, some evidences of illegal collaborations between the public and private sector have been identified, as the cases reported were not achievable without the necessary involvement of public officials responsible for the proceedings (ANAC, Deliberation n. 32, 20 January 2016).

Secondly, often the CAS are made to engage in activities that they do not have the staff, skills, and competencies required, because as already mentioned often they are reconverted business. On 26 September 2017, the Ministry of Interior published the National Integration Plan for beneficiaries of international protection which specifies that, CAS must adjust their services and activities such as language training, work and services orientation to those offered in the SPRAR system, in order to offer greater chances of integration also to beneficiaries of international protection who have spent their entire asylum procedure in these centres. Unfortunately, very little space is left to associations and social cooperatives to create new or different programs for integration and social activities and unfortunately the reform into the decree of the 7th March 2017 continue in this direction. With this reform, the Ministry of Interior adopted a tender specifications scheme (*capitolato*) for the supply of goods and services related to CAS (and CPR and CPSA as well), which only foresees a very basic level of services. Through the decree, the state severely limits the number and the contents of services eligible for funding. The same Decree also introduces another main change. The reform aims at overcoming the idea of a single operator and subdividing the contract into four performance lots: personal services, health, social and psychological assistance, meals and foodstuffs, cleaning services. Even if the idea is to avoid illegality and increase transparency, there is also a collateral effect of homogenization and uniformity of procedures, with a very strong specialisation of the work and very little comprehension of the situation as a whole. In this context, for TSOs in the sector, which are normally totally

funded by national government, is very hard to intervene into the contents of projects. They are basically demanded to offer very specific services with a very high rate of specialisation consequently, which in turn determines a very limited role on the decision making process, and a classic dynamic of outsourcing of the service.

The so-called "refugee emergency" has demanded a huge effort of the third sector which is active in the field, for the most part composed by cooperatives. Furthermore, selection mechanisms of "management bodies" (enti gestori) have also given life to a real "business of the assistance", where many SE are mainly in increasing their revenue by improvising in this new area of activity without equipping themselves such as for example training employees for the purpose. From an organisational point of view the impact has been dramatic, and the cooperatives face a number of challenges. The system of financing based on short-term projects, affect organisation, in terms of liquidity as well as number of members and/ or employees they are able to maintain in force. The possibility to derive significant profits on the "assistance sector" has also favoured the setting up of ad hoc cooperatives, with doubtful competence and inexperienced. As argued by Borgaza et al (2016), while there are SE that, by maintaining links with civil society, can still grab and respond effectively to the new social needs, on the other hand there are many who have lost sight of the community's need, and are subject to increasingly heavy isomorphic pressure and that sometimes assume opportunistic behaviour. Finally, in recent years, centres all over Italy have been shut for fraud or misuse of public money, exposing insufficient government oversight and often corruption. Investigations have overwhelmed the sector. A system designed to ensure a cartel finalise to obtain lucrative contracts, to manage migrant reception centres. Just to mention one on all "*Roma Capitale*" starting by 2015, exploited the growing refugee crisis in the Mediterranean, which resulted in vast system of corruption in the Rome city government.

Conclusions

We hoped to contribute an analytical understanding of accountability as a 'wooly' and confused concept in an increasingly crowded field characterised by heightening marketisation and the normalisation of notions of 'crisis' concerning migration. We also argue that the EU and its member states ought to focus on clear structures of responsibility and accountability as opposed to economic efficiency; and long-term, robust solutions as opposed to 'exceptional' measures, in order to produce systems of migration management that are both more efficient and more just.

The study has shown that the increasing diversity of actors involved in the field - on the EU, national- and local- governmental, national- and local- bureaucratic, and non-state levels- has led to an increasingly blurred lines of responsibility and effectiveness. Through the use of case studies, the research has traced accountability issues in three different countries as a result of increased actors in the management of migration as well as an increased economisation .

Further, we have seen that government contracts in the field of migration management, such as running of detention centres, and processing of asylum claims and reception centres, are increasingly privatised. This is indicative of both an increasingly crowded field, making it more and more difficult to understand who is responsible for tasks or accountable for mistakes, and a pervasive economic logic, epitomised in NPM theoretical framework, whereby European states attempt to make the management of migration financially efficient by contracting private companies to conduct certain activities for competitive prices.

While our goal is not to disclaim an increase in migratory flows or discredit arguments that ask for more efficient strategies of admission or integration, we want to underline that using the notion of 'being in crisis' facilitates passive strategies of maintaining the status quo. As Agamben argues the concept 'crisis' has become a motto of modern politics, and for a long time it has been part of normality in any segment of social life. Using this term characterises chaos as the norm- and increasingly illiberal forms of governance are thereby justified. This, according to Agamben, suspends crisis, such as the "migration crisis" into a short-term imposition of policies which otherwise would not have been accepted by the population. In our German case study, for example, shows that the perceived crisis was not necessarily perceived as one of a sudden migration influx, but more one of how government structurers were not adequate to current times.

Therefore, understanding the "migration crisis" as a "crisis" creates a space where governments responses are only short-term reactive. This further blurs the lines of accountability by prompting panic, as opposed to addressing the structural processes underpinning problems in the management of migration. Adding to Agamben's understanding, the word crisis can be used as excuse for slow changes, which can be justified by a need to come to terms with new workloads before actually engaging in addressing the root causes, as well as defensive strategies legitimating inefficient bureaucratic processes

and abrogating the need for actors to accept accountability. Also, a deliberate delay on side of the nation states to implement particularly the more liberal policies (Allen et al. 2017) is a direct cause of the increased fear and xenophobic response to the 'crisis'.

This happens in parallel to a radical change in public governance. As discussed, in the past thirty years, from an interventionist or positive State (based on the Keynesian Model), to a "Regulatory State". No longer a direct economic actor, the State became a regulator, ensuring the smooth functioning of free markets, through regulation, with the aim of correcting the market failures (Majone, 1997). In terms of migration specifically, this has led to the increasing outsourcing of responsibility to private actors, based on economic competitiveness. It also entails a lack of coherence within the practices of states, whereby national and local level governments are often in conflicts, and bureaucratic actors as well as private institutions often adopt high levels of autonomy in their work. We have seen in the case of Italy for example, that although the state is responsible for managing and organising migration, it has procured to the Italian Red Cross, a private organisation, the management of reception centres. Accountability for any incidence that may happen is diffused in this network and a certain flexibility to implement policies is left to the private organisation. Therefore, although, the 'state' holds responsibility for introducing and implementing migration policies, the 'state' delegates much of this to other bodies, private institutions or civil organisations, creating a network of various actors which are not necessarily unified or acting coherently (Gupta 2012; Bevir and Rhodes 2003).

Hence, the increase in the number of actors in multi-level governance systems has led to a lack of visibility, an uncoupling from representative institutions, composition of networks, and 'multi-levelness' itself, all of which can lead leads to problems in accountability. As seen in the cases of Germany, Italy and UK the growing number of different actors further complicates and diffuses accountability. If we take the example of UK, although the policy and its implementation is overseen by the central government's body Home Office, the body oversees a number of other agencies and organisations all with various aspects in management and monitoring of migration. Then, devolved governments and local authorities, who do not make decisions but have freedom in implementing certain aspects of policy. A dense network of NGOs and associations who provide practical and legal service also exist. Finally, the UK government subcontracts many private organisations to work on issues such as running of detention centres. The plethora of actors involved and complexity of the structures blurs lines and diffuses accountability.

POLICY RECOMMENDATIONS

- EU policymakers and civil society need to change the "crisis" approach to asylum seekers and migration. The narrative and discourse of crisis leads policymakers to narrowly focus on a short-term, emergency-based approach, creating ad-hoc solutions and highly questionable practices. Policymakers instead need to address the structural processes underpinning problems in the management of migration.

- The analysis shows that the Member States are very different in terms of governance, and each of these national contexts are different, and have distinct political climates, histories of migration, political actors, and aims vis-à-vis migration. However, we also show the highly similar problems all states face regarding migration management and argue for a more coherent European agenda, with streamlined policies and practices.

- EU Member States should work towards a coordinated and integrated response at EU level in terms of respecting human rights To ensure that every person has the right to receive a decent treatment respectful of the national law and human rights. Ensure that migrants do not suffer discrimination remains one of the main challenge of all the European systems of receptions.

  There is an ample need for the creation of evaluatory mechanisms and models to improve the quality for discretionary decisions. These mechanisms should be independent of current governments and their political agenda in order to ensure human rights, safety and decent treatment of migrant subjects.

- To ensure that non-State actors are accountable. This includes non-State actors who may be engaged by States such as private security companies, as well as no profit organisations, enterprises and any kind of third sector organisations. This is why a monitoring of service provisions based not only on quantitative indicators, but also on qualitative one must be implemented. Put in place where does not yet exist and strengthen the authority and/or capacity of inspectorates is required, to ensure that the authority would be able to supervise the conditions of migrants in all stage of reception

  Migration management should untangle itself from an economic efficiency policy response and rather concentrate on providing services to people in the most respectful ways. The underlying idea is that we create an alternative perspective of migration management that is less focused on economic efficiency and more attentive to coherence and clear structures of accountability. As shown in the case of Italy, it is not possible to rely on the market and competition to avoid corruption. For two many reasons. Firstly, even if managed by private services, centres of receptions,

centres of detentions, borders control and other service, still they are funded by public money. Secondly, not only it could ethical dubitable

- Make migrants able to obtain reliable information about their rights.

- Reconcile the roles/decision-making responsibilities of national governments and non-state actors in the management of migration. Policymakers should give clear instructions and divide responsibilities clearly so as not to duplicate work. For example, local actors, CSOs and non-governmental organisations should be told whether their function is to simply to implement policies and supply services and thud follow a model of coproduction. To this end, policies and services should be co-constructed and collaborative.

- Policies should be communicated more concretely so that there is no problem in their interpretation and application. Special care should be taken to understand and reconcile the different vernaculars

- Offer more checks and guarantees of personnel hired in activities relating to migration management, such as detention centres staffers.

- Migration management field should be made less crowded by drawing more on the capacities of local and non-governmental actors and preventing the replication of service provision.

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