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英語碩士學位學程  
International Master's Program  
in Asia-Pacific Studies  
College of Social Sciences  
National Chengchi University

碩士論文  
Master's Thesis

勞力移民政策比較研究 (從 1980 年代): 義大利與台灣的  
案例

A Comparative Study of Labour Migration Policy since the  
1980s: the Cases of Italy and Taiwan

Student: Filippo Maranzana De Filippis

Advisor: Lin Ji-Ping

中華民國 103 年 7 月

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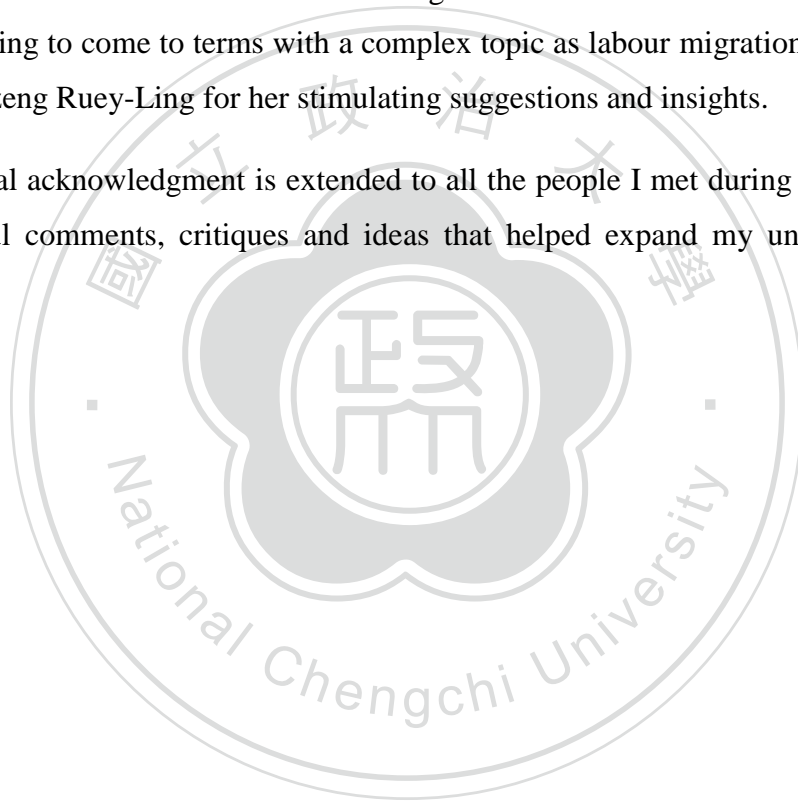
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## **Abstract**

Italy and Taiwan share common problems typical of mature economies: an aging population, a low fertility rate and a chronic labour shortage, which all combined have prompted the importation of foreign workers into their systems. The present research is an attempt to find out how the two countries – both latecomers in mass immigration – have coped with this new phenomenon, by analysing their respective immigration policy formations to uncover confluences and disparities that can be attributed to different economic, political and social circumstances. The work is divided in chapters that elaborate from the general to the particular. The first one explains purpose and methodology; the second one is a literary review; the third and fourth ones analyse the cases of Italy and Taiwan; and the final two chapters make comparisons and draw conclusions. The methods adopted are content analysis and historical background, making use of quantitative and qualitative data: the former are extracted from primary and secondary sources, the latter from unstructured interviews with migrant communities and authorities. From the results of this research, it is apparent that the two countries have responded differently to their respective social and economic structural changes: emergency legislation was more typical of the Italian policy-making, while planning characterised the Taiwanese attitude. In both cases international politics has played a major role in shaping policy formation: being part of an established supra-national formation such the EU allowed for more deferring and delegating in legislation; while being diplomatically isolated with a troubled cross-strait relationship compelled to a more cautious programming.

**Key words:** foreign worker, foreign labour, immigration policy, migrant inflows.

## 摘要

意大利和台灣都有著典型的成熟經濟體的問題：人口老齡化，低生育率和長期勞工短缺，而這一切結合起來，便促使外籍勞工輸入到這個系統中。目前的研究是試圖找出台灣與義大利，兩個大規模移民移入國，如何應證了這一新現象，透過分析它們各自的移民政策型態，發現交集和差異可以歸因於不同的經濟，政治和社會情況。

這項工作被劃分成數個章節，從一般到特殊。第一，解釋的目的和方法；第二，一個文學評論；第三和第四，分析意大利和台灣的情況；而最後兩章進行比較並得出結論。採用的方法是內容分析和歷史背景，利用定量和定性數據：前者是從初級和次級來源提取，從非結構化的與移民社區和移民機關面談。從這個研究的結果，很明顯，這兩個國家在他們各自的社會和經濟結構的變化都有不同的反應：緊急立法是比較典型的意大利決策，而規劃則是台灣的特徵。在這兩種情況下，國際政治都在影響政策的形成扮演了重要的角色：義大利作為一個已建立的超國家的一部分，歐盟，在立法上允許更多的授權；同時台灣在外交孤立與不安的兩岸關係上，則不得不更謹慎的規劃。

關鍵字：外籍員工，外籍勞工，移民政策，移民流入量

# TABLE OF CONTENTS

## CHAPTER ONE

1. Introduction .....	1
1.1 Motivation and Purpose.....	1
1.2 Methodology.....	5
1.3 Research Framework.....	7

## CHAPTER TWO

2. Literary Review .....	8
2.1 Historical Background.....	8
2.2 Theoretical Paradigms.....	10
2.3 Theories on International Immigration Policy.....	22

## CHAPTER THREE

3. A Case Study on Italy .....	29
3.1 A Natural Destination.....	29
3.2 Social and Economic Background.....	34
3.3 A Country of Emigration.....	37
3.4 The First Immigration Flows.....	41
3.5 Immigrants: a General Outline.....	44
3.6 Immigration Policies: an Historical Overview.....	47
3.7 Immigration Laws and Amnesties.....	49
3.8 Summary.....	57

## CHAPTER FOUR

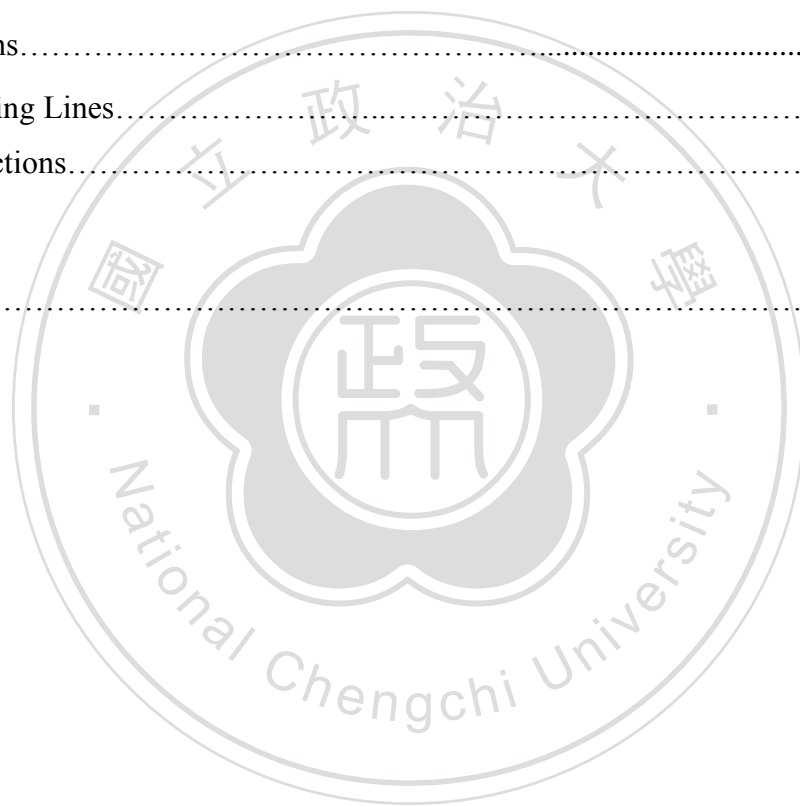
4. A Case Study on Taiwan .....	60
4.1 A Frontier Island.....	60
4.2 Social and Economic Background.....	66
4.3 The First Immigrants Flows.....	75
4.4 The Commodification of Immigrants.....	78
4.5 Immigration Policy.....	84
4.6 The Making of the Employment Service Act.....	86
4.7 Summary.....	91

CHAPTER FIVE

5. A Comparative Analysis.....	94
5.1 Introduction.....	94
5.2 Geographic position.....	94
5.3 The Economic System.....	96
5.4 The Social Structure.....	99
5.5 Origins and Developments of Immigration Flows.....	101
5.6 The Evolution of Legal Frameworks and Immigration Policies.....	104

CHAPTER SIX

6. Conclusions.....	107
6.1 Drawing Lines.....	107
6.2 Predictions.....	111
References.....	112





## LIST OF TABLES

Table 1: Total foreign population in Italy.....	32
Table 2: Immigration to Italy by country of origin.....	33
Table 3: Foreigners in Italian censuses 1871-2001.....	43
Table 4: Permits issued by 31 December every year.....	43
Table 5: Amnesty programs in Italy: main statistics.....	57
Table 6: Foreign residents in Taiwan (May 2014).....	65



## LIST OF FIGURES

Figure 1: Foreign residents as a percentage of regional population, 2011.....	32
Figure 2: Population pyramid of Italy.....	39
Figure 3: Migration flows of Italian nationals.....	39
Figure 4: International migration flows, Italy 1955-2006 (numbers).....	40
Figure 5: International migration flows, Italy 1955-2006 (rates).....	40
Figure 6: Immigration of foreigners by sex, Italy 1990-2004.....	45
Figure 7: Immigration of foreigners by area of citizenship, Italy 1990-2004.....	45
Figure 8: Immigration of foreigners to Italy by country of citizenship.....	46
Figure 9: Immigration of foreigners by age, Italy 1990-2004.....	46
Figure 10: Taiwan population by age.....	64
Figure 11: Population pyramid of Taiwan.....	65

# CHAPTER ONE

## 1. Introduction

### 1.1 Motivation and Purpose

“We asked for workers. We got people instead.” (Max Frisch)

In October 2013 the world media reported the news of a wobbling barge with five hundred migrants on board sunk into the stretch of Mediterranean Sea between Africa and Italy. More than three hundred people perished, the rest was rescued and brought to Lampedusa, the little island lying off the coast of Tunisia, which has become the infamous first port of entry into Italy for irregular migrants venturing by sea.

The tragedy caused quite a stir between the government and opposition parties in Italy. Changes to the current immigration laws (Bossi-Fini) were proposed from both sides, at least to mitigate one of its most controversial points, namely, the implicit prohibition for fishermen and common people at sea to rescue possible migrants, for fear that once they put foot on national territory they become automatically eligible to apply for refugee protection, according to international laws. Those who go to rescue sinking boats may be charged of aiding and abetting illegal immigration, and therefore liable to be fined or imprisoned by the authorities. Only the National Coast Guard is allowed to do that, but it is clearly understaffed for the task of patrolling a vast and stretched-out sea territory. European authorities were called upon to witness how the persistent lack of a common policy and coordination among the European states had led to such an unhappy epilogue.

After the obsequies of the wrecked immigrants were done and all the media reporting was waning, nothing really happened – not any new laws was passed because the migrants were gone and the pressure at the political level was fading away. The European Union promised to look into the matter more extensively than it had done previously. However, as usual, problems arise at the regular European summits whenever common policies that may infringe national territorial sovereignty are put forward, such as the idea of setting up a European

coast guard in charge of patrolling the Mediterranean coasts, where most irregular migrants come from. EU interior ministers gathered in Luxembourg soon after the accident to discuss interventions, but as expected they could not reach a decision about comprehensive changes to European asylum and immigration policies. The principle maintained by those against the new proposals was that every state controls and patrols its own borders, and consequently deals with the possible undocumented immigrants landing on its own shores. This view was certainly plausible sixty years ago, when the European Union did not yet exist, but less so today when the declared ultimate goal of all the 28 member states is to harmonise and coordinate their respective policies in order to reach a closer integration and union. However, this was not surprising, because the history of European Union on immigration issues has always been paved by good intentions written on paper but not fully implemented in practice. The 1957 Treaty of Rome, at the base of the early European Economic Community (EEC), already contained provisions for free movement of labour, which were effectively implemented only in 1968, though this common policy did not apply to “third country nationals”. Only the 1997 Treaty of Amsterdam contemplated common rules on asylum to be ratified by national parliaments by 2004, even if many immigration issues still today remain prerogatives of the single member states (Castles 2009: 8-9).

The Lampedusa ship wreckage clearly illustrates three facts: first, Italy’s immigration policy-making has often been a reaction to dramatic events or emergencies rather than the result of a planned strategy, which can be partly explained by the lack of experience as an immigration country. Second, a common European policy for non-EU immigrants has been constantly hampered by national agendas, where the migration issue is often used as a handy tool for political propaganda. Third, Europe and the Mediterranean Basin are one of the most important immigration systems in the world, for the number of countries involved and the large economic disparities they display among themselves.

The case of Taiwan is completely different. The Republic of China is a diplomatically isolated nation which all along its recent immigration history has strived to plan importation of foreign labour as a way to sustain its economic growth. The island’s immigration policy-making, therefore, appears to be heavily

affected by its international status and the still unresolved strained relationships with the People's Republic of China (PRC), which regards it as a renegade province bound to return to its motherland sooner or later. This latter fact has prompted Taiwanese authorities to find cheap and low-skilled foreign labour among the closest developing countries of Southeast Asia, rather than in the most obvious and natural place of choice, mainland China.

After the brinkmanship periods of Li Deng-Hui (1988-2000) and Chen Shui-Bian (2000-2008) presidencies, Taiwan and China have reshaped their relationships on more friendly terms, and the two countries have recently signed a preferential trade agreement (ECFA) which promises to boost Taiwan's economy by lifting many restrictions for Taiwanese business in the PRC. According to many observers, the signing will also lead to a loosening of restrictions on the labour market, and lately the Taiwanese president Ma Ying-Jiu – who took office in 2008 – has announced that the government is considering allowing Chinese students enrolled in the island's universities to work part-time jobs (Taipei Times, 17 January 2013). This declaration would contradict the previous policy of the “Three Limits and Six No's” (三限六不), set in place in 2011, that forbids Chinese students allowed to study in Taiwan's universities to take up off-campus jobs, for fear of competition on the local labour market and as a measure to discourage permanent settlement plans on the part of the Mainlanders.

Though very diverse, Italy and Taiwan share similar traits, such as an aging population, a low fertility rate, an economic slow growth typical of mature economies, and so forth. Furthermore, both Taiwan and Italy are latecomers in experiencing mass immigration, in comparison to their neighbouring countries in Europe and East Asia. For Italy the first mass influx of foreign labour happened in the late 1980s, coinciding with the collapse of Eastern European communist regimes and the reopening of their borders. Taiwan saw the lifting of the martial law in 1987 as the starting point for more relaxed and welcoming regulations in terms of immigration. The first large wave of foreign labour from Southeast Asian countries was recruited in the late 1980s, as a response to dramatic labour shortfalls in manufacturing industries, and later to catch up with the delays accumulated by the Six-Year National Development Plan, a US\$ 303 billion

project to upgrade the island's infrastructures, launched by the government in 1991 and scheduled to be completed by 1997.

This study is a first attempt in international migration literature to compare the historical background and evolution of labour immigration policies formed and implemented by Italy and Taiwan since the late 1980s. It has deliberately chosen not to address the accompanying issues of migrant adaptation, integration and assimilation, but to focus exclusively on the causes and origins of policy-making, leaving the consequences of it to a different study. Further, the issue of refugees in its strict definition of forced migration (by war or natural disasters) – which has served as a dramatic introduction to the general phenomenon of international migration in the opening paragraphs – will only be marginally touched upon.

In this study the role of the State as a gatekeeper is regarded as central to controlling inflows of international migration through liberal or restrictive policies – which have the effect of making borders more or less accessible – from which derives that nothing invalidates theoretical approaches of international labour migration as effectively as border control policies (Massey *et al.* 1998). Therefore, political factors are nowadays much more influential in determining mobility than economic disparities between sending and receiving countries (Arango 2004), as will be shown in this research. The dialectic that leads to the immigrant policy-making is then between domestic and international factors or in more general sense internal and external explanatory variables, mediated by the State for the ultimate benefits of its social and economic system. Similarities in social and economic development, but clear differences in policy formation and implementation, allow for an interesting exploration of how the two countries have coped with the respective immigration issues. Hence, the purpose of this study is a combination of exploration, description, and explanation in order to make findings that can answer the following questions:

1. What are the main principles and attitudes underlying Italy and Taiwan policy formation?
2. What kind of societal model do they envisage when allowing for labour immigration?
3. What is the impact of foreign labour in the respective societies?

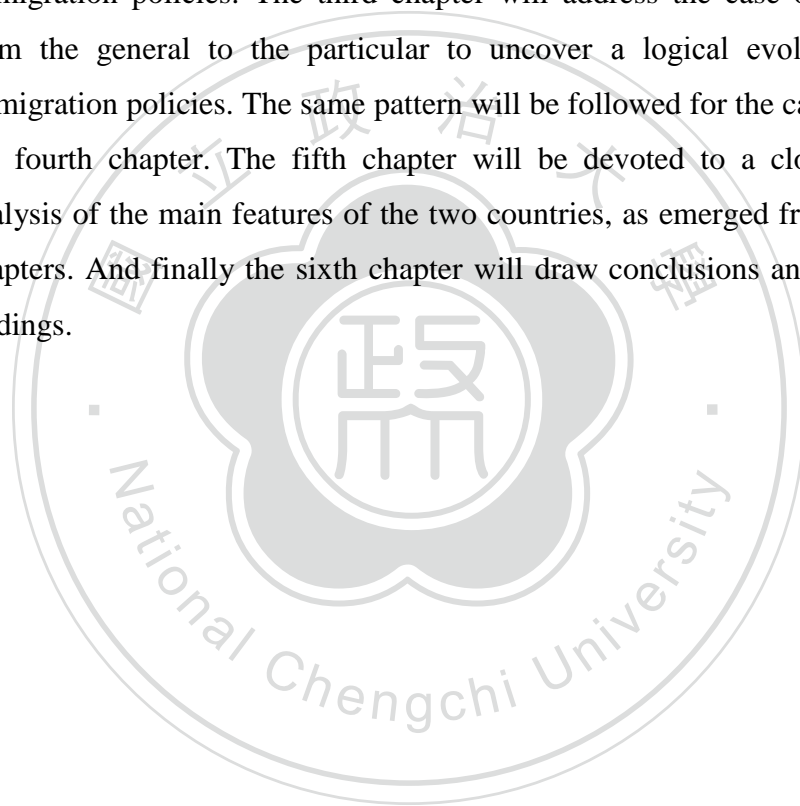
4. What are the preferred supply sources of manpower and why?
5. Is it possible to generalise to a different Western and East-Asian approach or model?

## **1.2 Methodology**

Given its comparative and historical background approach, this study is conducted using mainly a combination of quantitative and qualitative data to explore the formation of labour immigration policies in Italy and Taiwan, and to find significant similarities and differences that can reflect underlying policy frameworks and theoretical foundations. Content analysis and analysis of existing statistics are then carried out in order to answer the questions put forward above; data are then extracted from all kinds of relevant sources, such as newspapers, journals, books, archives, government documents and other materials. Qualitative research in Taiwan is carried out in the forms of unstructured and informal interviews with immigrant communities from Vietnam, the Philippines, Thailand and Indonesia at common venues, homes, workplaces or other institutions. As for immigration state authorities, a general non-disclosure policy has not allowed for satisfactory results in terms of policy information. Further, time constraints have made it impossible to carry out a parallel field research in Italy as originally planned. Therefore, given the imbalances, only the qualitative research done in Taiwan has been used, mostly as mere testimony and personal communication in support of an argumentation. This is in contrast with an early research design that meant to compare field studies conducted in both countries.

The cases of Italy and Taiwan are first examined separately, with attention given to historical background, economic development, geographic characteristics, social structure, and international relations at regional level. Following this preliminary stage, the research will further delve into a comparative analysis with the help of graphs, tables and other descriptive statistics summaries. The ultimate purpose is to make analogies emerge that can lead to the possible discovery of a unifying model (or the lack of it), according to which labour immigration policies can be created and implemented, irrespective of countries, traditions and social structures.

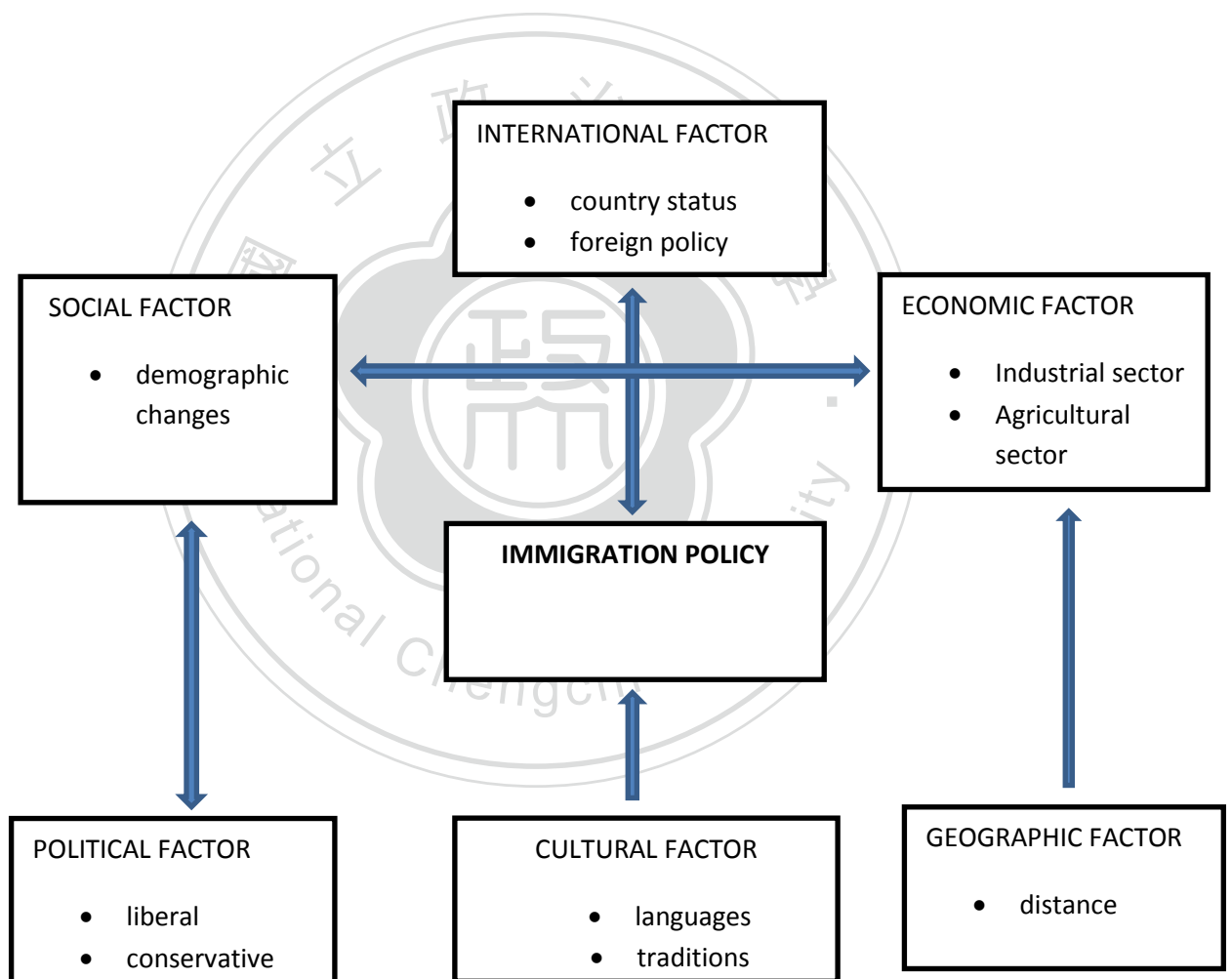
This work will be structured in six chapters. The first chapter is a general introduction to the topic, wherein motivation and purpose are explained, together with the methodology utilized and a graphic scheme of the research framework, which illustrates the possible correlations among the causing factors of immigration policies. The second chapter consists of a systematic description and critical review of contemporary theories on international migration and is divided in three parts: part one explores the historical background of this relatively young field of research; part two analyses the most important theories on migration and their evolution; and part three narrows down the description to theories on immigration policies. The third chapter will address the case of Italy, starting from the general to the particular to uncover a logical evolution of Italy's immigration policies. The same pattern will be followed for the case of Taiwan in the fourth chapter. The fifth chapter will be devoted to a close comparative analysis of the main features of the two countries, as emerged from the previous chapters. And finally the sixth chapter will draw conclusions and show possible findings.





### 1.3 Research Framework

The present research aims at exploring the connections between immigration policy formations in Italy and Taiwan, by delving into the most important determinants at political, economic, social and international level. The analysis should help uncover possible resemblances in the cause-effect mechanism of both nations that can be attributed to a more general theory, regardless of geographic and historical circumstances. The graphic display below shows in general terms how Immigration Policy treated as a dependent variable may be affected by many explanatory variables, which in turn can also be influenced by other factors.



# CHAPTER TWO

## 2. Literary Review

### 2.1 Historical Background

Human migration has existed since ancient times, as the first nomadic populations of hunters and gatherers roamed great distances in search of food and better conditions. One of the most notable theories has it that modern humans populated the Earth starting from a place near the Rift Valley, in East Africa, some 50,000 – 100, 000 years ago (Tishkoff *et al.* 2009). This slow exodus later divided into several branches to reach all the continents.

According to Castles and Miller (2003: 50-59), modern international migration started in Europe from the end of the Middle Ages, in conjunction with the formation of European states and the colonization of the rest of the world. From about 1650 onwards “migration was a long-standing and important facet of social life and the political economy” in Europe. As the earliest industrial country, Britain was the first to experience large-scale labour immigration, but also to see its population emigrate in unprecedented numbers. At the peak of the industrial revolution, between 1800 and 1860, 66 per cent of migrants bound to the USA were from Britain. The mass labour migration from Europe occurred from 1800 to 1940, when some 40 million Europeans settled permanently overseas, mostly in destinations as far as North and South America or even more far-flung like in Australia.

Conceptually, international migration itself is defined in terms of space and time. Space involves the crossing of nation-state borders; while time is set by convention at one year in the host country (less than that would be regarded as another form of mobility, such as tourism). Most studies on voluntary migration (as opposed to forced migration, caused mainly by natural calamities or wars) agree on indicating four main reasons for people to move: work, family reunion (or marriage), studies and relocation. Amongst them, the most important factor is certainly work, which pertains to the economic sphere of human society. This latest point was already underlined in the first work on human migration, written by Ernst Georg Ravenstein, a German cartographer employed at the British War

Office. His ground-breaking “The Laws of Migration” (1885, 1889) “provided the hypotheses upon which much future migration research and theorisation was built” (Boyle *et al.* 1998: 59), though its model was later criticized as being “unconnected with any actual migratory movement [...], essentially individualistic and ahistorical” (Castles and Miller 2003: 20-22). For his migration study, Ravenstein compared census data collected for the population of the Kingdom in 1871 and 1881, the most recent at the time. At the heart of his Laws were the concepts of *absorption* and *dispersion* (Corbett 2011). A place of absorption received more people than it lost, while the opposite happened for a locality of dispersion. The former was typically an industrial or commercial centre, while the latter was almost always an agricultural area. Here are summarised and reformulated the Ravenstein’s Laws (King 2012: 12):

1. Migrants move mainly short distances, toward the closest centres of absorption; those moving longer distances head for bigger cities of commerce and industry
2. Most migration is from agricultural to industrial areas
3. Large towns grow more by migration rather than by natural population increase
4. Migration increases with development of industry, commerce and transportations
5. Each migration flow generates a compensating counter-flow
6. Females are more migratory than males; males are a majority in international migration
7. The major cause of migration is economic

King (2012: 12-13) argues that law 1 is modelled on Newtonian physics, according to which the volume of movement between two places is directly proportional to the product of their masses (*i.e.* populations) and inversely proportional to the square distance between them; laws 2 and 3 explain rural-urban migration, which is the main form of population mobility in most countries; law 4 relates migration to development, anticipating many later theories, such as Zelinsky’s stage model (1971); law 5 formulates the two-way migration process, which will lead to studies on net and return migration; law 6 states the feminization of migration, only recently been fully acknowledged; law 7 affirms

what today is a general truism of migration, namely the paramount importance of the economic factors, as also underlined by Ravenstein (1889: 286) in his passage when he wrote

Bad or oppressive laws, heavy taxation, an unattractive climate, uncongenial social surroundings, and even compulsion (slave trade, transportation), all have produced and are still producing currents of migration, but none of these currents can compare in volume with that which arises from the desire inherent in most men to “better” themselves in material respects.

The underlining concepts of Ravenstein’s work were rationalised and brought to surface by the study of Lee (1966), who devised a migration model based on a set of “push” and “pull” factors. Push factors were those driving people from their place of origin, that is to say poverty, unemployment, landlessness, overpopulation, and so on; pull factors, on the contrary, were those drawing migrants towards the place of destination, for instance higher income, better education, good environment, marriage prospects and so forth. Among the push and pull factors are the “intervening obstacles” which have a selective function in such migration concept framework. The commonest of such “obstacles” to overcome for migrants are the cost of physical distance to make the journey, cultural barriers (different language and way of living) and political restrictions (borders and immigration policies at destination). In Lee’s migration model, personal considerations also play an important role in response to the push and pull factors. A typical example would be that of a young migrant who is responsive mainly to income and entertainment factors at destination in his decision to move; by contrast, a family with children would probably also include education facilities at destination in its evaluation of whether to migrate or not.

## **2.2 Theoretical Paradigms**

Behind most immigration policies (if not any kind of policy) there are ideas, views, expectations, ideologies that justify their mere proposition. These can be summarised in frameworks, models, paradigms or even full-blown theories that have the ambition to explain recurrent events. Thus:

Theory is artful abstraction. It draws our attention away from the mess of ‘confusing details’, directing it towards what is ‘most important’ to the case at hand. Theories are beacons, lenses or filters that direct us to what,

according to the theory, is essential for understanding social phenomena. Theory requires radical simplification. Much as a good caricature selects, exaggerates and wilfully distorts in order to capture the defining features of its subject, a good theory intentionally oversimplifies in order to highlight forces that typically control behaviour (Donnelly 2005: 30, 33).

Since Lee's early model in the 1960s, migration literature has proliferated at an exponential pace, producing a host of new theories and concepts. These new approaches are the results of an increased labour mobility of people over time, but also emerge from the need to explain new migratory patterns observed in different parts of the world, especially between the industrialised and developed North and the poor underdeveloped South. Some of these theories or models have taken the individual as their unit of analysis – such as the push and pull scheme above – while others have preferred to focus their attention on families, communities, nation-states or even world system entities as starting points for their research. The reason for this fragmentation of theories is mainly due to the obvious fact that migration is a social science that has to do with people, whose circumstances, conditions and needs change over time and across space, following shifts in political, social and labour factors. As Massey *et al.* (1993: 432) have argued:

At present, there is no single, coherent theory of international migration [...]. Current patterns and trends in immigration, however, suggest that a full understanding of contemporary migratory processes will not be achieved by relying on the tools of one discipline alone, or by focusing on a single level of analysis. Rather, their complex, multifaceted nature requires a sophisticated theory that incorporates a variety of perspectives, levels, and assumptions.

Massey (1993) proposes a classification of models that analyse the migration phenomenon from the macro perspective of structural determinants and the micro counterpart of individual decision-making. At a macro level, migration is the result of unequal distribution of labour, resources and capital in the different global regions. In some countries labour is scarce and capital abundant, so that individual wage level is relatively high; other countries experience scarce capital, abundant labour and consequently low wages. The economic differential causes migration from developing to developed countries, following the supply and demand mechanism, with a consequent transfer of wealth between the two poles,

which ultimately over time should lead to equilibrium and the end of migration. At the microeconomic level, migration is seen as a decision made by individuals, based on a simple cost-benefit calculation. Among the four major schools of migration theories presented by Massey, the oldest and probably best-known is the Neoclassical economics, under which are grouped at macro level the Wage Differential Theory, and at micro level the Human Capital and Expected Income theories.

Wage Differential Theory takes into account the geographic differences in the supply of and demand for labour (Hicks 1932) between a region rich in manpower with low wages, and a distant region that conversely has a scarcity of labour and high wages. The different conditions generate migration from low- to high-wage areas. Theoretically, over time the compensation mechanism should gradually level the differences leading to an economic equilibrium between origin and destination countries, causing the end of migration, or its strong reduction. Empirical data have supported the role of migration in reducing wage differentials for certain regions, but in general there is no strong evidence for a positive effect on origin countries, to the extension of greatly reducing differences. Critics have also pointed out to the unrealistic assumption of labour as being homogenous and fully employed, which fails to explain the “return migration and the continued massive rural-urban migration in the developing countries, in spite of rising urban unemployment and underemployment” (Lin 2013: 6).

Human capital Theory takes its name from the concept of migration as an investment in human capabilities, which has initial costs but also promising future returns (Sjaastad 1962). Among the costs are travel expenses, lost income between jobs, job search costs, information gathering fees, and not least the psychological strains due to adaption in a different environment with unfamiliar rules and customs. The expected returns foreseen by this theory derive mainly by the income difference between destination and origin, but also by a higher standard of living enjoyed at destination, such as milder climate, abundant social welfare, modern medical facilities, better schooling system and so forth. As a micro level theory, Human Capital focuses on individual characteristics, recognising age and education as the main selectivity factors of migration.

However, given its implicit assumption that migration decision is always correct because based on cost-benefit calculus, this theory fails to explain the phenomenon of repeat migration, that is to say migration after the initial move which can result in either a return to the origin country for the migrant or a further move to another destination area.

Expected Income Theory was first formulated in the 1960s by Todaro (1969) to give reason of the high rural-to-urban migration that developing countries were experiencing in those years. Rather than a cost-benefit calculation as seen previously, the main assumption of this theory is that migration takes place in response to the expected income differentials between rural and urban regions. Therefore the decision to migrate is taken after considering, first, the urban-rural real income difference, and then the probability of getting an urban job. Though rational as it might look, this reasoning is not risk-free, and miscalculations can always occur, while urban high unemployment is seen as inevitable in this model. To illustrate his theory, Todaro told of a labour policy implemented by Kenya government in the 1964, following suggestions from the International Labour Office. The measure aimed at absorbing the large urban unemployment in Nairobi through a triangular agreement between employers, government and labour unions that contemplated keeping wage levels low while increasing recruitment. However, when implemented, the policy had the only effect to attract even more migrants from the rural areas, raising again the urban unemployment. Later, Unesco used Todaro's findings to launch a series of developing programs for rural areas in poorer countries, in an effort to decrease the "push" factors for migrants. Unfortunately the expanded education and the building of infrastructures generated more rural-urban migration than was expected.

This manifest failure contributed to attract critical comments on the Neoclassical approach. Its internal logic and elegant simplicity (Malmberg 1997: 29) clashed with the migration reality, especially in the turbulent 1970s marred by two serious Oil Crises that provoked changes in the economic structures of many industrialized countries. As put it by Arango (2004: 19-20):

The first fact that runs counter to the neoclassical explanation is why so few people move, given the huge differences in income, wages and levels of welfare that exist among countries. [...] If migration flows between countries were to conform to the prescriptions of neoclassical theory, the number of international migrants should be many times higher than the one that obtains in reality. In fact, economic disparities are important, no doubt, but by no mean sufficient for migration flows to take place. In fact, they do not explain much nowadays.

One of the fiercest critics of Todaro's theory was Oded Stark (1989, 1991), who tried to correct the individual-centred Neoclassical concept by introducing his New Economics of Labour Migration (NELM) Theory. The decision unit of reference of this theory was not the individual but the migrant's household – or, at a wider scale, the extended family or origin community – and it was based on three considerations (Stark 1991). First, the decision to migrate was taken by the whole household, after evaluating possible benefits, and as a measure to avoid family risks. Risk aversion is particularly important in poor countries where, for example, crop failures due to sudden drought or damages caused by natural disasters are not uncommon. In these nations back-up resources – such as savings, insurance or credit – are almost non-existent. Therefore, at the first stage of the migration process the family invested on the migrant – acting like an insurer with an insured beneficiary in an insurance-type of contract; at the second stage, their roles were reversed, with the migrant sending remittances as a return for the household's initial investment.

The second consideration of the NELM theory was the mutual and voluntary beneficial spirit with which the contract was honoured between the migrant and his or her family community. This good intention was explained by Lucas and Stark (1985, 1988) with the need for the migrant to maintain a good relationship with the origin family, the aspiration to inherit the parents' wealth or simply as a way to control his or her hometown investment.

The third consideration is the conceptual core of the New Economics of Migration Theory, which is the idea of relative deprivation. The relative deprivation – a term coined first by the sociology community in the 1930s and re-used by Stark in the 1980s – is the real trigger of migration in this view. People may be pushed to migrate not only to increase their absolute income or to



diversify their risks, but also to raise their economic or social status in relation to other households in the community where they live (Massey *et al.* 1998). The feeling of relative deprivation derives from a comparison of one's own income or wealth level with a certain reference group similar in terms of class or conditions, as might be one's own neighbourhood. For instance, a family with no remittances could feel deprived in comparison to a family with remittances, which can motivate to the decision of sending out a family member to rebalance the perceived loss. In this sense, as noted by Stark and Taylor (1989), this theory suggests that, once started, the mechanism is self-perpetuating – as in the case of rural-urban migration – because based on persistent inequality in society. Critics have argued that the assumptions underlined by this theory could not stand the leg of migration reality in many respects. First of all, the assumed perfect information of destination before migration is unrealistic; then, the reference group that causes the deprivation feeling – and consequently creates the motivation to migrate – can be other than the origin community; finally the feeling of relative deprivation does not necessarily translate automatically into a migration propensity. All these elements encouraged scholars to explore new avenues of research and find more effective conceptual frameworks.

The Marxist interpretation of capitalism, development and colonialism is at the base of a group of models which see international migration as a way of mobilizing cheap labour for capital (Castles 2009) or as a macroeconomic result of the complex relationships among different states and economic regions. The Historical-structural models (as they are also called) that will be illustrated shortly are the Dual Labour Market Theory and the World Systems Theory, in that order. In his work *Birds of Passage* (1979) Michael J. Piore argues that international labour migration is not caused by pushing factors in sending countries (low wages or high unemployment) – as devised by the Neoclassical theory – but it is driven by pulling factors in destination countries (a chronic labour shortage), whose economic structure makes the demand for cheap and flexible labour its dominant and constant feature. This is because industrialized countries present a dual labour market: a primary capital-intensive market for highly-skilled native workers, who enjoy well-paid and secure jobs; and a secondary labour-intensive market for low-skilled migrant workers, who work

long hours in low-paid and insecure occupations, generally in manufacturing and service sectors, filling those jobs deemed as dirty, difficult and dangerous (or 3K, from the original Japanese expression: *kitanai, kiken, kitsui*). In addition, three important social factors in industrialized countries make the need for imported foreign labour more urgent. One is the so called “social consciousness”: the very presence of migrant workers occupying the secondary sector reinforces the unattractiveness of those jobs for local workers; the second and the third factors are the low-birth rates and the longer schooling period typical of developed countries, which perpetuates and reinforces permanent labour shortage at the lower rungs of the economic ladder. In geographical terms, the places where this dual-labour market mechanism is more evident are the global cities analysed in the works of Saskia Sassen (1988, 1991). London and New York in the West, but also Tokyo and Shanghai in the Far East, represent the archetypes of those international economic and financial centres in which inhabitants with extremely high and extremely low incomes share the same space, though performing different functions, with the latter serving the needs of the more affluent. In terms of possible interventions by single states through the implementation of policies to regulate the demand-driven immigration, the Dual Labour Market theory in Massey *et al.* (1993: 444) implies that:

Governments are unlikely to influence international migration through policies that produce small changes in wages or employment rates; immigrants fill a demand for labour that is structurally built into modern, post-industrial economies, and influencing this demand requires major changes in economic organization.

The World Systems Theory derives its conceptual framework from a historical analysis of the development and expansion of the global capitalist system, starting from the sixteenth century first European expansion into the world (Wallerstein 1974, 1979) to the early 1900s, when it reached its peak just before the broke-up of World War I. In its post-colonial period, world capitalism was driven by neo-colonialism and corporate capitalism using the pre-existing ties between past colonial powers and their former colonies (King 2012). Immanuel Wallerstein, the most important theorist of this approach, classified countries according to their positions in the global market economy, distinguishing between dominant capitalist powers (USA, Europe, Japan, Australia and New

Zealand) and dependent regions in the developing world. The former constituted the “core”, rich in capital and technology, while the latter was the “periphery”, abundant in natural resources and cheap labour. In-between were a “semi-periphery” of countries which were at an intermediate status of wealth and dependence.<sup>1</sup> Unlike other schools of migration, World Systems theory explains international labour migration as generated by the force of economic globalization, and less by income and employment differentials. Therefore migration flows follow the route of capital flows in the opposite direction.

Critics of the Historical-structural models point out how the role of single migrants is reduced to “little more than passive pawns in the play of great powers and world processes presided over by the logic of capital accumulation” (Arango 2004: 27). Furthermore, observations have made it clear that, first, migration flows not necessarily follow the capital pathways in the reversed direction; second, the migrants’ decision-making is relevant in the economy of migration; third, the role of the State in shaping migration is totally ignored in this conceptual view.

Today’s globalization makes it more evident that there is no single theory that can capture the complexity of migration, even more so when the nature of migration has changed significantly and nowadays it is more appropriate to speak about “mixed migration”, such as that of the student/migrant, the tourist/migrant, the trader/migrant and so forth (Van Hear 2010). Another important aspect closely related to international labour migration is the connection with development. Until not long ago, migration analysts saw the migration-development nexus as a one-way causality relationship and the principal motivation to migrate. Reality and evidence from historical and current cases show that economic changes and human mobility are instead interacting factors of the same general process of global permanent transformation. Stephen Castles (2009) argues that international labour migration should be seen within the broader phenomena of social change and social transformation, and not analysed in isolation. A multi-disciplinary approach is therefore essential to conducting

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<sup>11</sup> At the time Wallerstein was writing, those countries were Argentina, Brazil, Mexico, Turkey, South Korea and Taiwan. Nations from the Communist block were obviously excluded from this survey (King 2012: 18).

research on and exploring the multi-faceted aspects of international labour migration today. The interplay between the agency of the individual actor (the migrant) and the structure within which the actor operates (nation-state, society, community, family and so forth) has always been at the heart of most studies on migration, considered separately on a micro or macro scale. Today most scholars hope that the blending of human agency and structure in research studies will produce more comprehensive theories on this social phenomenon. These developments and innovations in migration research have certainly led to a theoretical fragmentation, but also to interesting approaches, such as the Transnational theory which sees migrants today as maintaining regular economic, social, cultural links across borders, by virtue of transportation and communications technologies that makes it easier to move internationally.

All the above theories and conceptual frameworks can be applied to varying degrees for the interpretation of the contemporary immigration histories of Italy and Taiwan. However, for the purpose of this study, Dual Labour Market theory and World Systems theory will be mostly used among the classical approaches, since the other two so far analysed – namely Neoclassical and New Economics theories – are less relevant in explaining international labour migration. Modern concepts such as Transitional theories (de Haas 2008) – which link mobility to processes of development and economic integration – and the Transnational theory (Basch *et al.* 1994; Portes *et al.* 1999; Vertovec 2004) above mentioned will also be considered to integrate the analysis. Since Italy and Taiwan belong to different global regions, the origin countries of their respective foreign labour forces also vary, namely, we have the Southeast Asian region for Taiwan (Lan 2006, 2007; Lin 2010, 2011; Liu 1996; Wang 2002, 2011) and the Mediterranean Sea basin for Italy (Pastore 2004; Sciortino 2004, 2009; Zincone 2006, 2010). The international movement of labour put in motion in those areas entails the formation of specific foreign policies and agreements with the sending countries that will be analysed based on political and economic theories.

At present, international migration policies respond to three basic requirements: first, the supply of low-skilled and highly-skilled workforce to sustain the domestic economy and the international competition; second, the provision of social services such as health care and domestic assistance in aging societies;

third, the need for national security. The first two points have led to the categorization of Castles and Miller (2003: 249-252) which distinguishes receiving countries in three categories, according to their acceptance approach of foreign migrant workers: the Differential Exclusionary model, the Assimilationist model and the Multicultural model. The Differential Exclusionary model is found in countries where the dominant group defines the general idea of nation, therefore “aliens” such as foreign immigrants can be incorporated into the economic sectors for which they have been recruited, but excluded from other areas (welfare, citizenship, political participation). This model has been fully applied in the early stages of Taiwan immigration policies, and for some aspects in Italy too. The Assimilationist model assumes that immigrants are gradually being absorbed into the dominant culture of the receiving country by giving up their own linguistic, cultural and social identities. The price of cultural assimilation into mainstream society is what immigrants have to pay in order to be accepted and become “good” national citizens. This model with some variations is typical of highly-developed immigration countries, especially in northern Europe, like Germany, Denmark, and the Netherlands; and lately it has also been adopted by Italy. The Multicultural model implies acceptance of immigrants’ diversities and granting of equal rights, provided newcomers conform to the basic values of the hosting society. This approach has been used in open-society countries which relied heavily on importation of immigrants to populate vast unsettled regions and sustain their expanding and dynamic economies, such as the United States, Australia, and Canada; for different motivations (mostly ideological), it has also been adopted by Sweden. Within this model, two divergent policies have been noticed: the first is the *laissez-faire* approach of the United States, where cultural and language differences are accepted but not supported by the state; the second approach involves government action to protect and sustain diversity through cultural and language programs or special provisions granted to minorities, as can be seen in Canada, Australia and Sweden.

The third basic requirement of international migration policies, namely the national security, is the main pillar of Taiwan immigration policy – even though it has been increasingly used by other countries to justify changes in their

immigration approach, as will be seen later. In the case of Taiwan, China would be the most obvious resource of cheap labour force to supplement the declining and aging population on the island, given the identical language and same cultural background. But political and diplomatic divisions have since long led to the formation of policies according to which population movement between China and Taiwan are considered a serious national security issue by authorities on the island (Wang 2011). Therefore the Chinese bias remains an important feature of Taiwan immigration policy, though the government of the current president Ma Ying-Jiu has tried to smooth out its main discriminatory traits by relaxing bans on PRC nationals coming to study in Taiwan after 2012.

Comparative studies on immigration practices among countries located on the same continent or hemisphere are abundant in current literature. One of the latest that can be mentioned is the comparative study conducted by de Haas and Vezzoli (2013) on the Mexico-USA migration vis-à-vis the Morocco-UE one. Castles (2003) has even gone further by comparing immigration in Germany and Australia – the two countries belong indeed to different hemispheres and continents but most significantly share the same Western cultural background. However, comparative works of Asian and European countries on the immigration issues are not very common, probably the main reason being that they are viewed as too distant economic and political spheres which only occasionally share commonalities on migration policies that are worth of analysis. The fact is that the rapid spread of globalization in recent years has made even far-flung regions closely interconnected and mutually influencing agents of the same international network. From this derives that migration patterns all over the world have assumed more resembling characteristics than before, regardless of culture, language and social structures of the sending and receiving countries. Consequently, also migration policies have tended to converge in many respects around the globe. To illustrate this with an example, the early strict migration policies of Taiwan were modelled on those of Singapore, which in turn were designed with the 1950s German *Guestworker Program* in mind. The draconian policy traits typical of the authoritarian city-state were mitigated in later Taiwanese versions, in consideration of human rights advocated by international organizations.

Among the few comparative works available which involve Taiwan, Fanning (2011) makes an unprecedented parallel between the so-called Celtic Tiger, *i.e.* Ireland, and the Asian counterpart of Taiwan. Immigration in Ireland was relatively recent, and followed a spectacular but short-lived growth in the mid-1990s. Apart from that, and a vague national building project common to the two islands – as maintained by the author – historical backgrounds and circumstances remain unrelated and distant. Quite interesting is the study of Schucher (2007), who compares the policies of Taiwan and the EU in the face of the current globalization, along with the need to combine openness and control in selecting the needed migration inflows. The only problem with this study is the comparative scale adopted: on one side we have a single country with a homogenous policy, on the other a continent-size loose union of 28 independent countries which so far have only agreed upon limited common policies on highly-skilled workers and refugees. Quite interesting and full of insights is the work of Kenji (2009), which compares foreign migrants in Taiwan and Japan. It draws parallels with respect to similar social and economic changes intervened in both countries that caused the importation of foreign labour, and examines the different solutions adopted. However, at present not any single comparative work involving Taiwan and Italy has been found in the migration literature, which justifies even more the need for this research.

To conclude this section, on a macro level the evolution of foreign labour immigration policies in Italy and Taiwan will be more and more influenced by the supra-national entity of reference. In the case of Italy, this entity is obviously the European Union, whose directives try – though quite laboriously – to harmonise the different immigration policies of its member states, using approaches of inclusion and integration. The Taiwan case has gone so far in the opposite direction, adopting an approach of exclusion and differentiation against its supra-national reference entity, which is obviously China. This policy is in contradiction with the ongoing economic integration (better, dependency), and many observers are wondering for how much longer it will be sustainable.

## 2.3 Theories on International Immigration Policies

Immigration policies are designed by states, therefore states – in a macro analysis view – are the main agent of immigration patterns, allowing or restricting access to their territories for potential migrants. As Zolberg (1989: 406) argued:

All countries to which people would like to go restrict entry. This means that, in the final analysis, it is the policies of potential receivers which determine whether movement can take place, and of what kind.

This section will offer an overview of the main theories that attempt to explain the different immigration policies and approaches adopted by the states and the criteria set for accepting immigrants – how many of them, when, which type (*i.e.*, permanent immigrants, temporary migrant workers or refugees), and of which ethnic origin. To this end, the following passages will refer mostly to the works of Eytan Meyers (2000) who made an interdisciplinary synthesis utilizing theories of political science and comparative politics, as well as international relations, sociology and psychology. First of all, immigration policy can be distinguished in two different functions: (1) immigration control policy that governs admission and exclusion through rules and regulations; and (2) immigrant policy that is more concerned with adaptation, integration and assimilation of immigrants already in the receiving country, for example through the regulation of work and housing conditions, welfare provisions and educational opportunities. The focus of this section will be on the first function – immigration control policy – for which Meyers has delineated six different approaches: the Marxist approach, based on the analysis of economic cycles and their consequences on immigration; the National Identity approach, which focuses on cultural and historical backgrounds as determinants of migration; the Domestic Politics approach, that points to economic and social factors as the main propellers; the Institutional approach, which gives importance to the role of state bureaucracy and administration in shaping policies; the Realism approach, centred on game power among the different states; and finally the Liberalism approach, which gives more credit to non-state organizations in forming immigration policies.



The Marxist approach explains immigration as an important disposable buffer device of capitalism, in order to sustain growth in expanding periods or to quickly cut costs during recessionary cycles. This “industrial reserve army of labour”, as it was dubbed, serves many functions: first, it pushes down working-class wages; second, its flexibility helps smooth out sudden fluctuations in the market that may affect production; third, it divides the united front of the working class in their struggle against the capitalist class, as Marx and Engels observed when describing the competition for jobs between English workers and Irish migrants; it occupies the lowest rungs of the socioeconomic ladder, doing the least desirable low-income manual jobs, and therefore raising the status of indigenous workers and lessening class conflict. The corollary to this last point is that domestic workers are then pushed up towards non-manual, better paid sectors, where union membership is less likely, with the result that the capitalist counterpart gains stronger negotiating power. The Marxist approach assumes that the state operates in the services of the capitalists, who view immigration as a structural part of the liberal economy and dictate the policies that best serve their interests. Critiques have been made against the Marxist interpretation for failing to predict a few important tenets. The first one is the growing proportion of immigrants that capitalist economies would use in relation to their local populations, whose ratio instead has substantially remained low over the last century. The second one regards the importation of immigrants of different race and ethnic origin, as a strategy to divide the working class, which has been contradicted by the several discriminating policies adopted in the past by the United States, Australia and Canada in favour of White immigrants over Asian ones, for example. Or still today, the selective policies used by Taiwanese authorities towards Southeast Asian workers; and again the preference given to Eastern Europeans rather than African workers by the latest Italian policies. The final critic of the Marxist analysis is about its exclusive focus on the economic aspect of immigration, which cannot account for state intervention on refugees, permanent settlement and forced migration caused by wars and natural disasters. Furthermore, the Marxist statement that immigration is a sheer product of capitalist exploitation is contradicted by the fact that even planned economies of the Communist block imported migrants.

The National Identity approach is based on the concept of national identity – made up of a country’s unique history, language and traditions – as the main criterion of inclusion or exclusion for immigrants. At times, fears of losing the national identity may produce nationalism and nativism as a reaction, and lead to xenophobic attitudes from the local population. A narrow or wide interpretation of the national identity explains contrasts in immigration and citizenship policies among countries of destination. These can be distinguished in: 1. settler societies vs ethnic states; 2. homogeneous vs heterogeneous countries; 3. countries with *jus sanguinis* legislation vs those with *jus soli*.

The first distinction opposes states traditionally in favour of large-scale permanent immigration for the purpose of populating their vast territories – such as Australia, Canada and United States – to other states where instead same ethnic origin is the main criteria of inclusion, like the crowded European countries. The second distinction overlaps with the first just mentioned in assuming that homogenous countries are less likely to accept ethnically different permanent immigration than heterogeneous societies. This is reflected for example in the policies adopted by Japan, Korea and Taiwan, which had all resisted the importation of alien workforce for long time, trying to supplement it first with co-ethnic nationals from overseas. The third distinction is in part the consequence of the first two, in that countries that adopted *jus soli* (citizenship by place of birth) were those heterogeneous and settler societies open to large migrant inflows, while the principle of *jus sanguinis* (citizenship by kinship or blood descent) dominated in most European countries and many East Asian nations, such as Japan and Taiwan. The National Identity approach is then useful in accounting for why some nations have an inclusionary attitude – allowing permanent settlement of immigrants – and others instead prefer the adoption of an exclusionary policy, permitting only temporary labour migration within their territories. However, this view has limitations, since the national self-image is a concept that may vary over time and cannot be always taken as the only factor responsible of immigration restrictions put in place by the single states.

The Domestic Politics approach derives its name by the fact that changes in immigration policy are the result of mediation or conflict among the different lobbies and parties involved within the national arena. Therefore, each political

party is the proponent of a specific program more or less restrictive with regards to immigration, while economic associations or social unions are the agents who pressure legislators, administrators and the political forces to adopt specific measures in one direction or the other. To illustrate with examples, employers and ethnic groups are traditionally those who are more supportive of immigration, while labour unions and nationalist groups view foreign labour inflows as a real threat to an established social and economic system. This confluence of interests can sometimes lead to otherwise unlikely alliances between the different pressure groups within a country. For instance, when Italy was governed by a right-wing coalition set to implement a restrictive immigration policy, those who opposed most openly were the employers and entrepreneurs who had given their votes to the ruling party; by contrast, the strong left-wing unions, traditionally very vocal on social issues, remained unusually silent on that matter. Opposition from unions were also very strong in Taiwan on the face of a more liberal immigration attitude proposed by the government and supported by industries. The Domestic approach can also be seen as the result of a centre-periphery tension or cooperation from which a new policy can emerge. It is a fact that in many cases local Italian communities that had a more hands-on knowledge in dealing with immigration problems suggested corrections and ameliorations on the policies issued by the centre.

Most critics of this approach have observed that it focuses exclusively on the specific social and economic characteristics of a single country, and for that reason domestic-oriented policy-makers often lack an ideological framework on which to ground their immigration planning. In addition, the scope of their “introverted” action is limited in space and time, without taking much into consideration the regional and long-period effects of their policy. To correct this narrowness, in some cases foreign policy considerations were seen as a useful addition to the domestic policy approach.

Somewhat similar to the Domestic approach is the Institutional approach, which focuses primarily on the role played by the state, through the administrative and bureaucratic apparatus, in shaping immigration policy. The important difference with the previous approach just described is that the Institutional approach assumes, in its purest determination, that state institutions are autonomous: they

can form public policy in the exclusive interests of the state, unaffected by economic or social pressure from interest groups. An often cited example of this approach – and probably one of the very few existing in such a pure form – was the Canadian immigration policy during the Cold War period, about which Whitaker (1987: 4) says:

The policies and practices of immigration security have been deliberately concealed from the Canadian public, the press, members of Parliament, and even bureaucrats with no “need to know”.

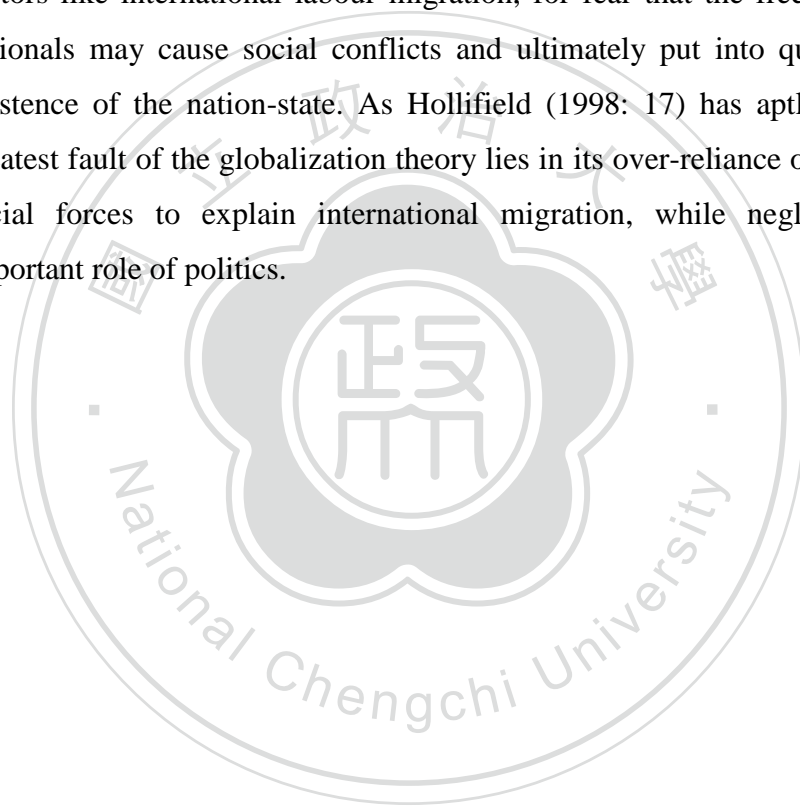
In reality, most states show only a certain degree of autonomy in their immigration options, which has led some analysts such as Katzenstein (1978) to distinguish between “strong” states, where policy determination is unaffected by external pressures, and “weak” states where contributions from the society forces are acknowledged and accepted. Examples of strong states have been France and Japan, while among the weak states are Britain and the United States. As for the latter, Fitzgerald (1996) offers another interpretation: not a weak state but a “sectorial” state, with a different approach for each sector. In this sense, the USA has been strongest with refugee policy, weaker with immigration policy and weakest with illegal immigration, the so-called “back door” immigration. Among the most important critiques levelled at this model are the vagueness of the two terms “weak” and “strong” used to describe a whole national policy. In addition, this distinction does not fit well into the refugee policy, which is a separate sector of the general immigration policy and where often states act autonomously out of humanitarian purposes; in this case, many states would fall into the “strong” category, while perhaps being “weak” in other respects.

The Realism approach is based first and foremost on national security, which is the result of strategic positioning and even struggle among states to survive on the international arena. Therefore its key characteristics can be summed up as follows: (1) states are the main actors and units of analysis; (2) the state is viewed as a unitary agent facing other international competitors; (3) the state acts out of pure rational interests; (4) national security issues are the most important factors. For this approach, foreign policy and military power are viewed as highly important tools in forming an immigration policy, while economic and social issues are regarded as subordinate accessories. Examples of the Realism approach

were adopted in France after World War II, when the French government encouraged immigration and settlement of Italians, Spaniards and Portuguese to supplement for the national war losses and low birth rate. Another famous case was the “Populate or Perish” policy implemented by Australia in the same period as a deterrent against possible invasions from hostile countries in the Pacific, as happened with wartime Imperial Japan. Even more fitting with this approach has been the policy of Israel since its birth as a state in 1948, where regular mass-immigrations of Jews were encouraged and carefully planned to counteract the fast-growing Arab population within Israel and in the neighbouring countries. In the case of Taiwan, the Realism approach is certainly responsible for the Chinese bias adopted by the island’s authorities in excluding labourers from mainland China, while favouring those from Southeast Asia. Realism assumes that national interests are best served by the state through diplomacy and military force, but according to many observers this has little impact on the general immigration phenomenon, except for specific cases, such as the ones mentioned above and for refugees. The exclusive focus on foreign and military issues, neglecting the effects of economic and social factors – which instead seem to be for many scholars the real propellers and determinants of international migration – limits heavily the explanatory power of this approach with regard to policy formation. But to the credit of realism theorists, only recently – since the end of the Cold War – has international migration been included among the possible factors of destabilization of states and regimes in the world.

The final approach considered here is the Liberalism view, based on the international network that links together nations and institutions. Liberalism approach – unlike the Realism approach centred on the role of the state – is largely driven by the action of non-state actors, such as international organizations and multinational corporations, which operate for social and economic purposes. Within this approach, two models have been regarded as most effective in explaining international migration policy-making. The first is the Neoliberal Institutionalism, centred on the role of supranational organizations and regimes in facilitating free movement of people within certain areas. For one, the European Union, which has removed all obstacles to internal migration and increased cooperation among the member states in dealing with displaced people,

such as refugees. The other model, much more powerful and substantial, is the Globalization Theory, which on the contrary has challenged the roles of borders and exclusive territoriality in favour of a single global space where mobility of capital, commodities, ideas and people is encouraged. However, states have indeed kept open borders for trade and goods, but restrictions on entry of people have been firmly maintained. Only EU has successfully combined free mobility of trade, capital and labour within member states, though erecting high walls all around towards the outside. This apparent contradiction touches upon the problem of state sovereignty, which many nations are not willing to relinquish in sectors like international labour migration, for fear that the free inflow of non-nationals may cause social conflicts and ultimately put into question the very existence of the nation-state. As Hollifield (1998: 17) has aptly observed, the greatest fault of the globalization theory lies in its over-reliance on economic and social forces to explain international migration, while neglecting the still important role of politics.



## CHAPTER THREE

### 3. A Case Study on Italy

#### 3.1 A Natural Destination

The Italian peninsula lies in the middle of the Mediterranean Sea, stretching out in its boot-like shape from continental Europe in the north down towards the Africa coastline in the south. Since ancient times, peoples travelling from all directions of the then known world had to consider a temporary or more prolonged stop on the peninsula. This pattern is still valid today, especially for migrants from the African continent and the Middle East who head towards their final destinations in countries such as the United Kingdom, France and Germany. Its geographic position puts it on the frontline of “Fortress Europe”, in the uncomfortable position of having to endure the impact of illegal migratory inflows from the global South, and acting as an ideal buffer barrier for central European nations.

Italy is a founding member of the European Union and has a land area of 302,071 square kilometres, with a population of 60,782,227.<sup>2</sup> As of 31 December 2013, the foreign nationals resident in Italy are 4,922,085 (with a ratio foreigners to population of 8.1 per cent), but among them the non-EU citizens regularly living in Italy for study, work or other reasons are numbered in 3,764,236 individuals.<sup>3</sup> The difference takes account of the recent expansion of the European Union to the east, and most importantly of the EU Directive 2004/38/EC – ratified also by the Italian Parliament – according to which “citizens of the Union and their family members have the right to move and reside freely within the territory of the Member States”. Therefore nationals from the 28 Member States<sup>4</sup> of the European Union are exempt from applying for work and resident permits when living in a host Member State. For periods of residence longer than three months,

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<sup>2</sup> [www.istat.it](http://www.istat.it) accessed on 28/06/2014.

<sup>3</sup> *Ibidem*.

<sup>4</sup> These are in alphabetical order with year of entry: Austria (1995), Belgium (1952), Bulgaria (2007), Croatia (2013), Cyprus (2004), Czech Republic (2004), Denmark (1973), Estonia (2004) Finland (1995), France (1952), Germany (1952), Greece (1981), Hungary (2004), Ireland (1973), Italy (1952), Latvia (2004), Lithuania (2004), Luxembourg (1952), Malta (2004), Netherlands (1952), Poland (2004), Portugal (1986), Romania (2007), Slovakia (2004), Slovenia (2004), Spain (1986), Sweden (1995), United Kingdom (1973). The countries with the 1952 year entry are the founding members of the European Coal and Steel Community (ECSC), the precursor of the European Union.

Member States may require Union citizens to register with the local authorities of the place of residence. This distinction is significant because the EU directive of 2004 has instantly turned millions of international migrants living in different European countries into mere internal migrants within the Union borders. For this reason, this paper will deal only with non-EU international labour migrants resident in Italy (from now on, just immigrants), excluding from the analysis, for example, the largest foreign community on the Italian peninsula – the Romanians – who in less than a decade have reached almost over a million individuals, overwhelming the older and larger communities until then, the Moroccans and the Albanians.<sup>5</sup> At times though a clear-cut separation of EU and non-EU migrant labour is difficult, especially for Eastern Europeans, because when new immigration laws were passed in Italy those same labourers might be non-EU, but soon after that their country joined the EU.

According to latest data, Italy's four largest immigrant communities are those from Morocco, Albania, People's Republic of China (PRC) and Ukraine. The origin of most immigrants settled in Italy is then either from Eastern Europe or from the Mediterranean basin. As for their distribution in the Italian territory, 37 per cent of them live in the north-west of the peninsula, 29 per cent in the north-east, 22 in the centre and only 12 per cent in the southern regions and islands.<sup>6</sup> As explained by White (1998), the concentration of migratory settlements is not left to chance or to individual preferences, but follows certain criteria that touch upon economic factors, such as the differentiated distribution of work opportunities; geographic factors, such as proximity to borders of closeness to next destination; or political factors, such as decisions regarding city quotas, settlement of refugees, exiles and asylum seekers (Colombo *et al.* 2004: 61). This can give account for example of the distribution of Chinese communities along the peninsula, which sees three main concentrations in Milan, Tuscany and Rome; or the Tunisians in western Sicily; or else the Albanians in the south, who have established Bari as an important foothold just across the sea from their homeland. Once fixed, geographic settlements are the basis for the development (and expansion) of

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<sup>5</sup> However, in some instances figures of Romanians and other East Europeans EU citizens will be given to show their relevance and how they have contributed to change immigration policies, as explained below.

<sup>6</sup> [www.istat.it](http://www.istat.it) accessed on 17/01/2014.



informal migrant networks, that is to say sets of interpersonal ties that connect migrants, former migrants and non-migrants in origin and destination areas through ties of kinship, friendship, and shared community origin (Massey *et al.* 1993: 448). The network connections continue to expand gaining force from the addition of more migrants who can lean on those fellows already settled for support, shelter and job. The general principle underlining this process is called “cumulative causation”: causation is cumulative because over time international migration tends to sustain itself making additional migration more likely and less costly (Massey *et al.* 1993, 1998). As aptly put it by Tilly (1990: 3), “networks migrate, categories stay put: the effective units of migration are neither individuals nor households, but sets of people linked by acquaintance, kinship and work experience”. The lack or presence of a supportive network is therefore often (but not always) indicative of a certain labour migrant’s status. According to a survey conducted in Lombardy in 2002, legal entries were made exclusively by migrants who had at least a family member or a relative in the country; while those who entered illegally were less likely to have a network on the ground, at least not at the port of entry (Colombo *et al.* 2004: 67). Immigrants’ working activities concentrate for 30 per cent (and growing) in domestic work and care service (the latter is mainly assistance to the old and the sick), 30 per cent (but declining) in industry and construction (20 and 10 respectively), 10 per cent in commerce and 10 per cent in hospitality (hotels and restaurants), both of which are on the rise; the rest is distributed in all the other sectors.<sup>7</sup>

The first historical immigrants to Italy in modern times have been the Tunisians, who arrived in the late 1960s for seasonal farm work in Sicily. Later they spread also to the fishing sector in western Sicily – the largest in Italy – where today they make up the majority of personnel in fishing boats (Colombo and Sciortino 2004). Immigrants from Morocco and Albania are mainly employed in construction and transportation, while the Chinese community had first established itself in the restaurant business to expand later to garment manufacturing. The Ukrainians are mostly (80 per cent) women and occupy the care service sector, but the most sought-after domestic workers remain the Filipinas. While northern African immigrants (Moroccans, Tunisians and

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<sup>7</sup> [www.lavoro.gov.it](http://www.lavoro.gov.it), accessed on 17/01/2014.

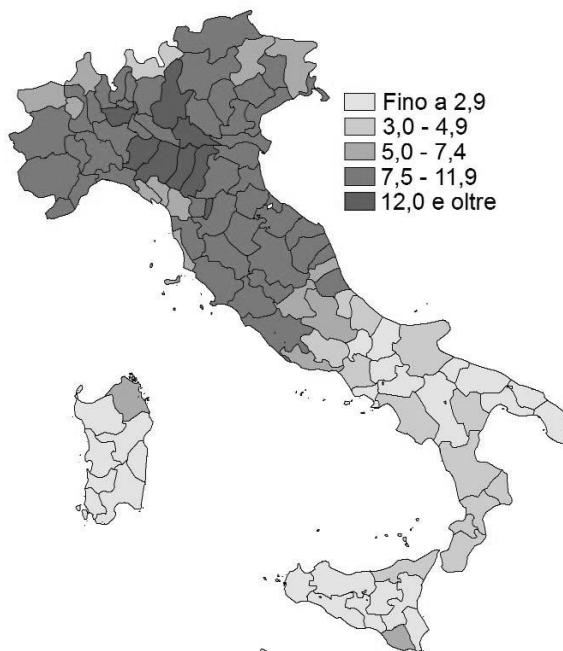
Egyptians) are also quite active as small entrepreneurs, central Africans are mainly employed as seasonal workers for agricultural work in southern Italy, shifting as peddlers between times in the northern cities of the peninsula.

**Table 1: Total foreign population in Italy**

YEAR	POPULATION	INCREASE	PERCENTAGE
2003	1,549,373	N.A.	N.A.
2004	1,990,159	440,786	+28.45
2005	2,402,157	411,998	+20.70
2006	2,607,514	268,357	+11.17
2007	2,938,922	268,408	+10.29
2008	3,432,651	493,729	+16.80
2009	3,891,295	458,644	+13.36
2010	4,235,059	343,764	+8.83
2011 <sup>8</sup>	4,029,145	-205,914	-4.86
2012	4,053,599	24,454	+0.60
2013	4,387,721	334,122	+8.24

Source: ISTAT.

**Figure 1: Foreign residents as a percentage of provincial population, 2011**



Source: ISTAT.

<sup>8</sup> Correction made following the 2011 National Census.

**Table 2: Immigration to Italy by country of origin**

<b>Country</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Romania <sup>9</sup>	887,763	968,576	997,00	1,072,341
Morocco	431,529	452,424	506,369	513,374
Albania	466,684	482,627	491,495	497,761
China	188,352	209,934	277,570	304,768
Ukraine	174,129	200,730	223,782	224,588
Philippines	123,584	134,154	152,382	158,308
India	105,863	121,036	145,164	150,462
Moldova	37,971	130,948	147,519	149,231
Egypt	82,064	90,365	117,145	123,529
Tunisia	103,678	106,291	122,595	121,483
Bangladesh	73,965	82,451	106,671	113,811
Poland <sup>10</sup>	105,608	109,018	112,000	N.A.
Peru	87,747	98,603	107,847	109,374
Serbia	53,875	52,954	101,554	N.A.
Sri Lanka	75,343	81,094	94,577	98,679
Pakistan	64,859	75,720	90,185	97,921
Ecuador	85,940	91,625	89,626	90,300
Senegal	72,618	80,989	87,311	N.A.
Macedonia	92,847	89,900	82,209	N.A.

Source: ISTAT

Table 2 includes purposely two EU countries, Romania and Poland, for two main reasons. First, because until the passing of the last comprehensive immigration law in Italy (2002) they were both non-members of the EU. Secondly, the inclusion is also a way to illustrate how the presence of Eastern Europeans has grown beyond any expectation in just a few years,

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<sup>9</sup> Joined EU in 2007.

<sup>10</sup> Joined EU in 2004.

overwhelming the traditional migrant communities from northern and central Africa.

### **3.2 Social and Economic Background**

Today Italy is an extremely diversified industrial economy with a developed industrial north dominated by private companies, and a less developed, highly subsidized, agricultural south, where unemployment is traditionally high. Most of the Italian economy is sustained by the manufacturing of high-quality consumer goods produced by small and medium-sized companies, many of them family-owned. According to the International Monetary Fund and the World Bank, in 2012 Italy was the ninth-largest economy in the world and the fourth-largest in Europe. However, Italy is also a mature economy with a low growth (in comparison to younger and more dynamic Asian nations) and an aging population. The low fertility rate of 1.41 children born per woman (2013) is well reflected in the typical constrictive population pyramid with a narrow base of younger people and a larger section of middle aged individuals. This pyramid shape is indicative of a negative population growth and consequently of a dramatic shrink of the national working population (aged 15-64). As a result, the importation of foreign workforce to sustain the national economy and provide assistance to the growing numbers of old and sick people is not an option anymore but a real necessity, which makes Italy one of the largest immigration countries in Europe. However, until a few decades earlier, Italy was well-known to be an emigration country, sending millions of its citizens to Europe and to the Americas. The shift from emigration to immigration country has typically followed the path towards prosperity other developing countries have also gone through, but in the case of Italy that process took more than a century to be completed.

The Italian peninsula was officially unified under the Kingdom of Italy on 17 March 1861. With over 26 million people, it had the fifth largest population in Europe after France, Germany, Austria-Hungary and the United Kingdom. Rich in labour but poor in human and physical capital, Italy showed all the traditional indicators (GDP, household consumption and wealth) of a country in a backwardness condition, as defined by Alexander Gershenkron (1962). Life

expectancy at birth was 29-30 years, illiteracy reached 80 per cent of the population, with the average citizen spending less than a year in school, and the daily individual intake of calories from staple food was insufficient, as resulted by anthropometric data elaborated by Giovanni Vecchi (2011).

In the South the 1861 unification broke down the feudal land system established since the Middle Ages, where land was property of aristocrats, religious bodies and the king. The greatest beneficiaries of the subsequent land redistribution were not the small farmers – many of whom remaining landless – but the middle and upper classes who showed little interest in investing and making it more productive. Industries were concentrated in the most advanced regions of the peninsula, Piedmont in the north-west – the place of origin of the royal family and from which the unification process started in the mid-19th century – and Lombardy in the north, long dominated by the Austro-Hungarian Empire. The industrialization process that started only in the 1880s was focused on these two regions, excluding completely large areas of the north-east – where border claims with neighbouring countries were still unresolved – and the south, whose backwardness was deemed beyond remedy. However, the cost of unification caused a huge public debt for the state treasury, which tried to balance it by imposing the so-called “Corn Flour Tax” (1869). This added to the already burdened shoulders of the peasant families, most of which were simply reduced to destitution with the new tax. Consequently a huge portion of the Italian population – a good two thirds were male – emigrated from the poorest regions in the period 1880-1914 in search of better living conditions. As put it by Foerster in early times (1919: 49):

In very few countries of the world do the causes of emigration show themselves in such prominence as in the south of Italy. There emigration has been well-nigh expulsion; it has been exodus, in the sense of depopulation; it has been characteristically permanent.

Italy emerged from World War I in economic shambles but acquired new territories in the North-East, following the collapse of the Austro-Hungarian Empire.<sup>11</sup> Worsened economic conditions and social unrest paved the way for the

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<sup>11</sup> In 1919, at the Conference of Paris, the regions of Trentino and Alto Adige, Trieste and Istria (all in the North-East) were incorporated into the Italian territory.

rise of the authoritarian National Fascist Party of Benito Mussolini, who rose to power in 1922. The early stage of the Fascist era was characterised by a *laissez-faire* in economy, with a reduction in taxes, regulations and trade restrictions. Later the government intervention and protectionism was gradually extended in all sectors, to arrive at the large nationalizations implemented in the late 1920s as a measure to cope with the Great Depression that had also hit Italy. Patricia Knight (2003) estimates that in 1939 Italy had the highest percentage of state-owned enterprises after the Soviet Union.

The rubbles left by World War II were quickly done with when Italy was included in the recovery and reconstruction plans arranged by the United States for their allies, in consideration of its geopolitical importance in what later came to be known as the Cold War. Under the Marshall Plan, Italy received an estimated 1,204 million US dollars in the period 1948-1951. The broke-up of the Korean War in 1950 and the creation of the European Coal and Steel Community (ECSC) in 1952 provided a further stimulus for the Italian industrial production. A large and cheap labour force, combined with huge investments and a dynamic recovery, laid the foundation for a phenomenal economic boom that lasted until the first Oil Crisis in 1973. Between 1951 and 1963 the Italian economy produced an average GDP growth of 5.8 per cent per year, while in the 1964-1973 years it grew 5.0 per cent annually; unemployment remained below 5.5 per cent throughout this period. Workers in agricultural sector fell from 43.9 in 1951 to 16.6 per cent in 1973; while in the same period industrial workers increased their rate from 29.5 to 38.3 per cent (Bonifazi 2009). These structural changes caused a diminishing emigration and the slow transformation of Italy from an emigration to an immigration country.

In the 1970s political turmoil and strongly ideological social unrest accompanied a sluggish economic growth, with GDP at an average 3.8 per cent annually and unemployment at 6.2 in 1973. In the following decade it slowed further at 2.4 per cent on average, with unemployment on the rise at 11.8 in 1989; only successive devaluations of the national currency and government spending helped the economy to pick up momentarily. The following 1990s were again characterised by slow growth and stagnation that continued with ups and downs until the 2000s. Badly planned government interventions in the past two decades and irrational

public expenditure had built up a huge public debt that in 2012 reached 126 per cent of GDP. As a consequence, the government range of possible interventions to recover from the late 2000s global recession was very limited, resulting in deep negative growth and high unemployment rates that still persist today. In conclusion, the post-war development process has transformed Italy from an initial rural-based economy into one of the most advanced industrialized nations in the world, but the signs of a mature economy with structural problems are now more apparent and will affect the future generations.

### 3.3 A Country of Emigration

If Italy's reputation in many sectors of life style is well established in the world is also thanks to the millions of migrants who left the peninsula and built up large communities of national fellows in all continents, bringing with them habits, skills and traditions. It has been calculated that from 1876 – when the first national emigration census was carried out – to the early 1980s more than 26 million people left Italy, with a corresponding flow of returnees of just under 9 million from 1905 to 1981. Later estimates put net migration – people who never returned – at 8.3 million individuals between 1861 and 1981 (Bonifazi *et al.* 2009).

According to early studies, the Italian emigration is traditionally divided into six stages. The first stage started in 1876 until the early 1900s, and saw a constant growth in emigration: from the initial 100,000 individuals per year to the more than 500,000 at the dawn of the new century. Migrants came predominantly from northern Italy and their preferred destinations were France, Switzerland, the Austro-Hungarian Empire and Germany. The second stage, which lasted until the broke-up of World War I, was the time when emigration reached the highest peaks, with 813,000 emigrants in 1913 only. In this period the transatlantic migration flows directed to South and North America (Argentina, Brazil and USA) overcame those towards Europe (France, Germany and Switzerland). The United States alone absorbed more than three million Italians (Bonifazi *et al.* 2009). At the time half of all migrants were from regions in southern Italy.<sup>12</sup>

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<sup>12</sup> Some other research calculated that the Great Migration – as was called the biblical exodus of Italian migrants occurring between 1861 and 1910 – was divided into five different phases: 1,210,400 (1861-

The third stage coincided with the war time, when emigration came almost to a halt for the military conscription of young generations. The fourth stage lasted from the end of World War I in 1918 until 1930. The United States set up restrictive measures to immigration with the introduction of the *Literacy Act* of 1917, which barred the entry of illiterate migrants, and the adoption of the quota system in 1921. This reduced greatly the transatlantic flows, while increasing those towards European nations, especially to France, where also many anti-fascist exiles took refuge. Starting from 1924, the Fascist regime had in fact adopted a more restrictive policy against individual liberties, including the right to emigrate, in order to consolidate its power on the society and the opposition forces within the country. In particular, the 1927 emigration laws put a stricter control over would-be migrants – reversing almost six decades of liberal emigration policy – as part of a plan to recast emigration to colonisation and serve the imperial ambitions of the Fascist regime.

The fifth stage, running from 1930 to the end of World War II, saw a strong reduction in emigration, caused mainly by the Fascist anti-migration policy that became more stringent in 1928, and by the Great Depression of 1929 that hit the United States, diverting migration flows mostly to Europe.

The sixth and final stage began in the post-war period and witnessed an unprecedented huge inflow of national migrants from the Italian former colonies and territories lost in the decolonisation era that followed. Estimates calculated that the loss of African colonies in November 1949 produced a total of 206,000 Italian refugees: 55,000 from Ethiopia, 45,000 from Eritrea, 12,000 from Somalia and 94,000 from Libya. However, the usual emigration resumed quickly, this time encouraged by the Italian governments, which signed numerous bilateral agreements with European countries (France, Belgium, Switzerland, Germany, the Netherlands, Sweden, Luxemburg and Great Britain) and some other countries, such as Argentina, Brazil and Australia. According to Bonifazi (2009), between 1946 and 1965 a total of 5.6 million Italians – mostly from southern regions – left the peninsula on the *Guestworker* programs. In the early 1970s, following a general downturn in the global economy and the 1973 Oil Crisis,

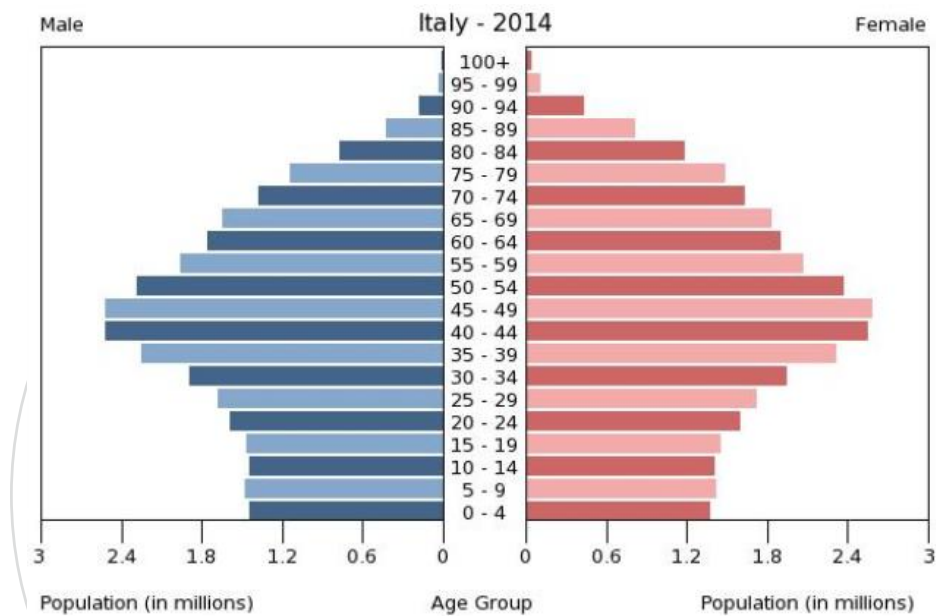
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1870); 1,175,960 (1871-1880); 1,879,200 (1881-1890); 2,834,739 (1891-1900); 6,026,690 (1901-1910) (Zincone 2010: 6).



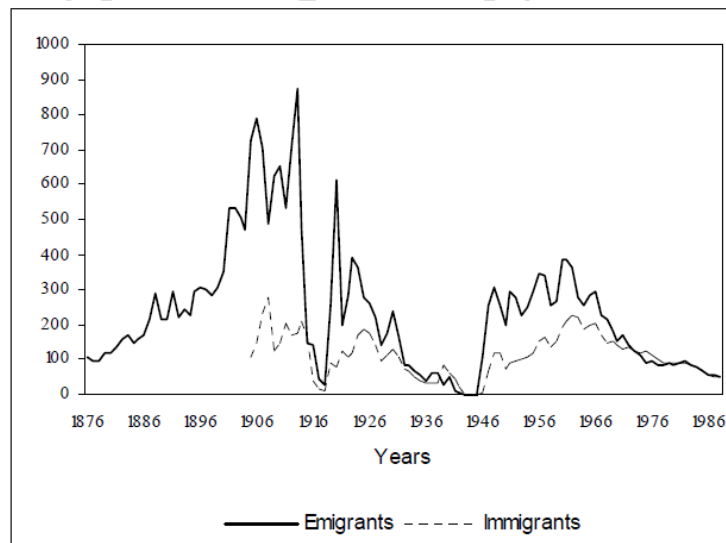
many receiving countries adopted restrictive policies and *Guestworker* programs were progressively terminated. The mass emigration experienced by Italy since the Unification in 1861 came to a definite end. This was confirmed by national statistics in the early 1970s, showing for the first time a positive foreign net migration balance: the number of foreign immigrants overtook that of the Italian emigrants.

**Figure 2: Population Pyramid of Italy**



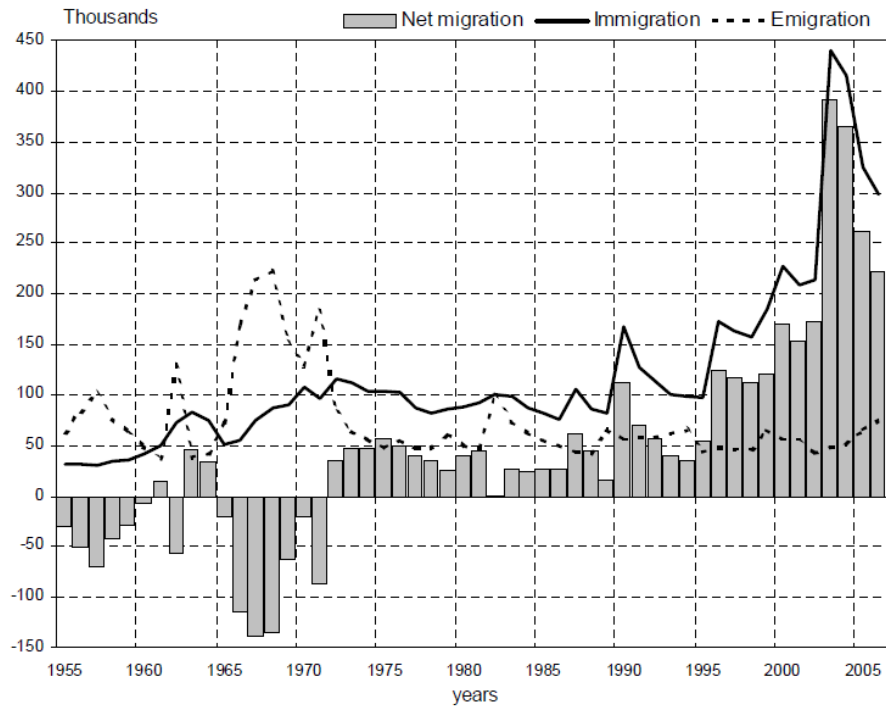
Source: The World Factbook

**Figure 3: Migration flows of Italian nationals (values in thousands)**



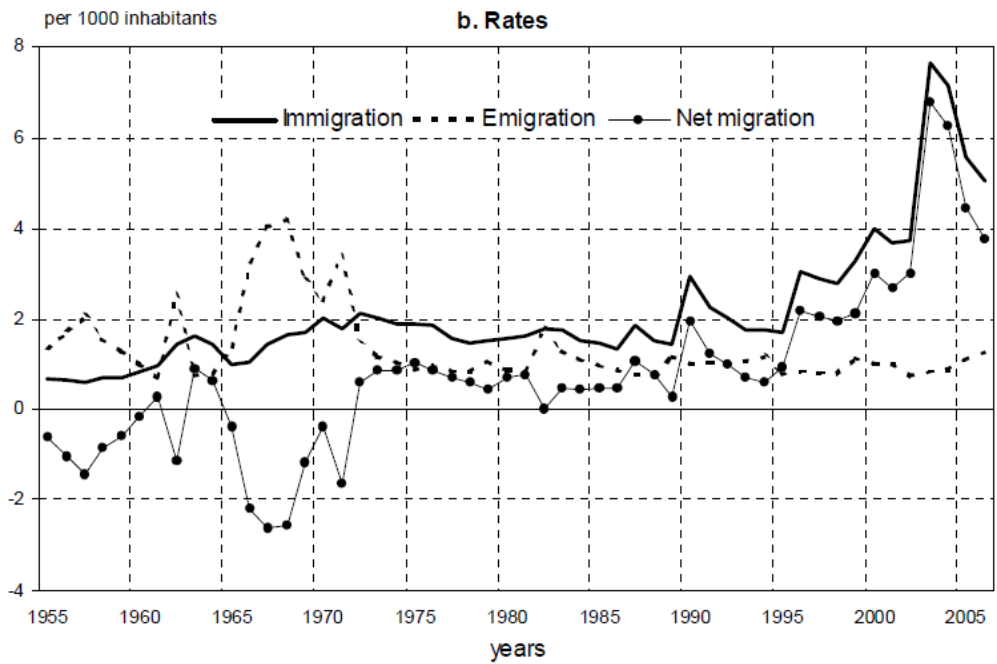
Source: Federici (1979), Bonifazi and Heins (1996), Bonifazi *et al.* (2009)

**Figure 4: International migration flows, Italy 1955-2006 (in absolute values)**



Source: Bonifazi (2009)

**Figure 5: International migration flows, Italy 1955-2006**



Source: Bonifazi (2009)

### 3.4 The First Immigration Flows

Unlike other European countries that planned the importation of workforce from abroad through specific programs (*Guestworker*), as a way to sustain their economic growth, the phenomenon of immigration in Italy was completely unplanned and followed different paths. The first mass immigration flows towards Italy were generally explained by the restrictive measures set up in 1974 in traditional countries of destinations, such as Great Britain, France and Germany, following the Oil Crisis of 1973 and a general contraction of labour market in those nations. As a result, Italy was seen by prospective migrants as an ideal “second choice country” or a “temporary option”, in consideration of its proximity to the preferred destinations and the long porous frontiers, its growing economy and the absence of a strict legal frame that allowed undocumented immigrants to survive without a legal status, but also without the threat of expulsion (Campani 2007).

Other studies (Colombo and Sciortino 2004) contest this explanation by arguing that historical data show a different picture. Though very modest in comparison to other European countries, immigration had long been a well-structured feature of the Italian society, starting from the second half of the last century. Following a usual historical pattern seen in other nations, the first large waves of foreign migrants were made up of refugees. From the Hungarians who took refuge in the Kingdom of Piedmont-Sardinia after the revolutionary movements of 1848 to the colonies of exiled Russians – among which Herzen and Bakunin – who established themselves along the Ligurian coast. Between 1919 and 1933 more consistent waves of Russians, fleeing from the 1917 Revolution, settled in Milan; students, merchants and industrialists arrived from Albania; Jews from Germany between 1933 and 1938. The first Chinese people arrived in Milan in the 1920s, probably as a spill-over of the Chinese Labour Corps recruited by France and Great Britain to fill in a manpower shortage during World War I.

A look at available data provided by the Italian Ministry of the Interior (and based on legal immigrants as a reference group) demonstrates that a significant growth of foreign inflows occurred during the period 1970-1974, before the oil crisis and the adoption of restrictive policies towards immigrants in many parts of

Europe. And surprisingly, in the following years after 1974 the number of legal immigrants remained almost unchanged. Only after the first amnesty of 1986 (Law 943/86) did the number of legal immigrants start to increase significantly year after year. The marginal increases registered between 1970 and 1986 are well illustrated by the fact that for every 100 permits issued in 1970 there were 144 at the time of the first regularization. The conclusions drawn by the analysis of Colombo and Sciortino (2004) are dual. First, legal immigration to Italy began well before 1974, as part of the international migration movements from the global South to the North, put in motion by economic factors and political events. Second, the actual data could be even more important than the data shown, because the inadequacy of the legal framework in Italy made it very hard to obtain a regular work and residency permit, leaving open only the backdoor of illegal immigration. Typically, waves of foreign workers responding to a high demand for labour from small and mid-size companies as well as from households entered the country on tourist visas and then stayed on illegally (Colombo and Sciortino 2004). Illegal immigrants of the 1970s and 1980s were subsequently granted amnesties in 1986 and 1990 – leaving that sort of “limbo”, created by the absence of a legal frame, in which they could not become regular nor be expelled – showing an unprecedented surge in inflows attributed erroneously to the years that followed the first Oil Crisis of 1973.

The two main explanations above are probably not contradictory as they might seem at first inspection. At the time Italy experienced the early migration inflows in the 1970s, the country was seen as an open steppe due to a lack of particular rules regulating the entry of foreigners and their stay. Immigration to Italy was considered a temporary phenomenon caused by worsening conditions in the sending countries (push effects), or at best a first stage towards final destinations elsewhere. As a matter of fact, many economic indicators evidenced that Italy was already experiencing a segmentation of its labour market – along the lines of the Dual Labour Market Theory – that led to the creation of more work opportunities in the labour intensive category, that of the dirty, dangerous and demeaning jobs spurned by the national labour force. Those were the times when the Tunisians established themselves in the agricultural and fishing sectors in Sicily; when the Yugoslavians came in droves to help with reconstruction in

Friuli – hit by a massive earthquake in 1976 – and later spread in the building sector in the whole North-East of Italy; or when domestic workers from Cape Verde and the Philippines appeared in larger cities to serve in the houses of the affluent middle class.

**Table 3: Foreigners in Italian censuses 1871-2001**

Year	Foreign residents	Non-resident foreigners	Total foreigners	Resident Italian population	Foreign residents per 1000 residents	Total foreigners per 1000 residents
1861	–	–	–	22,182,377	–	–
1871	–	–	60,982	27,303,509	–	2.2
1881	–	–	59,956	28,953,480	–	2.1
1901	37,762	23,844	61,606	32,965,504	1.1	1.9
1911	–	–	79,756	35,845,048	–	2.2
1921	89,517	20,923	110,440	39,943,528	2.2	2.8
1931	83,027	54,770	137,797	41,651,617	2.0	3.3
1936	73,920	34,677	108,597	42,943,602	1.7	2.5
1951	47,177	82,580	129,757	47,515,537	1.0	2.7
1961	62,780	–	–	50,623,569	1.2	–
1971	121,116	–	–	54,136,547	2.2	–
1981	210,937	109,841	320,778	56,556,911	3.7	5.7
1991	345,149	279,885	625,034	56,778,031	6.1	11.0
2001*	987,363	252,185	1,239,548	56,305,568	17.5	22.0

Source: Bonifazi *et al.* (2009)

**Table 4: Permits issued by 31 December every year**

Year	Permits	Year	Valid permits	Year	Valid permits
1970	143,838	1980	198,483	1990	548,193
1971	156,179	1981	207,660	1991	648,935
1972	167,961	1982	209,548	1992	589,457
1973	175,746	1983	207,373	1993	649,102
1974	186,423	1984	194,562	1994	677,791
1975	186,415	1985	194,559	1995	729,159
1976	186,713	1986	207,201	1996	986,020
1977	191,503	1987	282,783	1997	1,022,896
1978	194,062	1988	297,315	1998	1,090,820
1979	205,449	1989	320,104	1999	1,340,655

Source: Bonifazi *et al.* (2009). In italics are the amnesty years.

### 3.5 Immigrants: a General Outline

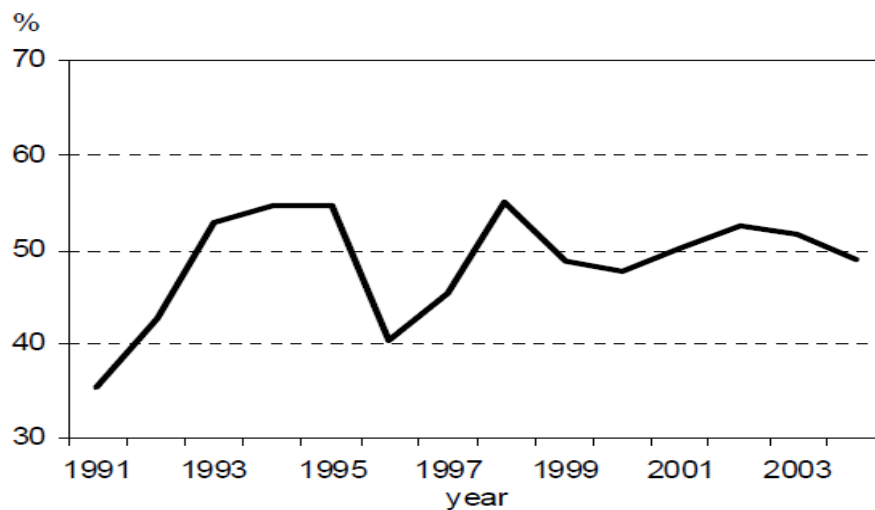
As anticipated above, the demographic characteristics of the early immigration flows were very marked as regards gender, depending on the different national groups (though over time the differences tended to be less significant, due to family reunions and more stable patterns of settlement). Sometimes the imbalances were in favour of men, as was the case with Tunisians, Moroccans and Albanians (viewed in the ten year range of 1995-2004, taken as a more stabilized reference period); other times women prevailed among the Filipinos (60 per cent) and Ukrainians (80 per cent). Other groups showed more balanced ratios, such as the Chinese (45.5 are women) and better still the Romanians (50.7). The sharp peaks and troughs showed in Figure 6 (as also in other figures and graphs below) are the effect of regularizations, during which an unusual surge of immigrants came out to regularize, followed by a sharp decline back to the normal fluctuation values. As noted previously, migration in its first stages is highly selective of age, therefore the range between 20 and 39 years is the most common among immigrants in Italy, with some rare exception observed again with Ukrainian women, whose average age is well above that range.

Italy is an interesting case with regard to the analysis of geographical origin of immigration flows, not only for its central position in the Mediterranean basin, but also for a lack of extensive colonies or special commercial ties with developing countries. The latter have been the traditional pools of migrants for other European countries with a longer history of immigration, such as Great Britain, France and the Netherlands.

Data on single nationalities have been available only since 1995, previously they were included in larger geographic macro-areas, such as for example North and West Africa. In the early and mid-1990s immigration from Africa was predominant, and reached a peak during the 1990 and 1995-6 amnesties. Starting from the mid-1990s the presence of immigrants from Central and Eastern Europe became more substantial, followed by rises in migration from Asia and Latin America. As previously mentioned, the most established and important nationalities of migrants in Italy were the Moroccans, the Tunisians and the Filipinos. These three groups were subsequently overtaken by the Albanians – the

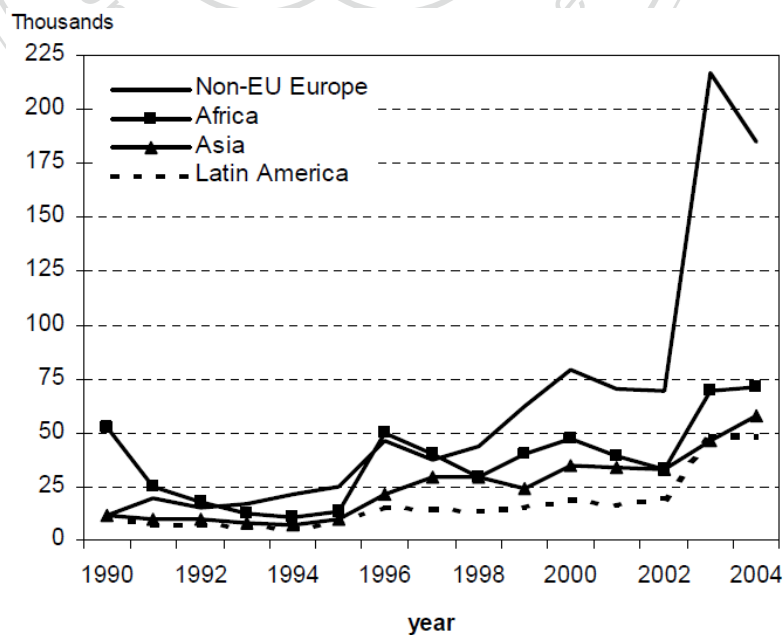
first to arrive *en masse* on the coasts of Italy when the communist regimes in Eastern Europe collapsed – then by the Romanians and Ukrainians in later years. Immigrants from China have continued to increase at a more regular, though, slower pace. Generally speaking, arrivals from Latin America and China are an indication of the global character of migration into Italy, and how this country has become a crossroads of the international migration system.

**Figure 6: Immigration of foreigners by sex, Italy 1990-2004 (% of women)**



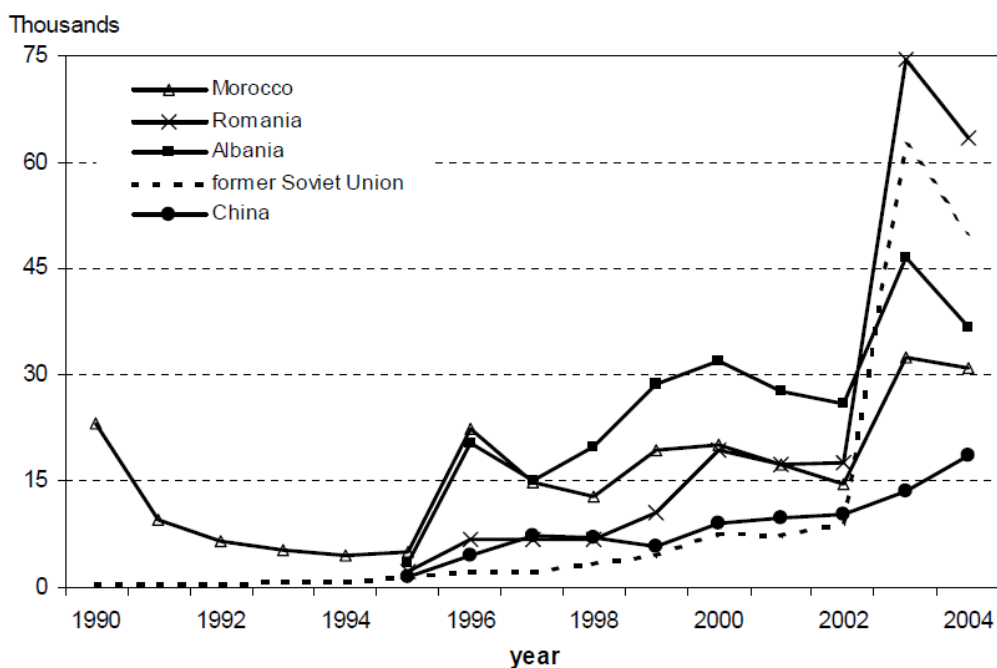
Source: Bonifazi *et al.* (2009)

**Figure 7: Immigration of foreigners by area of citizenship, Italy 1990-2004**



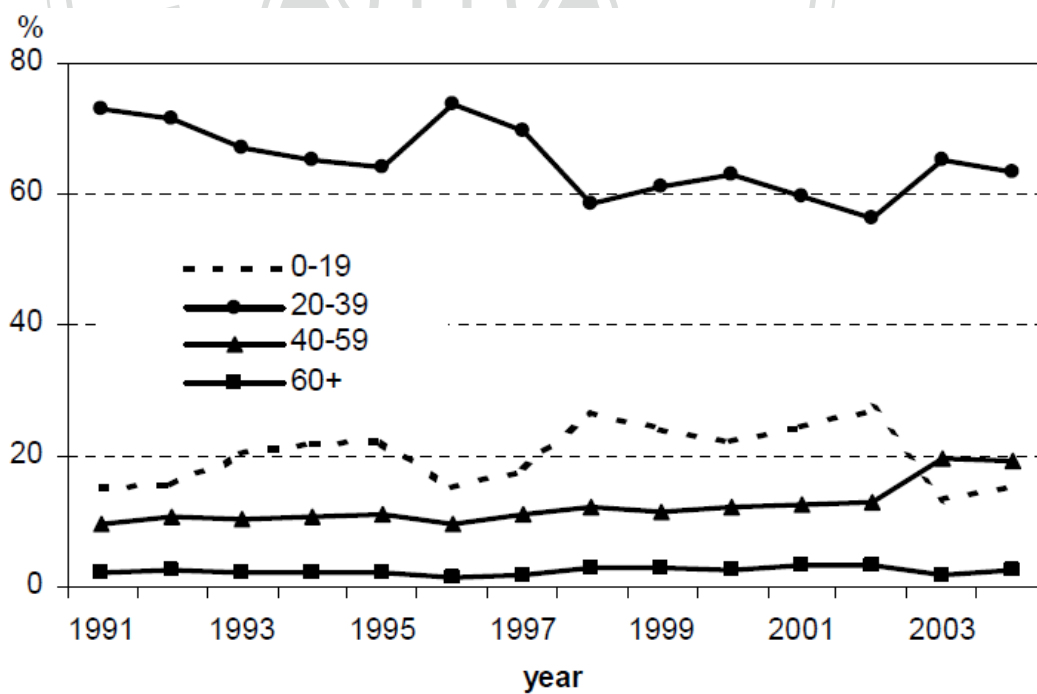
Source: Bonifazi *et al.* (2009)

**Figure 8: Immigration of foreigners to Italy by country of citizenship**



Source: Bonifazi *et al.* (2009)

**Figure 9: Immigration of foreigners by age, Italy 1990-2004**



Source: Bonifazi *et al.* (2009)



### 3.6 Immigration Policies: an Historical Overview

From the Unification period (1861-1870) until the end of the century, Italy adopted a predominantly open-borders policy, in similar fashion as to other European states. This policy was grounded on the 1865 Civil Code, drafted by Pisanelli and Mancini, two prominent legislators who had experienced political persecution and exile in their youth, and were therefore in favour of a more generous legislation. Only the end-of-century economic crisis – the fall of the Vienna stock exchange in 1871 and the overproduction problems of the late 1890s – led many European countries to adopt more protectionist measures against the importation of competitive goods as well as labour force. Thus, for example, Italy introduced higher import tariffs in 1887, while Great Britain required visas for third class travellers in 1905 (Zincone 2010).

The rise of Fascism caused a stricter control of borders for internal security reasons and to prevent the formation of dissent against the regime. Therefore a Centralized National File of foreigners was introduced in 1929 and visa requirements for some countries were applied in 1930. In particular, the *Public Security Consolidated Act* of 1926 required that foreigners register at police offices within three days of arrival (art. 143); employers have to notify the hiring of a foreigner within five days and dismissal within 24 hours (art. 146); foreigners can be expelled if convicted, or for reasons of public order (art. 151) (Zincone 2010: 4). Subsequently, all the public security regulations concerning the entry and stay of foreigners were converted into laws with the enactment of the Royal Decree of June 18, 1931, no. 773, articles 142-152. After World War II, many provisions on immigration control of the Fascist era were passed on to the Italian democratic republic almost unchanged, though the new state constitution (1948) was formed in antithesis to the Fascist repressive norms. The obvious reason being that immigration was not an issue in a country with a still strong tradition of emigration.

Some analysts (Campani 2007; Bonifazi 2009; Rusconi 2010) have seen the immigration policy-making of Italy as a bottom-up process initiated from the periphery, that is from the many instances of the civil society, but also from illegal practices adopted in a law vacuum, and then incorporated by the centre in

the new legislation, after granting a mass amnesty. This practice has had some beneficial effects in helping immigrants emerge from the informal economy and the dangerous underworld, but its frequent use has also diminished the image of the national authority in enforcing the law, since the expectation on the part of immigrants was that the next regularisation would always come along sooner or later.

However, the role of the State remains central in shaping immigration policies, as aptly argued by Giovanna Zincone (2006: 351), who identifies five possible attitudes that guide the law-making and policy implementation of immigration control in Italy. The first one is called Solidarist and is mainly concerned with the protection and assistance to the weakest categories of migrants, such as undocumented immigrants, abandoned minors and trafficked women.

The second one is the Multiculturalist: it helps immigrants to maintain their language and customs, while conforming to the receiving country's rules and practices; it is compatible with the solidarist attitude seen above, but also with the functionalist and identitarian ones explained below; in its positive version, multiculturalism is hospitable and tolerant; conversely, it can be viewed as inhospitable and segregating.

The third attitude is Functionalist: migrants are given access only according to economic, financial and demographic needs of the destination country (by setting quota entries, for instance); entry then depends on labour demand, so as to avoid the risk that immigrants become a social security burden. Within this category we can distinguish two views: Ideological functionalism sees foreign labour just as a means of production that can be disposed of when not needed anymore; for this reason it prevents immigrants from settling in the host country (sedentary bias) by adopting inhospitable multiculturalism as a way to make it easier for them to return to their home countries; it borders with the extreme Identitarian attitude mentioned below, according to which only descendants of citizens can be part of the population. Pragmatic functionalism considers immigration as always beneficial to a country because it responds to a natural supply and demand mechanism. Settlement is not excluded and the Solidarist attitude of easy access is therefore the preferred practice.

The fourth attitude is the Identitarian, which is compatible with ideological functionalism and segregating multiculturalism, in that it gives priority to immigrants culturally homogenous with the host society. The distance to a constructed national identity is the main criteria adopted by this attitude, and it can develop a strong identitarian stance with xenophobic and racist positions; a milder integrative version encourages immigrants to learn the language and the national values of the host country.

The fifth and last approach of the State is the Repressive/Legalitarian: abiding to the law and repressing illegal practices are its main points. In theory, the supremacy of the law is the principle agreed upon by all political forces concerned with policy-making; in practice, though, there are various degrees of tolerance shown on the ground when dealing with the immigration phenomenon.

### **3.7 Immigration Laws and Amnesties**

The process that led to the first modern immigration legislation in Italy was very complex and winding. Until 1986, the provisions of the Royal Decree of 1931 still regulated public security in matters of immigration, while employment and stay permit regulations for foreigners were at the discretion of the single ministries or local authorities concerned. This precarious legal status was stigmatised by the Constitutional High Court in the sentence no. 46 of January 20 1977 which stated:

The Court believes [...] to have to say that the matter in question – for the sensitivity of the interests involved – deserves a reordering by the legislature that takes into account the need to consecrate, in complete and organic norms, rules and guarantees pertaining the exercise of the fundamental human rights connected with the entry and residence of foreigners in Italy.

Many more years will pass before the first law on immigration sees the light on December 30, 1986. **Law no. 943/1986** has a very meaningful heading: “Norms in the matter of placement and treatment of non-EU workers and against clandestine immigration”. The main purpose of the new law was to regulate inflows in order to avoid competition from non-EU workers with national manpower, and also to give a legal alternative to illegal immigration (Zincone 2010: 18). As pointed out by Reyneri (1998), illegal immigration anywhere, and

also in Italy, was attracted mainly by a large informal economy and poor border control. In particular the new law attempted to provide for:

- Employment planning with the involvement of Regional Commissions for the purpose of linking supply and demand of labour
- Equal treatment as regards employment and social services
- Prohibition of depriving the unemployed worker of their stay permit
- Right to family reunification
- Criminal penalties for those employing and exploiting illegal workforce
- First tentative provisions for protection, housing, language and cultural programs (these provisions though will remain without resources, since in order to speed up the passage of the law, appropriate funding was not allocated)

When this law was passed, the presence of legal foreign workers in Italy had become important, in the range of 523-725 thousand individuals, while the illegal workforce was estimated at between 97 and 299 thousand units (Natale 1986). More importantly, the public opinion's mood had turned from total indifference to suspicion, given the then recent terrorist attacks carried out by Palestinian groups on the Italian territory. Therefore in the political and media discourse foreign workers started being referred to as "non-EU" citizens at best, or with more derogatory terms at worst. In this sense, one of the declared goals of the new law was to protect Italian workforce from foreign competition by giving priority in employment to nationals or EU-workers (art. 8), and by limiting and planning inflows (art. 5) through the use of annual entry quotas. Though immigrants were given the same rights and entitlements on welfare (art. 1), their social contribution was set at 0.5 per cent higher than for EU-nationals, to provide resources for repatriation in case of dismissal (Zincone 2010).

On paper, Law no. 943 looked very generous, liberal and in keeping with international directives on immigration. In practice, the whole planned integration programme was left to the unfunded local institutions (regional, provincial and town councils) to be implemented, which in turn could only rely on a network of religious and secular NGOs to provide the basic services. And this pattern would not change much in the successive laws. Furthermore, the complexity of

procedures made it difficult for employers to hire immigrants, so much so that undocumented workers were on the rise rather than on the decline after its enactment. The first law introduced also the first general amnesty or regularisation<sup>13</sup> of undocumented immigrants, which per se was not a big anomaly since amnesties are a common trait of Italian policies and can touch upon a large range of issues, from irregular migration to tax evasion, from unauthorized building to illegal occupation of land and so forth. In this case the amnesty was aimed at non-EU immigrants who were in Italy before 27 January 1987, and envisaged first regularisation of stay, then of employment. About 105,000 individuals were regularised.<sup>14</sup> The negative feedback of the first immigration law motivated the need for further corrections and alterations to better cope with the immigration issue, starting an unending process of policy reforms in this field. In particular the failure of integration programmes and the poor results of regularisation will influence the next law.

**Law no. 39/1990** – also known as Martelli Law, after the then Deputy Prime Minister Claudio Martelli – aimed at completely reformulate the rules for the entry, stay and expulsion of immigrants in Italy. It also established strict controls for migration inflows by means of provisions, such as the draft of a new list of countries for which entry visa was required (art. 3); control of workforce inflows (art. 2); and mandatory expulsion orders when requirements were met (art. 7). Other important elements introduced with this law were:

- Abrogation of the geographic reserve in asylum matters. In 1954 Italy had signed the Geneva Convention on the status of refugees but imposed a restriction: only refugees from Eastern Europe (the Communist Bloc) could apply for asylum. The Martelli Law extended that right to all nationalities.
- Annual inflows planning made mandatory, with 30 October of the previous year as a deadline for passing the relative decree (art. 2). The

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<sup>13</sup> Actually, the first measure which allowed illegal workers (without a permit or whose permit had expired) to regularise employment was issued in 1982 (2 March and 9 September) by the Ministry of Labour, and involved only a few thousand domestic workers. (Bonifazi *et al.* 2009).

<sup>14</sup> The discrepancy between 105,000 and 119,000 in the number of permits granted (shown in the table below) is due to a different calculation by the Ministry of Interior (in charge of stay permits) and the Ministry of Labour (in charge of work permits), since some people already holding a regular stay permit applied for work permit too (Bonifazi *et al.* 2009).

planning of annual inflows involved the coordinating work of many governing bodies, such as the Ministry of Labour, Interior, Economy and Foreign Affairs.

- Establishment of a rigid system for expulsion and new rules on the renewal and revocation of permits to stay (art. 4).
- Adoption of *non-refoulement* principle: an international norm that forbids the expulsion of a refugee into an area where the person might be again subjected to persecution.
- Establishment of a national fund for the temporary accommodation of immigrants, with resources to be transferred to the Regions involved.

At the time the Martelli Law was enacted, Italy was negotiating its entry into the *Shengen* Agreement,<sup>15</sup> which explains the rigid framework of the law as an attempt to assure other European members that it was able to prevent the entry of unwanted immigrants into the *Shengen* area, and in so doing to comply with membership requirements. In 1990, the total foreign population in Italy was calculated at 824,000 individuals, of which an estimated 140,000 were irregular (Bonifazi *et al.* 2009). Under Law Martelli, an amnesty was extended to all foreign immigrants living in Italy on 31 December 1989. Requirements to apply for regularisation this time were kept at a minimum low since its main purpose was to reveal the actual numbers of foreigners present in Italy. About 220,000 applications were accepted.

In 1995 another amnesty took place with the Legislative Decree 489/1995 (also known as the Dini Decree, after the then Prime Minister Lamberto Dini). It regularised up to 246,000 foreigners that could prove their presence in Italy by 19 November 1995. It was more selective than the previous one and excluded self-employed workers, but included regularisation for family reasons. This decree was the remnant of a more complete law that did not manage to be passed in Parliament for political opposition, but also for anti-constitutional faults signalled

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<sup>15</sup> The *Shengen* Agreement was signed on 14 June 1985 by five member states of the European Economic Community (Belgium, France, West Germany, Luxembourg and the Netherlands) in Shengen, Luxembourg. The aim was to eliminate border controls among those states and allow free movements of people. Later the agreement was incorporated into the EU legislation and other member-states as well as non-member states joined.

by the High Court. An important element of the Dini Decree was the extension of public health services (art. 13) to undocumented immigrants, which was the result of benevolent illegal practice taken by hospital directors. Another measure, originated from illegal local initiatives but then incorporated in the law, was the inclusion of undocumented minors in public schools (Zincone 2010).

The patent failure of the two previous statutes (no. 943/1986 concerned mainly with employment and no. 39/1990 focused on access regulations) in reducing the illegal presence of immigrants and the integration of the regular ones (with a total foreign population estimated now at over 1 million persons, the fourth largest foreign community in the EU after Germany, France and the United Kingdom) was one of the reasons to call for a more comprehensive reform. The other important motive was the then recent collapse of Yugoslavia and Albania, as well as the civil war in Somalia (a former colony of Italy), which all combined put Italy under an unprecedented pressure of irregular immigration and asylum-seekers. However, according to many observers, the real factor that triggered the decision to pass new legislation was Italy's signing of the Schengen Treaty on 27 November 1990, ratified by the Parliament on 30 September 1993. The actual entry, though, was conditional to conformity with Schengen criteria on stricter border controls, which Italy officially met only on 26 October 1997.<sup>16</sup>

**Law no. 40/1998** – also known as Turco-Napolitano Law, after the then Social Affairs Minister Livia Turco and the Interior Minister Giorgio Napolitano – was the first comprehensive reform on immigration and immigrants' rights that treated immigration as a permanent phenomenon, and for this very reason it was given a more consistent and elaborated structure. Its significant headline was “Discipline on Immigration and Norms on Alien Status”, and its declared purposes were:

1. Implementing a policy of limited, planned and regulated entries

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<sup>16</sup> During 1997 there was no significant legislative action, except for the issue of Decree no. 60/1997 laying down rules for the “Extraordinary measures to cope with the exceptional influx of non-EU citizens from Albania” and the definition of procedures for the repatriation of them, many of which were allowed to receive a stay permit provided they had a job offer or for family reunification. This period the Italian government also began to sign bilateral agreements for the readmission of irregular immigrants with Albania, Croatia, Estonia, Georgia, Hungary, Yugoslavia, Latvia, Lithuania, Macedonia, Romania, Austria, and France.

2. Counteracting illegal immigration and criminal exploitation of migratory inflows
3. Setting up realistic integration paths for new immigrants and foreign residents

Overall, the new law maintained its solidarist intent (more opportunities for immigrants), combined with functionalist (more planning) and legalitarian (more possibilities of entering the country through the front door, without breaking the law) positions (Zincone 2009). In more details the Turco-Napolitano Law envisaged:

- Equal rights for immigrants and nationals (art. 41)
- Set up of a special fund (National Fund for Migratory Policies) for the integration of immigrants (art. 45)
- Access to public education (art. 38, paragraph 1) and public health (art. 35, paragraph 3) also for undocumented immigrants
- Introduction of a one-year resident permit for job-seekers (art. 23)
- Institution of a Permanent Residence Permit that foreigners can apply for after five years of permanent residence (art. 7)
- Inflow planning made compulsory, with more timely and generous quotas granted<sup>17</sup> (art. 3)
- Additional triennial inflow planning to set guidelines for future policies, international cooperation and integration (art. 3)
- Measures to hold undocumented immigrants in special “Temporary Detention Centres” for up to 30 days (art. 14) for identification and possible deportation; forced expulsion or other penalties for reason of public order (art. 13, 15, 16)

The fourth amnesty introduced under Law 40/1998 reflected the need to absorb as many undocumented migrants as possible, in order to drain the illegal basin and start afresh with a new comprehensive set of regulations (and later assess their effectiveness). Estimates put the total foreign population present in Italy at 982-1,101 thousand units, of which 176-295 were deemed undocumented (Bonifazi *et al.* 2009). The pool of potential beneficiaries, initially limited to 38,000 workers,

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<sup>17</sup> The inflow decrees introduced with previous Law 39/1990 were passed later than the set deadlines, and quotas allowed were very modest (approximately 20,000 permits per year). Compare with 58,000 in 1998 and 1999; 83,000 in 2000; 89,000 in 2001 envisaged with the new law. (Zincone 2010).



was then gradually expanded to include all categories – employees, self-employed and family members – that could prove their presence in Italy by 27 March 1998. In the end 217,000 applicants were regularised. As aptly pointed out by Zincone (2009), the Turco-Napolitano Law formation had two main important features. First, it was based on the experience of previous government legislation; it introduced measures originating from other countries; and it incorporated good peripheral practices (at the time illegal). Second, it attempted to involve in the project the widest section of civil society that dealt daily with immigrants, from religious to secular associations, from labour unions to employers' guilds.

In May 2001 the centre-right coalition in Italy returned to power after an election campaign focused on the immigration issue. The new government felt obliged to keep its promises and soon set out to work on a reform of immigration policies. Unlike the previous laws, the new **Law no. 189/2002** – better known as the Bossi-Fini Law after its main political proponents Umberto Bossi and Gianfranco Fini – was elaborated in political circles, by the ruling parties only. The law aimed at reconciling two opposing needs: on the one hand there was the acknowledged economic necessity of allowing entry of foreign workforce to do the jobs domestic workers would not consider;<sup>18</sup> on the other the desire to honour the pledges made to conservative voters to fight illegal immigration and crimes connected to it. The first need was served by the functionalist position of the law, which considered immigrants as guest workers, a mere flexible production factor rather than a potential part of the permanent population (Zincone 2010: 30). This point of view was already made explicit during the electoral campaign manifesto:

Only those who want to work and have a realistic chance of finding a job can come to Italy. No longer quotas of non-EU citizens as in the past, but quotas of manual workers, carpenters, nurses, etc., who already have a contract of employment.

The legalitarian approach justified the repressive measures introduced in the early draft of the law, such as the crime of clandestine immigration for illegal immigrants, which implied immediate arrest, summary trial and deportation. Among the measures envisaged in the final draft were:

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<sup>18</sup> For this purpose the centre-right government increased the planned inflows, though the temporary and seasonal component of them became higher: 79,500 in 2002, 2003, 2004, 2005; 170,000 in 2006.

- Abolition of the National Fund for Migratory Policies for the integration of immigrants.
- Increase to six years of permanent residence before foreigners can apply for Permanent Residence Permit.
- Increase of detention in Temporary Detention Centres up to 60 days for undocumented foreigners pending identification.
- Abolition of the one-year resident permit for job-seekers (art. 19, par. 1).
- Reduction from 12 to 6 months of the period of unemployment tolerated, after which the work and stay permits are withdrawn.
- Introduction of the Unified Contract of Employment and Residence, according to which entry to the country was allowed if the immigrant had already a job and lodging guarantee.
- Restrictive right to family reunification, limited to spouse and children.

The rigid framework of the Bossi-Fini Law and the shorter duration of permits it foresaw were criticised by the employers' associations, which were hoping for more flexible procedures to hire foreign labour in a period of strong shortfalls of domestic low-skilled workforce. According to many observers, the immigration model contemplated by this law had many similarities with the old German *Guestworker* program of the 1960s, which hardly could fit in under a globalised and interconnected modern world. In addition, the harshest and most repressive measures of the law – such as the imprisonment of an illegal immigrant who failed to comply an order to leave the country or the compulsory deportation without due trial – were later abrogated by the Supreme Court because deemed unconstitutional.

In 2002 the foreign population in Italy had grown enormously, reaching an estimated 2.5 million people, of which about 20 per cent were reputed irregular. When the Bossi-Fini law was definitely enacted, the centre-right government launched the fifth amnesty, setting a deadline on 10 June 2002. Although only those working in families or employed in companies could apply for regularisation – therefore excluding self-employed, unemployed and family members – a huge amount of applications came along, of which almost 647,000 were granted regularisation.

In 2008 the centre-right coalition made a comeback and re-enacted the restrictive measures it failed to include in the past immigration legislation. The “Security Package” as it was called (Law no. 125/2008 and Law no. 94/2009) foresaw:

- Introduction of illegal entry and stay crimes
- Deportation of a foreigner sentenced to more than two years after being found guilty of a crime
- Introduction of crime for aid and assistance to irregular immigrants (including rescue at sea, lodging, and so forth)
- Extension to 180 days of detention in the Temporary Detention Centres, renamed Identification and Expulsion Centres

**Table 5: Amnesty programs in Italy - main statistics**

	Law 943/1986(a)	Law 39/1990	Decree of Law 489/1995	Decree of the C. M. President 16/10/1998(b)	Laws 189 and 222 of 2002
Year/s	1987-88	1990	1995-96	1998	2002
Last data of arrival	27/01/1987	31/12/1989	19/11/1995	27/03/1998	10/06/2002
N. of applications (thousands)	105-119	235	256	251	705
% of accepted applications	92.9	93.8	96.2	86.8	90.5
Rates (applications per 100 LDCs(c) holder of permit to stay)	...	85.8	46.6	26.8	51.9
% female	26.0	26.0	31.0	28.9	45.8

Source: Bonifazi *et al.* (2009)

### 3.8 Summary

To sum up, the determinants of the Italian immigration policies are a complex mix of factors that belong to the macro and micro spheres. In macro terms, globalisation is certainly an important element already discussed, but next to it in importance is the Euro-Mediterranean system where Italy is placed exactly at the centre, as a sort of bridge linking the poor South of sending countries (mainly from Africa and the Middle East) to the affluent and aging nations of central and northern Europe. The other macro factor is certainly the EU legislation (see Shengen Agreement), which greatly influences national policies by imposing stricter border controls to limit access to “Fortress Europe” for the multitude of badly needed low-skilled workers from the global South, leaving only side doors

wide open for the highly-skilled immigrants. Looking at a more domestic level, the decision-making process seemed to be influenced by the following factors: the demand for labour on the part of businesses and Italian families; the demographic changes (aging population, low birth) and the crisis of an unbalanced welfare system; the public opinion's perception of immigration; the role of mass media in shaping this perception; political and ideological opportunities; local government bodies; and the role of non-profit organizations working immigrants. Establishing which determinant plays the most important role is a very complex task, since it very much depends on internal and external circumstances. In light of the past immigration experience, Italy's policy-making has shown a growing dependence on both the EU directives and its domestic peripheries. The latter in particular have proved to be effective policy test-beds, introducing innovations and common sense practices that were initially *contra legem* (against the law), but later incorporated in the law. Viewed in this perspective, the policy-making process has become informal, diffusive, open and bottom-up, balancing the, at times, highly politicised top-down decision-making.

One final aspect of Italian immigration that has remained so far elusive and is worth mentioning briefly here is the integration of foreigners into society. According to Giuseppe De Rita (2002), Italy has not taken from the French model of assimilation, nor from the multicultural model of the United Kingdom and the Netherlands, and not even the compensatory model of Germany. And he explains:

“What is the Italian model of integration? Is it of assimilation? No, because we don't have the French pride of a superiority that, fortunately, we know we don't possess. Have we taken the British model of container? Maybe. But we don't have the language. We are a great country-container, but only in the sense that, because we are not a system-country in the classical sense, we pretend we are a container [...]” (Campani 2007: 10).

The lack of a system-country dimension is explained by the fact that in Italy for historical reasons local differences and customs have always played an important role, therefore it is not possible to present immigrants with a coherent and consistent Italian identity to conform with. Consequently, difficulties have arisen in forming and implementing an effective integration

policy directed from the core of central governments. On the contrary, instances of integration initiatives taken from local bodies (regional, provincial, towns and ONGS) have shown a better understanding of problems at hands (Campani 2007).



## CHAPTER FOUR

### 4. A Case Study on Taiwan

#### 4.1 A Frontier Island

Taiwan is located on the western rim of the Pacific Ocean, in the middle of a string of islands of various sizes connecting Japan in the northeast to Vietnam in the southeast of Asia. This arc was the so called “front line” that would serve to contain the feared expansion of Communist China during the Cold War period. Half way along its course the arc is intersected perpendicularly by a virtual line that departs from the Philippines: this is literally the forward point of the anti-Communist bloc promoted by the United States. Today this area is the most trafficked route for the transportation of supplies and resources to the mighty economies of China and Japan. Taiwan is separated from continental Asia by the Taiwan Strait, a stretch of sea as large as 180 kilometres; to the south of the island, the closest country is the Philippines, lying across the 400 kilometre large Luzon Strait; farther still are the Ryukyu Islands of Japan at 400 kilometres north. Position and distance are the key factors that have determined the fate, in good or bad, of this oblong island since ancient times. Its first inhabitants, the aboriginal people, are believed to have settled here 8,000 years ago, when Taiwan was probably still a peninsula linked to the continent; later the sea level raised higher, isolating the island but preserving the first settlers from raids and invasions by roaming peoples so frequent in that part of Asia. In fact, Taiwan was positioned conveniently close to mainland for trade and supplies, but far enough to discourage possible attacks from there. Chinese annals first mentioned the island during the Three Kingdom Era (220-265 AD), but the first Chinese people who dared to cross the Black Ditch (黑水溝), as Taiwan Strait was infamously called in ancient times, started to come much later, initially as a sparse trickle of fishermen and farmers. In times of rebellions and turmoil (often coinciding with dynasty shifts), the flow would become suddenly more substantial, with thousands of people fleeing from the coastal provinces of Fujian and Guangdong and settling in the western fertile plains. It is not by chance that inflows came mostly from these two provinces, since both their territories are geographically

separated from inland by high mountain ranges that block easy access inwards, hence their peoples' propensity to look overseas in search of fortune.

The establishment of the Dutch East India Company in Tainan (southern Taiwan) in 1624 for the trade of sugar and deerskin became a powerful "pull" factor for the mainlanders, which, added to the other "push" factors above mentioned, increased enormously the influx of people to the island, despite the "Sea Ban" imposed by the Ming Dynasty to the seacoast inhabitants. As aptly argued by Lin (2012: 2):

The importance of the Dutch colonization in southern Taiwan was twofold: It heralded the creation of an immigration port of entry in southern Taiwan, fuelling a demand for manpower from China, and it integrated Taiwan into global trade systems, thus hastening the country's development.

The upheavals caused by the transition between the Ming and Qing dynasties increased the number of immigrant peasants flocking to the island in search of better living conditions and with the final hope of acquiring their own land to cultivate. Later, an armada of Ming loyalists, led by the chief commander Koxinga (鄭成功), drove out the forces of the Dutch East India Company and took over control of the island.

Measuring about 400 kilometres from north to south at its longest, and around 145 kilometres from east to west at its widest, Taiwan is a small island with a dense population. The main feature of it is its mountains, which cover over 60 per cent of the total land area; most of the flat arable land, suitable for living, is located in the western corridor, while the eastern side has always been slow in development and settlement because of its geographic separation by the central mountain range and limited habitable land (Chang 1988). Its shape is described as a banana leaf in Taiwanese school textbooks, but mainlanders apparently liken it to a sweet potato. It has a land area of 36,192 square kilometres and a population of 23,377,515 people (2014)<sup>19</sup>, accounting for the second highest population density in the world; 98 per cent of Taiwanese are ethnic Han,<sup>20</sup> while 2 per cent

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<sup>19</sup> MOI Statistical information, retrieved on 12/02/2014.

<sup>20</sup> The Han group in Taiwan is further distinguished in: 70% Holo (or Hoklo) people who migrated to Taiwan from southern Fujian (Hokkien) since ancient times; 15% Hakka people who settled on the island in the same period, mostly from Guangdong, and together with Holo constitute the so called first settlers or *Benshengren* 本省人, otherwise called Islanders. Another 13% are Chinese immigrants who

are Aboriginal.<sup>21</sup> A frontier territory since ancient times, Taiwan has been populated typically by successive waves of immigrants, mainly peasants from coastal Chinese provinces. Early official statistics indicated that there were 3.12 million people on the island in 1905, and forty years later the population reached 6.09 million. But it was the baby boom after World War II that greatly increased its inhabitants, with a population rate growth registered at 3.49 per cent in 1960; after that peak, it slowly declined, reaching 1.28 per cent in 1985 and further down to 0.39 in 2012.<sup>22</sup> The total fertility rate (the average number of children born to a woman during her childbearing years) dropped from five in the 1960s to two in the 1980s, and less than one in 2010. The declining birth rate has been accompanied by a rising proportion of people aged 65 and older, with life expectancy for males at 76.2 years and 83.0 years for females.<sup>23</sup> In 1952, the 65 age segment was just 2.5 per cent of the total population, but in 2012 it raised to 11.15 per cent. A rapidly aging society with a general marriage postponement and a rising divorce rate, Taiwan is bound to face a tremendous population and economic problem in the coming years. According to experts, if current trends remain, by 2060 expectations are that the proportion of those aged 65 or older will increase to 39.44 per cent, while the 15-64 working age group will decline to 50.74 per cent, placing an enormous burden on workers: as a consequence, by 2060 just 1.29 members of the working population will have to support each elderly person.<sup>24</sup>

From the point of view of the population structure, Taiwan is an interesting case because its geographic and political isolation have kept it in a virtually closed system for almost a century – except for a brief opening in the period 1945-1949 – preserving a substantially homogenous population. The consequences of its geographic position are evident and have been explained above. Politically, the first stop to the historical immigration flows from coastline Chinese provinces was put when Taiwan became a colony of the Japanese Empire in 1895: from this year until 1945 only Japanese immigration was allowed, though most of it was

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crossed the Strait after the Communists victory in China and took refuge with the Nationalists into the island: these are generally called the *Waishengren* 外省人, or previously called Mainlanders.

<sup>21</sup> Republic of China Yearbook 2009.

<sup>22</sup> Republic of China Yearbook 2013.

<sup>23</sup> Statistical Yearbook of the Republic of China 2012, edited in 2013.

<sup>24</sup> *Ibidem*.



redirected to the depopulated eastern side of the island, as part of a general migration policy set by the Japanese to develop that area. At the end of World War II, Taiwan returned to China and the influx of mainlanders resumed until the end of 1949, when General Chiang Kai-shek retreated to the island following the victory of Communists in China; soon after that, the doors towards mainland China were shut again, martial law was imposed on all the island (until 1987) and nobody was allowed to travel abroad for tourism until 1979, with large exceptions for the elite class and its offspring (most of which went to the United States to continue their studies). These events help explain why all the typical social indicators of a developed and mature society – such as an aging population, a low birth rate, and so forth – have developed relatively quickly in Taiwan, showing sharper trend patterns than anywhere else in the same conditions, probably due to a lack of the natural population osmosis experienced by land-bordering and politically open countries. In this sense, geographically Taiwan has been compared to Iceland, whose remoteness has helped preserve a homogenous population; politically, to Israel or Korea: both of which are isolated from their hostile neighbours and constantly under threat of invasion.

As of May 2014, the number of foreign nationals living in Taiwan – and not including PRC, Hong Kong and Macao nationals – is at 580,924 individuals (with a ratio foreigners to population of 2.5 per cent, very low by international comparison), a slight majority of them are women (57 per cent). Students are measured at 28,582 individuals from the grand total. Among the resident foreigners, 81.7 per cent are registered as unskilled workers (foreign labour), 1.15 per cent teachers, 0.9 per cent businessmen and 0.42 engineers. The bulk of non-nationals come from four Southeast Asian countries: Indonesia (204,328), Vietnam (132,404), Philippines (96,995), and Thailand (68,483). Another separate group of foreigners is made up by foreign spouses in the number of 473,144 (67.5 per cent are from PRC, the rest mainly from Southeast Asian countries).<sup>25</sup>

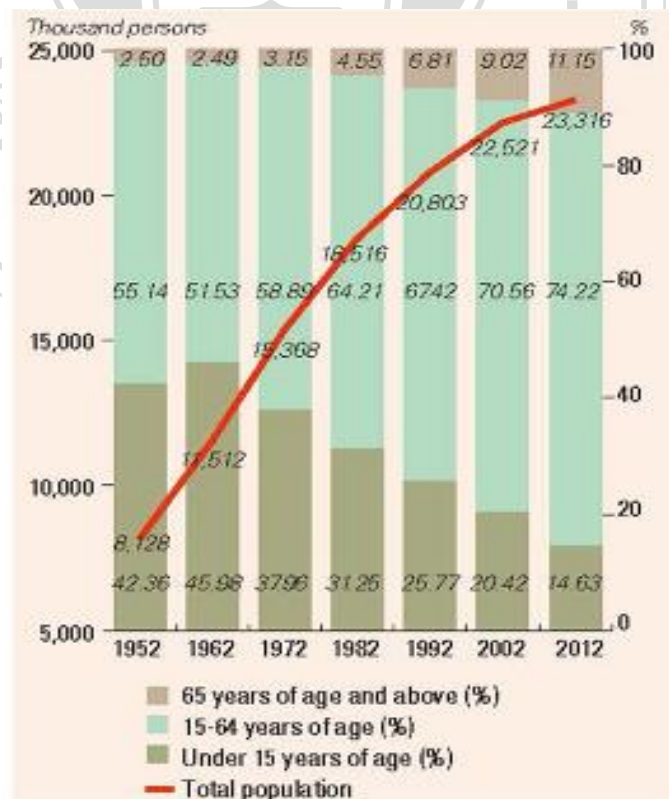
According to recent statistics by Taiwan Council of Labour Affairs (CLA), foreign labour migrants are mainly employed in manufacturing industries

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<sup>25</sup> National Immigration Office, MOI (ROC Ministry of Interior).

(54.3%), care services (43%), agriculture (2%) and construction (0.7%), in order of importance. The largest majority of workers are from Southeast Asian countries, employed in the manufacturing sector (95% of Thais, 83% of Vietnamese and 74% of Filipinos) and in the care service sector (79.6% of Indonesians). This job partition by nationality can also explain the huge discrepancies in gender presence: 80 per cent of Indonesian workers are female – probably considered more suitable for care services – while the reverse is true for Thais employed *en masse* in industries, 80 per cent of which are male. Among the Filipinos, 61 per cent are female, while Vietnamese workers show a substantial balance in gender presence (47 per cent females). The spatial distribution of these contract workers follows the location of industries and care centres, therefore they are not concentrated in inner cities but more spread out among the prefectures. Countrywide, the foreign workforce distribution shares of the northern, central and southern regions are 52 per cent, 27 per cent and 19 per cent respectively (Tsai and Tsay 2001).

**Figure 10: Taiwan population by age**



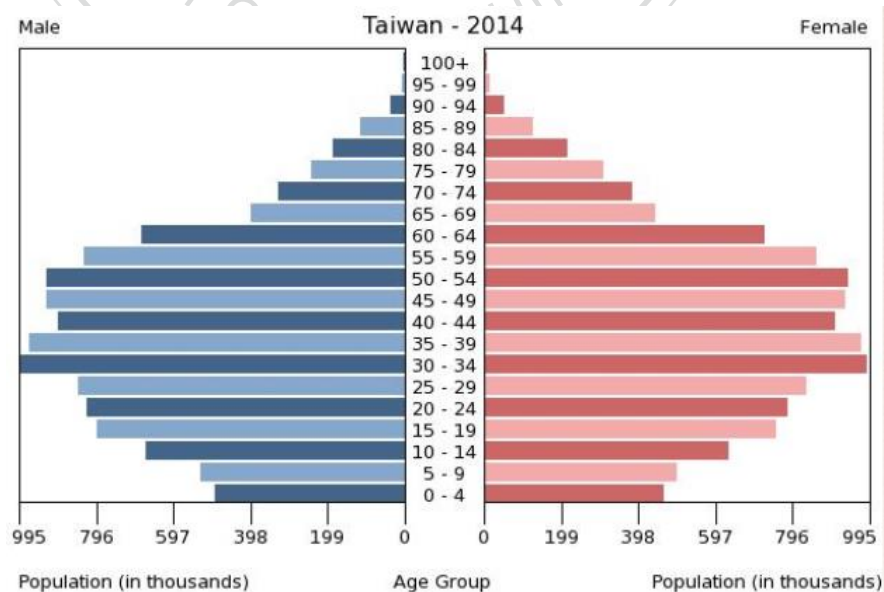
Source: MOI (ROC Ministry of Interior)

**Table 6: Foreign residents in Taiwan (May 2014)**

	NATIONALITY / ORIGIN	TOTAL	PERCENTAGE
1	Indonesia	204,328	35.2
2	Vietnam	132,404	23.8
3	Philippines	96,995	17.0
4	Thailand	68,483	12.0
5	Malaysia	14,302	2.5
6	Japan	13,197	2.3
7	United States	10,287	1.8
8	South Korea	3,679	0.6
9	India	2,114	0.4
10	Canada	2,039	0.4
11	United Kingdom	1,714	0.3
12	Singapore	1,433	0.2
13	Others	12,972	2.6
	TOTAL	580,924	100.0

Source: National Immigration Office, MOI (ROC Ministry of Interior)

**Figure 11: Population Pyramid of Taiwan**



Source: The World Factbook

## 4.2 Social and Economic Background

Taiwan is a dynamic trade economy with a gradually diminishing state intervention in investment and foreign trade, if compared with policies implemented in the last decades, typically through the four-year economic development plans. Export is driven mainly by electronics, machinery and petrochemicals, the three key sectors that have given the greatest impetus to its economy. However, the poor presence of natural resources and the total dependency on export exposes Taiwan to world economy fluctuations, as happened in 2009 when its national GDP shrank by 1.3 per cent as a consequence of a 13.1 per cent decline in exports. The following year the GDP bounced back to 10.7 per cent as exports returned to usual levels. In 2012 it grew only 1.3 per cent due to uncertainties on global economic recovery and the Euro Crisis, but in 2013 it picked up again at 2.19 per cent.

Diplomatic isolation is a heavy handicap for this nation-island and has had obvious repercussions on its economy. While the rest of Asia over the past several years has been brimming with free trade agreements sealed by regional powerhouse economies with developing countries, Taiwan so far has been systematically excluded from them for the veto imposed by China. The only landmark agreement recently achieved by the island has been the Economic Cooperation Framework Agreement (ECFA) signed with China in June 2010, with the general aim of reducing tariffs and commercial barriers between the two sides of the Strait. The ECFA itself has been anticipated by three financial memorandums of understanding, covering banking, securities and insurances, which took effect from January 2010. This should open the island to greater investments from China's financial firms and investors, and at the same time Taiwan financial firms should be allowed to operate in China. In August 2012, Taiwan Central Bank signed a memorandum of understanding on cross-Straits currency transactions with PRC, allowing the direct conversion of the Chinese RMB and the New Taiwan dollar. In September 2011, Taiwan signed a Bilateral Investment Agreement (BIA) with Japan, covering the three key areas of investment promotion, investment protection and investment liberalization. Furthermore, the Trans-Pacific Strategic Economic Partnership Agreement (TPP) is still a major focus of discussion at the Asia-Pacific Economic Cooperation

(APEC) level – a positive result for Taiwan’s entry would mean a fuller integration into the regional economic process of East Asia.

As shown by these facts, China remains the greatest opportunity but also the largest limitation for Taiwan, which has practically no other comparable economic partner. The island enjoys a large commercial surplus (\$116 billion in 2013) due mostly to its trade with PRC (\$197 billion in 2013, more than 50 per cent raise since 2008),<sup>26</sup> which is now the second largest source of import after Japan. Since the China-leaning Taiwanese president Ma Ying-Jiu took office in 2008, cross-strait trade has rocketed and the number of Chinese visitors to Taiwan has reached the staggering figure of three millions. At the same time president Ma’s approval ratings have been constantly on the low side (at one time it sank to 9% according to recent surveys),<sup>27</sup> due probably to domestic issues and a still slow national economy growth, but certainly also because his closeness to PRC is not seen well by the majority of Taiwanese population, whose fear is that one day the PRC will use the growing economic dependency of the island to force a political reunification to the motherland. However, since democracy has been introduced on the island, the greatest impediment for Taiwanese leaders is the will of Taiwanese people, and in this respect the PRC has little room for manoeuvring at the moment.

Another important issue in the national debate is the domestic demography. The economic policies drafted by Taiwanese authorities in recent years cannot but take into account not only the aging population, but also the persistent poor fertility rate of the island, just over one child per woman (below the replacement level of 2.1), which will cause in the future greater labour shortage, a falling domestic demand and a declining national revenue. How to cope with these consequences is the crux of policy planners, and the possible solutions are closely watched by PRC authorities, which are facing a similar social phenomenon coming up in mainland China at a faster pace than expected, though it is still far from reaching the level of Taiwan. The only difference is that the PRC has not achieved the high living standards of Taiwan, or its welfare system, therefore when these social problems will finally come to a head in the PRC, the huge

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<sup>26</sup> Data from The Economist article at: [www.economist.com/node/21596555](http://www.economist.com/node/21596555) accessed on 20/02/20114.

<sup>27</sup> *Ibidem*.

population and the large inequality gap will be likely to cause serious instability at the economic and political levels in China. The latter – economy and polity/policy – are certainly affected by social pressure but can also be the factors of alterations in the social structure of a nation-system, as happened to Taiwan since the 1980s, when the fertility rate started to decline below the replacement level as a consequence of environmental changes. To understand what triggered these changes, a brief history of contemporary Taiwan that encompasses the economic, social and political spheres is in order. These changes have also contributed to the formation of the general ground from which subsequent policies more conducive to the first immigration flows have started.

The Japanese had sought to gain control over Taiwan (known in Japan as *Takasago Koku* 高砂国, “The Highland Nation”) for centuries, certainly since the general Toyotomi Hideyoshi in 1592 made an attempt to expand Japanese influence southward, but with little success. The occasion finally came along in 1895, when Japan defeated the Chinese Empire in a war over sovereignty on the Korean peninsula. To make peace, the Qing dynasty had to cede also Taiwan and the Pescadores Islands. As aptly observed by Cumings (1984), unlike western colonial powers which stretched their influence over all the continents, the Japanese Empire had consistently sought to acquire colonies close to its territory in order to have a contiguity and integration between its core centre and the peripheries, which explains why Japan had always set eyes on Taiwan, Korea and Manchuria. Closeness was best assured and maintained by improving communications, thus the laying of railroads, the opening of ports, and other heavy investments on infrastructures were certainly instrumental. An immediate consequence of this improvement was the ease of settling colonial migrants – especially from a homogeneous insular nation whose people abhor distance from their motherland – and of quickly dispatching troops when necessary.

This policy of acquiring neighbouring countries was called “lateral expansion” by historians, and in the case of Japan the use of a coercive military force stationed in the colony was fundamental to make sure that the process of conformation of the dependency (Taiwan) to the core centre (Japan) went on smoothly. In contrast, traditional colonial rulers such as Great Britain and France relied more on their

navy power as a deterrent and on a small governing establishment on the ground for control and rule, while locals were employed to form the backbone of the colonial bureaucracy and military force. As Hanna Arendt once suggested, lateral imperialism is usually more repressive, but also more penetrating, and certainly this can be said of Japanese imperialism, whose final goal was to mould its colonies as Japan look-alikes (Cumings 1984:10). Development was then carried out as a “revolution from above”, in the Meiji style, with the help of three powerful agents: the state organization, the banking system and the industrial conglomerates (*zaibatsu*). The important role of the state in implementing changes has been pointed out by David Landes (1965: 182) who writes of Japan:

It was the State that conceived modernization as a goal and industrialization as a means, that gave birth to the new economy in haste and pushed it unrelentingly as an ambitious mother her child prodigy. And though the child grew and developed its own resources, it never overcame the deformity imposed by this forced nurture.

The deformity Landes refers to is the formation in all Japanese colonies of a complex, disciplined and autocratic bureaucracy somewhat detached from the colonial society it ruled, because the dependency environment and conditions were not judged to be on a par with the level reached by the core centre. However, Japan’s administrative and coercive colonialism later remained as a blue-print model for Taiwan and Korea and re-emerged when both countries became independent and developed state-directed economic interventions with the help of a strong authoritarian centralization (Cumings 1984: 11).

In 1895 Taiwan became a dependency of the Japanese Empire and its first overseas colony: for that reason it served also as a model for which Japan laid plans to develop its economy, infrastructures and industry. As soon as the Japanese administration took control of the island – after suppressing the initial local resistance – they set about to transform Taiwan as a source of agricultural imports for Japan, whose arable land was not enough to feed the growing population. First of all they undertook a major cadastral survey in the period 1898-1906, followed by a land reform – similar to the Meiji reform implemented in Japan during the 1870s – with the aim of removing the land rights from the absentee landlords (大租戶) and give them to the local landlords who had

managed the lands. In this way the Japanese authorities started to establish an early pool of grateful supporters of its colonial regime. However, the immediate purpose was to increase and make more effective the production of the most wanted staple foods in Japan, rice and cane sugar – to the extent that by 1938 Taiwan became second only to Cuba in sugar exports (Cumings 1984: 11). In order to facilitate exports, the north-south trunk railroad lines were also laid down, which connected the southern agricultural plains and mining sites with urban areas, while the existing port of Keelung, strategically located closer to Japan, was further developed (Gold 1986). In the 1930s, Japan took its isolation in the world economic systems and its ambition of conquest as a good motive to start an autarkic self-reliant path of development that was extended to all its colonies. Taiwan began to expand industries such as food processing, textiles, plywood, pulp and paper, cement, chemical fertilizers, aluminium and copper refining, petroleum refining, and ship building; while other colonies such as Korea and Manchuria developed steel, chemicals and automobiles production. In this regard, Japan was one of the very few colonial powers to have planted industries in its colonies, and this fact could be taken as a confirmation of Japanese view that colonies were a mere extension of national territory.

Manufacturing on the island grew at an annual average rate of about 8 per cent during the 1930s (Cumings 1984), and soon Taiwan – due also to its geographic proximity – developed the semi-peripheral characteristics of a regional economy, importing raw materials from Southeast Asia (periphery) and exporting processed products to Japan (core), though most of the industry was owned by Japanese *zaibatsu*. Samuel Ho (1978: 90) has remarked that:

At the end of the colonial period Taiwan was still basically an agrarian economy, but now it also had an industrial superstructure to provide a strong foundation for future industrialization: an extensive transport system, a substantial electric power generation capacity, a growing indigenous and well-disciplined industrial labour force, and a limited number of fairly modern manufacturing enterprises.

By 1941 the main industries of the island – hydroelectric, metallurgic (especially aluminium), chemicals and mining – employed 181,000 people (Cumings 1984: 12). In the colonization period the general level of welfare improved, the death rate fell from 40 per thousand in 1905 to 20 in 1936, primary education expanded



to 60 per cent attendance of both sexes by 1940. Japanese also introduced two-year secondary schools for agricultural studies in the most populous townships. In the same period the number of Taiwanese professionals and technicians overwhelmed that of the Japanese by three to five times, helping Taiwan gain the status of the most agriculturally, commercially and industrially advanced of all the provinces of China (Gold 1986). According to Gold (1986) the Japanese development of Taiwan contributed greatly to improved conditions and an equal distribution of resources among the local population, but delayed the emergence of an entrepreneurial middle class, because the concentration of capital and economic means remained firmly in control of the Japanese *zaibatsu*. On the other hand, the lack of a substantial middle class prone to protect its own interests, and the exclusion of the Taiwanese elite from the monopoly control of the local resources made it easier for the coming Nationalist government to implement its land reform and industrial policies. An interesting study on population and development in Taiwan (Barclay 1954) revealed that the only significant effect the economic growth produced on the Taiwanese population under the Japanese rule was a declining mortality, probably due merely to improved hygienic conditions. Despite general income growth and development in the population, the fertility, marriage and migration rates remained all unchanged. The author attributed this lack of change to intentional Japanese policies aimed at insuring minimal social changes through a careful calculation of the impact of economic changes.

With the defeat of Japan in World War Two, Taiwan returned under the Chinese rule and became a province of the Republic of China, formally ruled by the Kuomintang (KMT) of Chiang Kai-shek. The war and Allied bombing had left Taiwan in ruin and the repatriation of Japanese administrators, managers, technicians, and skilled labourers, whose skills could not be replaced quickly, made a fast recovery for the island more difficult (Ho 1978). Furthermore, at the time the Nationalists' attention was absorbed by the ongoing civil war against the Communists in China, therefore in the first years after the Retrocession Taiwan was substantially left abandoned to itself. Production in 1945-46 was less than half the one achieved during the colonial period, but most damaging for the economy of the island – and also eroding for the population morale – was the

hyperinflation produced by the war. Only when the Nationalists lost the war and retreated to Taiwan in 1949, things started to improve significantly. From 1946 to 1950, between one and two million mainland refugees (military and civilian) poured onto an island of six million people, bringing with them assets (gold bullions and US banknotes), machineries (mainly from Shanghai factories), works of art, technical knowledge, and a middle class of professionals and entrepreneurs, which all combined made up partially for the loss of the Japanese administration. The immediate requirement to feed and clothe this surplus of population alone propelled the economic recovery, which initially relied on agriculture, the largest and strongest sector. The role of agriculture was crucial, not only for the immediate purpose of feeding an enlarged population but also for supplying most of the labour, foreign exchange and the capital needed to sustain the emerging industries.

Since the start, the government adopted a series of economic plans to help guide and promote economic growth and industrialization for the nation-island. The first four-year economic development plan (1953-1956) emphasized reconstruction, increased production of rice and fertilizers, development of textile and hydroelectric power industries. Under the government's slogan "Developing agriculture by virtue of industry and fostering industry by virtue of agriculture" (Ho 1978: 105), in 1953 the Nationalists launched a land reform, the so called "Land to the Tiller" program. This was based essentially on extensive rent reduction and a more equal land redistribution, in order to increase the productivity of agriculture and use its gains to finance the growing industrial sector; at the same time it served as a policy to win the goodwill of the peasantry, a lesson KMT leaders had learned in China, where Nationalists fatally lost their support to the advantage of the Communists. High inflation and a balance-of-payment that saw imports exceeding exports by growing margins prompted the government to impose stricter control on foreign exchange and imports. The natural consequence was that domestic production of consumer goods was encouraged and soon an import substitution approach to industrialization was adopted by the authorities. Although the government development strategy for the post-war period was clear, difficulties remained since its objectives were multiple and at times conflicting. In fact the Nationalist government three major

goals were: rapid economic growth, stable prices, and the build-up of a strong military force. However, with a budget absorbed in great part by military expenses in preparation of the planned retake of mainland China,<sup>28</sup> the economy would have never taken off the ground without the fundamental help of the American aid. This was granted to Taiwan after the broke-up of war on the Korean peninsula, when the island – initially abandoned to its fate by the USA administration soon after the Communists’ victory in China – became strategic again in the eyes of the Americans as a bastion against Communism in East Asia. From 1951 to 1965 Taiwan received approximately US\$ 100 million per year (for a total of US\$ 1.482 billion), equivalent to 9 per cent of GDP at the time, and a total of US\$ 2.45 billion in international aid. In addition, developed countries and international organizations provided loans and technical assistance in all sectors of the island’s economy.<sup>29</sup> The foreign aid helped to lessen the conflict between economic and military objectives in Taiwan’s economy, and the increased resources were used in many ways to facilitate economic development: they helped control inflation, expand foreign currency reserves needed to supply industries of raw materials, and allowed a larger capital formation (Ho 1978:111).

The early 1960s saw a change of strategy by the government due to the realization that the import substitution policy of the second four-year plan (1957-60) had run its course and the economy was becoming sluggish. Under the new slogan “Developing agriculture by virtue of industry, and fostering industry by virtue of foreign trade” (*Ibidem*), the Taiwanese authorities started the third four-year plan (1961-1964) by encouraging the industrial sector to look at the world market, in other words they favoured the shift of Taiwanese industries towards labour intensive production in order to promote exports and at the same time to attract foreign direct investments. If the 1950-59 years were considered the recovery period, the 1962-63 were thought to be the years when the economy reached the “take off” stage. The fourth (1965-68) and fifth four-year plan (1969-1972) was a period of rapid export growth with unprecedented trade surpluses. In 1971 the full employment was reached, and Taiwan started an industrial upgrading by moving from cheap labour-intensive manufacturing, such as textiles

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<sup>28</sup> Estimates by various US sources put Taiwan’s military strength in the 1950s and 1960s at around 550,000-600,000 men (Ho 1978: 107).

<sup>29</sup> ROC Government source: <http://idct.cier.edu.tw/index.html>.

and toys, into heavy industry, petrochemicals and infrastructures. The sixth four-year plan (1973-76), derailed by the first Oil Shock of 1973 and the following worldwide recession, was terminated in 1975. It was replaced by a six-year plan (1976-81) to expand basic industries and complete the Ten Major Construction Projects (十大建設).<sup>30</sup> After the strain of two Oil Crises (1973 and 1979), a general rise in wages and an increasing domestic labour shortage, the 1980s called for another industrial restructuring to be promoted for the island, with a longer-range 10-year plan (1980-89). This time it focused on replacing labour with capital intensive industries, by expanding into the high technology sector of advanced electronics. 1981 is the year of the establishment of the Hsinchu Science and Industrial Park – on the pattern of the Silicon Valley in the United States – which today hosts 400 high tech companies, involved in the semiconductor, computer, telecommunication and optoelectronics industries. The economy became more open and the government started a gradual privatization of state industries. Taiwan entrepreneurs were urged to invest in Southeast Asian countries, and later permitted to do so also in PRC. In the late 1980s Taiwan's economy reached full maturity, investments and relocations of labour intensive industries in PRC spurred cross-strait trade, decreasing Taiwan's dependence on the United States and Japanese markets. It also prompted structural changes in Taiwan's economy and chronic manpower shortfalls. Thus:

“People who once worked on the assembly line began to move into more technical, skilled positions at the company. Others have been taking jobs in Taiwan's expanding financial services sector [...]. It's difficult to find Taiwanese who want to take positions as maids or ditch diggers.”<sup>31</sup>

A tighter labour market, especially for dirty industries, would be relieved only by the importation of foreign labour. In response to a declining export growth and a poor private investment following a stock market collapse in 1990, the government launched a Six-Year National Development Plan for 1991-97 to

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<sup>30</sup> These were: 1. National Highway No. 1 from Keelung City to Kaohsiung City, with a branch to Chiang Kai-shek International Airport (later renamed Taoyuan international Airport); 2. Electrification of Western Line Railway; 3. North-Link Line Railway; 4. Chiang Kai-shek International Airport; 5. Taichung Port; 6. Su-ao Port; 7. China Shipbuilding Corporation (CSBC) Shipyard, Kaohsiung; 8. China Steel Factory; 9. Oil refinery and industrial park; 10. Nuclear power plant.

<sup>31</sup> Clarke Ellis, Washington-based deputy director at the American Institute in Taiwan, interviewed by George White, a Los Angeles Times editor, in “Pacific Report: Laboring Over Workers: Rich Asia Nations Struggle Over How to Deal With Imported Help”, Los Angeles Times, June 24 1991.

improve the infrastructure systems on the island and push development for the 21<sup>st</sup> century.

### **4.3 The First Immigrant Flows**

As anticipated above, Taiwan had been a closed system to immigrants for almost a century, from the Japanese jurisdiction of 1895 to the early 1990s, with the exception of a brief period in the years 1949-50 to allow the arrival of Nationalist refugees from Communist China. When the post-war emergency finished, the population system and domestic labour market of Taiwan became again isolated from the world. Only immigration of foreign professionals and their families (mostly from the USA and Japan) was allowed, while low-skilled immigrants from other countries were strictly banned (Lin 2013). After four decades of continuing rapid growth, Taiwan had moved from a labour surplus economy to a labour shortage economy (Lee and Wang 1996), falling victim of its own success. Rising wage levels and an increasing shortage of low-skilled native labour had slowed down the economic growth and caused the relocation of labour-intensive industries abroad, in countries with cheaper and more abundant labour, such as in Southeast Asia and increasingly in mainland China, where the then recent economic reforms of 1979 had encouraged investments from abroad. From around 1985, Taiwanese industrialists began advocating the idea of importing low-skilled foreign workers as a way to avoid relocation of industries from the island, and appealed to the government for a positive reaction. In this regard, construction and manufacturing were the sectors worst affected by labour shortfalls, but in a time when martial law was still in force, the government did not respond and deferred any decision.

In the early 1980s Taiwan hosted over 50,000 illegal workers from mostly the Philippines, Thailand, Indonesia, Malaysia, Sri Lanka and Bangladesh (Tsay 1992, as cited by Lan 2006) working in low-skilled jobs. They first entered the island legally posing as language students or tourists and then overstayed their visas. When the Taiwanese government finally took an initiative towards a legalization of migrant labour, the most natural choice was to allow workers from all Southeast Asian countries and exclude other nations, such as Sri Lanka and Bangladesh. This was explained by the so called “economic diplomacy” or

“check-book diplomacy” (Lan 2006: 40) pursued in the previous years by the Taiwanese authorities in order to reinforce bilateral relations with selected countries through capital investments. Given the prohibition of direct investments into mainland China until 1992,<sup>32</sup> the most suitable candidates for overseas capital ventures were the Southeast Asian countries. In 1994 a revival of this policy was launched again by then president Lee Deng-Hui with his “Going South” campaign, as a way to slow down the enormous flood of Taiwanese capitals reaching China and diversify the island’s growing economic dependence. As it were, the connection between capital outflow and labour inflow, along the lines of the World System theory, was again confirmed by the case of Taiwan, whose capital entry into Southeast Asia was met by a corresponding labour importation from the same region. As put it by Lan (2006: 40):

Some migrant workers currently employed in Taiwan had previous working experience in Taiwanese-invested factories in their home countries. By being familiar with Taiwanese investment in their hometowns, locals gained direct experience with the wealth of the island. In addition, some Taiwanese business owners who invest in Southeast Asia recruit workers from their foreign branches to their factories in Taiwan. Their social networks in the sending countries also assist them in recruiting domestic workers for their own or their friends’ homes.

In October 1989, Taiwanese authorities finally allowed the construction companies in charge of the public projects to import over 35,000 migrant workers, in order to avoid further delays caused by the difficulties in finding low-skilled labour. In October 1991, the government announced it would also permit 15,000 foreign workers to work in the textile and other 5 industries and 15 occupations in the private sector, allowing the entry of 130,000 immigrant workers in that year (Tseng 2004; Lee and Wang 1996). Though the quotas assigned by the government were increasing, they still could not match the actual demand of the domestic labour market, so much so that Southeast Asians began to reach Taiwan in droves and the illegal pool of workers was expanding rather than diminishing. In 1992 the government, determined to better regulate the immigrant flows and to curb the mounting illegal immigration, passed the Employment Service Act, the

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<sup>32</sup> In 1992 the Taiwanese authorities launched a deregulation of financial capitals, allowing direct investments into mainland China, as envisaged by Art. 35 of the *Act Governing Relations between Peoples of the Taiwan Area and the Mainland Area*.

first immigration law. Since then, the industries and occupations allowed to employ foreign labour have continued to grow. The early wave of migrants entered the public works sector; the successive waves, attracted by a huge demand of workforce, occupied the so-called 3-D industries, and the personal services sector, such as housekeeping and home care. By the end of 2001 the manufacturing sector became the most important category for immigrants, absorbing nearly half of them, while personal services came second by employing more than 37 per cent of them as domestic helpers and care workers. From 2001 to 2009 there was a shift in the migrant distribution by sectors: manufacturing and construction lost more workers than before, while the feminization of migrant workers became more evident, with an increasing number of them engaged in household and care work. Lan (2006) interprets this gender shift as a purposive plan by the Taiwanese policy-makers to enable more Taiwanese women – relieved from their daily household tasks by female immigrants – to enter the labour market and lessen the chronic shortfalls in workforce. This is particularly true with regards to the elder care, traditionally carried out by daughters-in-law, most of which are now well-educated and more career-oriented.

In 2008 the top four sending countries were Indonesia, Thailand, the Philippines, and Vietnam. Initially, Malaysia was included among the four, not Vietnam. But over the years the Malaysian economy went pretty well and their prospective labour migrants did not see the convenience of moving to Taiwan. Therefore Vietnam was added among the supply sources. Today the number of workers from Malaysia, as well as Mongolia, is very modest, even though Malaysia is still included as a sending country in Taiwan's official statistics. Lan maintains this as a rather symbolic inclusion “serving as a diplomatic means of bilateral cooperation in tandem with the investment of Taiwanese capital in Malaysia” (Lan 2006: 39), but her explanation is rather at odds with today's relatively modest investments and the close relationship developed over the years between China and Malaysia.

The policy of recruiting foreign manpower from Southeast Asia has been directly connected with the prohibition for PRC workers to enter Taiwan, due to political reasons and hostile cross-straits relations. In 2002 the Act of Permission of People from the Mainland Region Conducting Professional Activities was revised

and professional Mainlanders were allowed in at certain conditions. However, low-skilled workers are still barred from entry into Taiwan's labour market, with the notable exception of ship crew in the fishing industries. This often neglected fact constituted an important element for Taiwanese fisheries since year 1991, when hiring of mainlanders on fishing boats was allowed at certain conditions. Their numbers reached 22,516 units in 2000, but started to decline in 2002, as China dismissed agreement with Taiwan on the grounds of poor pays and harsh working conditions for the mainland crewmen employed, among which was the absolute prohibition of landing ashore in Taiwan even in case of health problems or temporary inactivity of Taiwanese fishing vessels. In 2005 mainland crewmen declined to 16,526 individuals, reaching 7,186 in 2010. The latter year marked the signature of a new arrangement with China for the recruitment of mainland crewmen, this time on allegedly improved conditions.<sup>33</sup>

As for nationalities, while Vietnam has quickly replaced Malaysia in the early stages of immigration, an ethnic replacement has also occurred with other foreign workers. The Thais dominated the labour market until 1999; from year 2000, construction – where the majority of them found occupation – lost importance and consequently quotas assigned to this sector diminished progressively. The Filipinos were also the dominant nationality in personal services sector, but their percentages were gradually eroded by Indonesians, who now occupy most of this category (Tseng 2004: 14).

#### **4.4 The Commodification of Immigrants**

A serious problem emerged in the early stages of Taiwan immigration and has stayed unresolved until today. It is about the so called “runaway” immigrants, those contract workers who suddenly disappear from the job place and leave their employers without notice. There have been many reasons to explain this phenomenon, such as personal ones: abuse and maltreatment by the employers; economical: the role played by the labour brokerage; and practical ones: more ease to move and earn money for the immigrant. According to police estimates, the number of runaway contract workers in the years 1994-2005 reached 91,421 individuals, most of which have been deported or left the country voluntarily, but

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<sup>33</sup> I owe this information to Lin Chia-Ping, a Labour Department graduate at NCCU.



21,679 were still residing in Taiwan at the end of this period (Lan 2007). While it is uncommon that an estimate on illegal immigrants in any country can be given with such accurate numbers, it is probably true that the dimension of the problem is even bigger than reported, and it cannot be solved with police raids only. So much so that the Council of Agriculture in Taiwan (COA) reported a new hit of 31,000 runaway foreign workers in August 2011, with typically Vietnamese ranking first at 15,011, Indonesians second at 12,994, Filipinos third at 2,000 and lastly Thais at 1,159; gender-wise, female runaways far outnumbered the men (21,788 to 9,382). The Taiwanese authorities have argued that the runaway problem is a common global issue hard to combat. Certainly the measures put in place by the government, such as exorbitant fines for caught illegal job brokers (NT\$ 300,000 to NT\$ 1.5 million) and a monetary system to reward whoever reports illegal migrants or brokers (NT\$ 20,000 per person and NT\$ 50,000 per broker), have not made a significant dent in the phenomenon. The reason for this being that for each illegal worker deported, the original employer is entitled to hire a replacement, which in turn is a potential runaway. Thus, job brokers are given even more business. All these aspects are in close connection to the particular way recruitment of foreign workers is made in Taiwan.

The *Guestworker* program is certainly the most prevalent way adopted in Asian host countries to recruit semiskilled and unskilled workers. Massey *et al.* (1998: 5) argues that this scheme of employment is very common in countries “lacking an indigenous tradition of immigration or an ideology that favours permanent settlement”. While *Guestworker* programs have gone out of fashion in Europe since the first Oil Shock in 1973, Asian host countries have seemed to rely more and more on them as the best guarantee for restrictive immigration policies, based mainly on concerns about geographic constraints, population densities, and national agendas (Lan 2007). It is evident that these last three characteristics are the descriptive elements of ex-colonies, such as Singapore and Hong Kong, which in fact have been the first governments in Asia to adopt a *Guestworker* system in the 1970s. In its original form, this recruitment system was designed to hire manual workers (both male and female) to work in factories and other low-skilled jobs; the foreign workforce had a special legal status that restricted family reunion, limited their access to destination labour market, curtailed their social

rights, and gave little chance of becoming citizens of the host countries (Castles and Miller 2003).

A historical antecedent of this system can be traced in the colonial period, when indentured workers (or enslaved populations in earlier periods) were moved from their native places to work on plantations across the seas. Examples are numerous, such as the Indian labourers transferred to Singapore, Burma or Sri Lanka by British colonisers; or the Chinese relocated to Penang and the Malaysian peninsula. It was disposable labour, limited in time by contracts and subject to a harsh discipline and poor wages, where settlement and family reunification were strictly prohibited. These basic principles still hold in most destination countries in Asia, and according to Athukorala (1993) there is a tacit understanding between sending and receiving countries in keeping guest workers in a flexible and unsettled mode to serve both ends: on one hand, the host countries enjoy a continuous influx of young and healthy temporary workforce that can be disposed of whenever the economic demand changes, with a minimal cost in social services, if any at all; on the other hand, the sending states have all the interest in keeping national emigrants in a temporary rather than permanent immigration status, in order to secure their loyalty and the regular rich flow of remittances that feed established government-controlled banking facilities. In other words, emigration countries save money (in terms of fewer social services provided) by supporting a smaller population, but still get revenues from those who left, the latter acting as a sort of external human surplus generating capital. In this sense, the Philippines government campaign promoting the notion of emigrants as “national heroes” that benefits the “homeland” has been regarded as encouraging that policy (Lan 2007).

Victor Satzewich (1991) has distinguished three forms of host state intervention in the process of labour migration or, put it otherwise, has contemplated three concentric circles of access for immigrants. First, the host state establishes a standard of exclusion to determine who is allowed and not allowed for entry into its territory; second, it regulates the “distance” to an ideal national model at which the immigrant is kept, by granting more or less civil rights and by providing social services on a par with or less to what its citizens are entitled to;

third, the destination country determines the spatial allocation of an immigrant and his functions in relation to a specific economic process or sector.

In the early 1980s, the combination of a number of factors such as the economic success, an increasing internal dual labour market division, an aging society with low birth rate, a further opening to the world market and more relaxed controls had all made Taiwan a preferred destination in Asia, leading to a sudden influx of Southeast Asian nationals who came as tourists or students of Chinese language and overstayed their visas. To limit the number of irregulars accumulated over the years and re-establish a legal framework Taiwan decided to adopt the *Guestworker* program in the early 1990s, inspired by the experiences of Hong Kong and Singapore. A *Guestworker* program is based essentially on a quota system whose purpose is to plan, control and distribute workforce in selected occupations and industries of the destination country. In the case of Taiwan, the Council of Labor Affairs (CLA) was put in charge of investigating the industries (mainly in manufacturing and construction sectors) and the specific occupations with an alleged labour shortage, then assigning or releasing quotas according to economic conditions. By contrast, quotas for domestic helpers and care givers are based on the “urgent need” of employers, measured by the number and age of children in a household or the physical conditions of the elder or patient (Lan 2007: 258). In Taiwan the complexity of the quota system has created vested interests among the state, employers and brokers (employment agencies), creating occasions for bribery and corruption in order to speed up procedures and steer quotas in a different direction. Unlike other countries such as Canada and the United States, where recruiting agencies have emerged within established immigrant communities, in Asia this is less possible since permanent status for low-skilled workers is generally prohibited and therefore recruitment of foreign workforce relies mostly on private agencies in the host countries, which work closely with placement agencies in sending countries.<sup>34</sup> Since in Taiwan there are more employment agencies than employers with assigned quotas, the competition

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<sup>34</sup> In the case of Taiwan, these are often owned by Taiwanese recruitment agencies but run by locals, in order to save costs and uniform procedures (Lan 2007).

is particularly fierce<sup>35</sup> and employers are paid a kickback – estimated at NT\$ 20,000 to NT\$ 30,000 per each recruited foreign worker – to grant the right to recruit foreign workforce for them. The transaction cost is then passed on to the migrant worker who pays a placement fee ranging from NT\$ 90,000 to NT\$ 220,000 equivalent to five or fourteen migrant monthly wages in Taiwan. Workers usually pay a deposit to secure the placement at the recruitment agencies in their home country; when they arrive in Taiwan, employment agencies collect their share through monthly deduction from workers' wages. This mechanism makes the *service provider* (the worker) rather than the *service user* (the employer) pay for the final costs of labour recruitment (Lan 2007: 260-264). In the first version of the program, the length of a migrant worker's contract was fixed at a maximum of three years (two years plus a one year extension) and for once only, meaning that when the contract expired the worker had to leave the country. It goes without saying that three years were not sufficient time to pay off the debts incurred by the migrant before coming, and save enough to send regular remittances to the family in their home country. On top of that, foreign workers are required to pay a twenty per cent income tax if they work for less than 183 days; while the income tax is reduced to six per cent for those working more than 183 days. Further calculations estimated that the first year of their stay was used by Taiwan immigrants to pay off the debts contracted with loan sharks; the second year to recover the costs of migration; and the third year to start savings. For this very reason many runaway cases happened near the end of the contract or when the employers refused to renew it. Therefore, to reduce this occurrence, the Taiwan government decided to extend the contract to six years in January 2002, then to nine years in 2007 and finally to twelve years in 2012. This was done after the Legislative Yuan's approval of amendment of Articles 52 and 55 of the Employment Service Act, extending the cumulative period that migrant workers are allowed to work in Taiwan. The other aspect that turned out to be a harbinger of the "runaway" phenomenon was the deprivation of free movement in the labour market. According to the law, once a foreign worker has arrived in Taiwan, he or she is not allowed to change employer, because the latter is given a quota of

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<sup>35</sup> There are about seven hundred placement agencies on the Taiwan market, of which 15 per cent are estimated to be unlicensed companies or individual brokers. For this reason placement agencies in Taiwan are notoriously short-lived, with a death rate as high as 18 per cent each year (Lan 2007: 260).

workers based on certain requirements and this allotment is not transferable to other employers. For employers the granting of quotas is not only instrumental in filling a gap in labour shortage but also works as an incentive to make a substantial investment (Lee and Wang 1996). Change of employer was allowed only under special circumstances, such as bankruptcy, closure of business or unpaid wages; in the case of home care, if the care beneficiary died or moved to another country; and finally, when a worker is abused by the employer or illegally placed with an employer different from the original one. These provisions put the immigrant workers in a constrained subordination, where more often than not they had to endure hardship and mistreatment by the employers for fear of deportation. When all that becomes unbearable for the immigrant, the only option given is to leave the employer, finding accommodation and protection with fellow nationals, and working illegally in the informal labour market of the island. The risk of being caught is relatively high but research indicates that the hazard of living illegally is seemingly balanced by many factors: 1. higher income resources that derive from fewer social costs (accident insurance, medical coverage and so forth); 2. direct trust established between employer and worker that the formal channel is unable to provide; 3. the willingness of employers – who originally were not given permission to hire foreigners workers – to offer higher wages and entice them away from their current employers (Lee and Wang 1996).

In the light of the past experiences, Taiwan government relaxed that prohibition and allowed the change of employer on certain conditions. As for the exorbitant placement fees issue, some other Asian countries such as Korea have resolved the problem by arranging a government-to-government recruiting scheme to take over the task of intermediation in hiring foreign workers, reducing to a minimum the risk of corruption and kickback that have inflated referral fees. This procedure though has political implications of mutual recognition that Taiwan cannot afford with many countries. For example, a tentative agreement was reached in the past with the Philippines but at the last stage Taiwan Ministry of Foreign Affairs refused to sign it because the Philippines did not recognize the ROC as a country (Lee and Wang 1996: 296). Other proposals to stem the runaway tide suggested delegating more responsibility for control of foreign workers to the employers

themselves, who have already adopted special measures, such as the deduction of part of the worker's wages, which is then deposited into a special account and returned to the foreign worker when he leaves the country at the end of the contract period.

#### 4.5 Immigration Policy

The Taiwanese immigration system distinguishes six categories of non-residents (aliens): 1. Chinese from PRC, including people from Hong Kong and Macao after 1997; 2. Overseas Chinese – including Hong Kong and Macao people – who left China before 1949 and are holders of ROC passports, and their children; 3. Overseas Chinese without PRC or ROC passports but registered by their local government as ethnic Chinese; 4. ROC nationals who have been naturalized in other countries; 5. PRC nationals who have been naturalized in other countries; 6. Other Foreigners. So basically, the first five groups concern ethnic Chinese and the last group alone includes all the others (Wang 2011). This complex system has developed and gone through changes in the last sixty years, but the conceptual core of it derives from the policy adopted by the Chinese governments since the late Qing Dynasty (1644-1911), which regarded all ethnic Chinese – irrespective of how long they lived overseas – as its nationals, so much so that whoever went to the Chinese embassy could claim a Chinese passport before 1949. This short preamble serves as an introduction to the three principles on which Taiwan's current immigration policy is based: the patriarchal *jus sanguinis* principle, the population quality and the national security (Wang 2011: 170).

The *jus sanguinis* (Latin: *right of blood*) is a principle of nationality law stating that citizenship is acquired by having one or both parents citizens of the state – in contrast with the *jus soli* (Latin: *right of soil*) for which citizenship is determined by the place of birth. In the case of Taiwan, this principle was considered patriarchal because only descendants of a male ROC passport holder could apply for naturalization, consequently foreign men who married Taiwanese women were prohibited from acquiring citizenship; on the contrary, foreign women married to ROC nationals could be granted automatic naturalization. At the time of the early immigrations, this law fit perfectly the policy of Taiwan, which initially favoured the influx of male labourers working in the construction and

manufacturing sectors. Later on, this discrimination was denounced by human rights activists and in 1999 the Nationality Law was revised (Article 2) to eliminate the gender bias.

The other important principle that shapes immigration policy in Taiwan is population quality (人口素質), namely, the classification of immigrants as being of lower or higher quality. Since the 1960s a Population Policy Committee was established in Taiwan to ensure the reproduction of good quality population (well-skilled and well-educated) and prevent any contamination from low quality populations coming into the society. This principle was reflected in Taiwan's immigration policy, as indicated in the Guidelines for 2009 Policy Implementation of the Executive Yuan: "the government will improve the effectiveness of border control, prevent human trafficking, and actively attract overseas high quality persons". Therefore, blue-collar unskilled workers from Southeast Asian countries are disqualified from applying for permanent residence or citizenship, regardless of the length of their stay in Taiwan. Furthermore, the government is particularly concerned for the children of female immigrants married with Taiwanese nationals, which according to a survey conducted by the Ministry of Interior in 2004 – but not supported by strong evidence – seem to show retardation and are generally regarded as problematic.

The third principles affecting policy-makers' decisions on immigration in Taiwan is the national security. After retreating to Taiwan in 1949, the KMT government shut the borders, especially on Communist China, and became obsessed with population control. Still today, a person leaving his or her household for fifteen days is theoretically required by law to register with the local police of the place of abode. However, nowadays this principle is especially enforced with PRC nationals arriving in Taiwan, whose entry can be denied at airport controls if their presence is judged as a potential threat to national security. Restrictions are imposed to Mainlanders living in Taiwan, with the prohibition of employment before they get their permanent residency status. Also, once they become ROC citizens through marriage with Taiwanese, they cannot work as civil servants before ten years from their naturalization, for fear of them being spies in the service of China (Wang 2011: 182-183).

#### 4.6 The Making of the Employment Service Act

In the mid-1980s Taiwan's unemployment rate was constantly below 2 per cent. In January 1992 it fell to 1.37 per cent,<sup>36</sup> among the lowest in the world. In the preceding years, the Taiwanese authorities had eased restrictions to the importation of foreign workers in order to relieve the chronic manpower shortage of its industries and avoid their relocation to countries with cheaper labour force. The attraction of wages that were several times higher than at home and the abundance of jobs induced many Southeast Asians to arrive in droves on the island. To cut lengthy procedures and brokerage costs many of them chose to come illegally, or became so after overstaying their tourist or student visas; their number grew year by year, settling between 10 and 20 per cent of the legal foreign presence. At the time Taiwan had no organic laws regulating the importation of foreign workers<sup>37</sup> and even showed reluctance in passing any immigration legislation. This lack of interest was justified by three main assumptions: 1. the national self-image constructed by leaders and citizens was that of an ethnically homogeneous nation, bent to pursue quality in its population, where immigration was not considered (a zero-immigration country); 2. the foreign workforce allowed in was just a temporary necessity, to speed up the completion of infrastructure projects; 3. the tide of undocumented aliens was acknowledged and tolerated as a side effect of relaxed border restrictions, in the belief that it would quickly ebb away as soon as the labour shortage was alleviated.

By 1987 it had been estimated that between 50,000 and 70,000 Filipinos, Thais, Malaysians and other nationals worked illegally in Taiwan, employed in the textile, shoemaking, food processing and construction industries. Typically, most of them were hired by small and medium size companies and for this reason they often went undetected from police authorities. The severe labour shortage that hit Taiwan's economy was caused by the four factors already mentioned: first, many indigenous workers had switched from assembly-line positions to more technical,

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<sup>36</sup> R.O.C. National Statistics at [www.stat.gov.tw](http://www.stat.gov.tw).

<sup>37</sup> The only existing labour law was the Labour Standards Act (LSA) of 1984 (amended most recently on December 2002), which served as a base for the Employment Service Act. The LSA declared aim was "to provide minimum standards for working conditions, protect workers' rights and interests, improve employee-employer relationships and promote social and economic development", see R.O.C. CLA.



skilled positions, leaving large vacancies in low-skilled jobs; second, according to estimates, the Six-Year National Development Plan started in 1991 required 50,000 to 60,000 additional workers to be completed by 1997; third, a new generation of more educated people refused to take low-status and low-income jobs, preferring to remain idle instead; fourth, labour unions' view was that the influx of foreigners had depressed wages and worsened conditions, perpetuating labour shortage that caused in its turn more need of foreign labour importation, setting up a vicious circle to the disadvantage of domestic workers (Liu 1996).

The troublesome situation caused by the growing presence of illegal workers prompted the government to create an agency with the task of addressing labour issues, including the question of migrant workers. On 1 August 1987 the Executive Yuan<sup>38</sup> established the Council of Labor Affairs (CLA), the highest authority on labour affairs, supervising such areas as labour relations, conditions, welfare, insurance, inspection, safety and sanitation. As for the foreign workforce, the duty of CLA was to propose administrative measures or legislation to regulate the rights and obligations of both employers and foreign workers.

The basic principles laid out by the CLA was that Taiwan allows importation of foreign workers as long as they are: *supplemental* to domestic workers; *temporary*, so as not to become settled and permanent; *cost effective*, in the sense of not becoming a burden for the social and health systems; *functional* to the development of Taiwan's economy. These principles were then translated into restrictive policies for hiring foreign workers:

- *Importation only for certain industries and occupations.*
- *Limited duration of employment:* initially one-year contract, after which the worker could apply for another year extension, with a limit of a two-year period.
- *No displacement of domestic worker:* employers willing to hire foreign workers, have first to advertise the job in a newspaper in Taiwan for three days; the maximum percentage of foreign labour a firm can hire is set at

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<sup>38</sup> Taiwan's central government has five ruling bodies: the Executive Yuan, the Judicial Yuan, the Legislative Yuan, the Control Yuan and the Examination Yuan.

30 per cent of domestic workers on regular jobs, 35 per cent for the 3D jobs, and 50 per cent for crew on fishing boats.

- *No importation of social and health problems*: before leaving their home countries, workers are requested to present a certificate of good conduct and good health; on arrival in Taiwan they have to undergo another general health check (Lee and Wang 1996: 282-286).

In 1990, under the urgency of the Six-Year National Development Plan, the CLA issued an administrative order to allow employment of migrant labour on condition that they leave once the projects were completed. More requirements were demanded from the employers before CLA granted them permission to hire, in particular: 1. evidence that they could not find local workers; 2. arrangement of separate housing for foreign workers; 3. the deposit of a bail with the government equal to five months' pay as a guarantee the worker would leave at the end of his/her contract. Other conditions were that the foreign labourer had to be at least twenty-one years of age and single; in addition, in case a foreign worker married a Taiwanese, he or she had to leave Taiwan immediately. Since the CLA administrative order was not supported by any general law recognizing the legal status of foreign workers, no sanctions were contemplated for employers hiring illegal aliens, and at the time the Taiwan government was unwilling to carry out raids and deport them because of the persistent labour shortage. Impunity for employers who broke regulations and tolerance for irregular migrants had the effect of throwing the migrant labour market in a chaotic lawless condition, where workers were subjected to abuses and exploitation and could not claim any protection from Taiwanese or international authorities given their illegal status. The inaction of the Taiwan government was also explained as a way of not taking sides between two opposing views within the society: on one side, the business community, which wanted to relax restrictions on importation of cheaper foreign workers; on the other side, the labour unions, which instead asked for more restrictions, for fear that cheap migrant workforce (most of them non-unionised) would undermine promotion of wage increases for their members (Liu 1996: 605-11).

In 1991 Taiwan government started discussion on how to best cope with the persistent labour shortage that was delaying the Six-Year Projects. The CLA

declared that given the domestic low unemployment rate (at 1.80 per cent) “a ban on foreign workers was no longer realistic” (Liu 1996: 612), and in October of the same year the first quota for importation of 15,000 foreign workers was created. This move was suggested by similar measures taken by other nations such as Hong Kong, Malaysia, Singapore and South Korea, which initially were as reluctant as Taiwan to open their labour market to migrants for fear of not being able to manage their presence, but in the end overcame their hesitations in order to sustain their economic growth.

Once a crack opened in the long-held zero immigration ideology, the process towards a more organic and comprehensive law took a new momentum. On 8 May 1992 the Employment Service Act (ESA) was finally promulgated by the Legislative Yuan, legalizing the hiring of foreign labours and imposing sanctions and obligations on employers. Its stated objective was “to promote the employment of nationals in the hope of strengthening social and economic development” (Liu 1996: 614). However, its main purpose was to alleviate the labour shortage and at the same time limit the social consequences of having a foreign community living in a Chinese society. Control of foreign migrants was done by imposing numerous restrictions and above all by denying them permanent settlement on the island.

Under the Employment Service Act – as translated and interpreted in Liu (1996: 617) – foreign workers may only be hired if they are:

- 1) Performing specialized or technical work
- 2) Chief executive of an enterprise invested or established by an overseas Chinese person or by a foreign person approved by the government
- 3) Teachers of public or registered private colleges or universities, or primary schools for foreign residents
- 4) Full-time teachers of foreign languages in short-term supplementary schools registered under the Act of Supplementary Education
- 5) Athletes or athletic coaches
- 6) Working in the areas of religion, the arts or entertainment
- 7) Family servants

- 8) Performing work that has been designated by the competent central authorities as necessary to important reconstruction strategies or economic or social development;
- 9) Performing other work that has been especially approved by the competent central authorities and for which local talent is lacking, necessitating the recruitment of foreign persons.

In this list, as well as in the Implementary Provisions to the law that followed (promulgated on 5 August 1992 and revised on 18 May 1994), it is evident that there is a big divide in treatment between white-collar and blue-collar foreign workers. White-collar workers retain their favourable treatment, with general rules that apply to them but can also be flexible and extend their rights; while regulation for blue-collar workers – which are the real target of the ESA – is stricter and does not contemplate any flexibility or exception in its interpretation. Examples of differential treatment are numerous: the requirement imposed on employers to seek local workers before employing foreign blue-collar workers (for which white-collar workers are exempt); the duration of employment, longer and renewable for white-collar workers, shorter and not extendable for blue-collar workers; the marriage of Taiwanese spouses, allowed for white-collar workers but not for blue-collar workers (this was amended in 2002); and the requirement for construction workers to live in the company's dormitories, in order to limit contact with the local population. At this regard, on 21 August 2005 restrictive and inhumane conditions were denounced by Thai migrants working on the construction of the Kaohsiung Mass Rapid Transit. The protest, sparked by trivial incidents, soon escalated into riots, resulting in burned-down dormitories, attacked Taiwanese foremen and vandalised properties. Among the workers' grievances were the overcrowded living spaces in the dormitories, the prohibition to leave the company compound where they were confined without permission, the overpriced company groceries that workers were forced to buy for their daily needs, the deduction of one-third made on their wages to pay back their placement fee, and the general maltreatment they had to endure. This protest caught the attention of mass media and started a debate about the significant role played by migrant workers in the Taiwanese society. From that moment on, the Taiwanese government devoted more attention to the immigration issue, trying to change its policy from total exclusion to a sustainable inclusion.

## 4.7 Summary

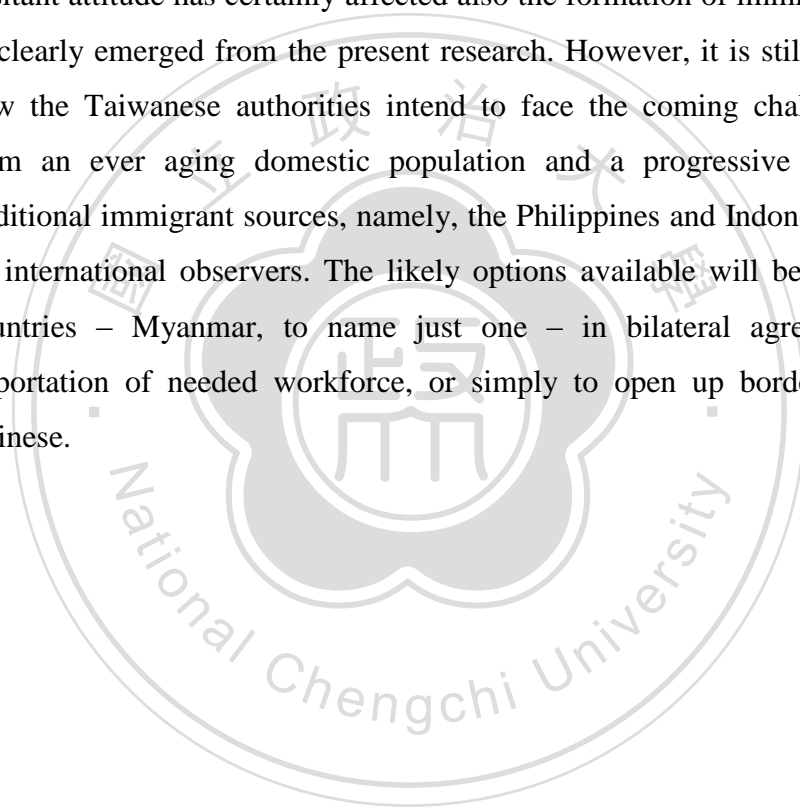
In the case of Taiwan the determinants of the immigration phenomenon and the policies implemented to regulate it are quite clear. Being a country that lives substantially on trade, Taiwan has been more subject to the effect of globalization with the progressive opening of its commodities market, for which the theory of world system can be applied. The external factors, though important, could not have been so influencing without the great changes the Taiwanese society has undergone during the last four decades. The economic success, an acquired affluence, a widespread education and a better health system are all factors that have raised significantly the living standards of its population, propelling the country from a developing condition to a fully-developed status. The price of this success has been an aging population, a delayed entrance into the job market for the young generation due to the extended schooling, and a procrastinated or simply ruled-out marriage planning, with a consequent fall in child birth. These are all characteristics typical of an economically mature society, where a permanent labour shortage for the low-skilled jobs has caused the arrival of the first immigrant flows on the island, along the pattern well described by the dual labour market system theory. The geographic features of the country and its well-guarded isolation for almost a century (except for a brief period in 1945-50) at the hands of colonial-minded rulers such as first the Japanese Empire and then the Nationalists of KMT, have made the social changes among a homogeneous population more strident and astonishing in the pace of their development.

The first immigration policies adopted by the government to cope with these changes reflected the political rhetoric of a zero-immigration country, which served the cultivated image of unity and quality in population, and the not less important national security perception. For these reasons the measures implemented were essentially functionalist and temporary in their declared purpose, with strict regulations and draconian schemes borrowed directly from the experiences of former colonies like Hong Kong and Singapore, which in turn made ample use of the legacy left behind by their former colonial masters. In the beginning, the implied justification of these policies was the negation of a structural economic and social problem in Taiwan society, preferring to see it as an exceptional occurrence (the Six-Year Plan) needing urgent and unprecedented

supplemental measures, until things would go back to normalcy. This picture though would not be complete if together with the internal (social changes) and external (globalization) factors we would not include the international political status of Taiwan and in particular the China factor. Since the early 1980s, national security factors had prompted the Taiwanese foreign policy to turn towards Southeast Asia as a preferred destination of capital investments and possible manpower supply. At the time, many domestic firms reacted to worsened conditions on the island – sharp increase in land prices, raising wage levels and the Taiwan dollar appreciation – by relocating operations in Southeast Asian countries in order to keep or increase their export markets and their competitiveness in the industries (Hsu and Liu 2004). It is no wonder that the first pool of immigrants came from those countries, such as Thailand, Malaysia, Indonesia and the Philippines, where Taiwanese business had already settled and prospered. The employment of Chinese mainlanders – an otherwise natural choice given the obvious lack of language and cultural barriers – would have caused political problems not easy to manage in the tense cross-strait relationship. For this reason the Chinese bias in Taiwan's immigration policy has remained ever since, as shown by the discriminatory treatment reserved to Chinese spouses married to Taiwanese nationals.

The Employment Service Act has been an important step in the recent history of Taiwan foreign immigration policy, but it has missed completely its original task of “stemming the tide of illegal aliens while alleviating Taiwan's labor shortage” (Liu 1996: 599), as shown in the preceding paragraphs. On the contrary, according to Liu (1996), its enactment has contributed to create two main problems. The first has to do with the bland, or in many cases absent, protection of foreign workers' rights on the part of the Taiwanese authorities, a fact that signalled an implied go-ahead for Taiwanese employers to hire and exploit them at their best convenience. The second problem is a consequence of the first, and has probably to do also with an economic choice taken at the political level. In order to retain labour-intensive industries in the country, labour-intensive working conditions typical of developing countries had to be reproduced, with lower than average wages for foreign migrants, tolerated abuses and maltreatment, and a general scarce law protection. The effect of all that has been a perpetuation

of labour shortage – since local workers were not likely to accept degraded employment environments, even in times of lower economic growth – and a disincentive to invest in automated systems of production, given the large pool of foreign workforce available. Furthermore, the reluctance of the policy-makers in taking a firm decision in one direction, for fear of losing an old mode of production, has caused a delay for Taiwan in achieving a full post-industrial technology-intensive level, on a par with advanced countries like Japan and Singapore, relegating Taiwan in a half-way position between labour-intensive (light manufacturing) and capital intensive industries (high technologies). This hesitant attitude has certainly affected also the formation of immigration policies, as clearly emerged from the present research. However, it is still hard to predict how the Taiwanese authorities intend to face the coming challenges deriving from an ever aging domestic population and a progressive draining of its traditional immigrant sources, namely, the Philippines and Indonesia, as foreseen by international observers. The likely options available will be to engage new countries – Myanmar, to name just one – in bilateral agreements for the importation of needed workforce, or simply to open up borders to mainland Chinese.



## CHAPTER FIVE

### 5. A COMPARATIVE ANALYSIS

#### 5.1 Introduction

This chapter attempts to make a comparative analysis of the two case studies so far researched: two countries – Italy and Taiwan - with very different traditions, historical backgrounds and institutional frameworks. Despite the stark differences so obvious at a first look, parallels in the development of immigration policies can be drawn, as will become evident in the following paragraphs. This allows us to argue that the fundamental dynamics of the migration process stem from general needs and mechanisms that do not change much according to latitudes. In other words, the force of these factors is such that they can override political structures, government institutions and cultural barriers, though local practices can intervene to adjust their impact in accordance with national priorities. In comparing the two countries of this research we will look at the way the immigration policy is shaped by a number of factors: the geographic position; the economic system; the social structure; the origins and developments of immigration flows; the evolution of legal frameworks and government policies. Unless otherwise indicated, data for this comparative analysis are drawn from the *The World Factbook*.

#### 5.2 Geographic position

Distance to and accessibility of destination countries is unquestionably one of the key factors for international migration flows to decide whether and where to move to. As a way of interpreting this geographic relevance, we could picture every nation as linked to a preferential territorial bloc (the primary bloc of reference) with which to entertain the most important cultural, economic and political relations; or, adversely, with which to keep a careful distance to preserve its own territorial and political integrity, as well as its cultural identity; therefore one can say that this reference link affects positively or negatively the nation in question. Italy and Taiwan are, in the same fashion, located at the periphery of a regional system, but at the centre of a larger international one. The Italian peninsula lies in the southern part of the European continent, separated on its



north side by a high range of mountains, the Alps, which have preserved it from the most devastating migrations of peoples occurred over the past centuries across the central plains of Europe. The other sides of the peninsula are stretched out into the centre of the Mediterranean Sea, making Italy an important part of this system, with the additional role of linking and mediating between the global economic North and South, which translates into destination and origin countries in migration context. But strangely enough the primary reference bloc for Italy remains continental Europe, by which it is positively affected for a whole array of reasons – economic, social, political and so forth. The secondary reference bloc is then the Mediterranean system, for which Italy has long relinquished an active role, in favour of Europe. This has led to miscalculations and ill-formed policies towards its natural geographic environment and neighbouring countries, causing negative results, such as the unregulated and uncontrolled immigration flows landing on its shores on a daily basis, for which the peninsula has become an internationally infamous transit country.

The island of Taiwan is also located at the southern periphery of its primary reference bloc, China, from which all its population – apart from the aborigines – came from, bringing with them language, culture and tradition. Despite such closeness, for almost half a century its virtual reference bloc had been the ocean-distant coasts of the United States, for which Taiwan played the role of an anti-Communist outpost, receiving military protection and financial aid in return. Throughout the Cold War, the nation island had retained its “convex” negative peripheral position against China, but had also acquired a “concave” positive stance towards America, being literally on the edge of two opposing economic and political systems. Over time things have changed, and though Taiwan still keeps the same primary bloc of reference, its axis of importance has long turned from America back to China. The secondary reference bloc for Taiwan – though weak in its nature – is constituted by its pivotal position between two important regional areas: Southeast Asia and Northeast Asia. Southeast Asia is the origin place of natural and human resources necessary for Taiwan to sustain its economic growth and the welfare of its aging population; Northeast Asia is where the largest (China) and richest (Japan) markets of Asia are located, but also Taiwan’s direct competitor (South Korea) in practically all economic sectors. The

secondary importance of this position is caused by the international political status of Taiwan, which is not acknowledged as an independent nation, but just as a renegade province of China. The otherwise potentially important role Taiwan could have played between developing countries in the Southeast and advanced nations in the Northeast is therefore negated internationally, but seems deeply internalized in its somewhat schizophrenic politics between opposing ambitions and models, never wanting to take a definite direction in one way or the other, until dramatic or urgent events tilt the balance. All this too appears to be a reflection of its geographic and diplomatic isolation and the overwhelming importance given to national security. To sum up, Italy and Taiwan are similar in having renounced their natural geographic belonging in favour of more material and political benefits for the former, and more independence and security for the latter. The differences though are evident: Italy is a fully integrated nation within a supranational European Community and the international community, while Taiwan is kept in diplomatic isolation by the heavy influence of China, with which has still unresolved cross-strait relations.

### **5.3 The Economic System**

In 1952 the agricultural sector in Taiwan contributed for 32 per cent to the national Gross Domestic Product; in Italy it was more or less the same. Over the years both countries experienced a rapid economic growth that culminated in the 1960s with the so-called economic boom. However, in Italy the prosperous period started faltering in the early 1970s, coinciding with two successive oil crises. Growth continued with ups and downs, but less spectacularly than before and constantly affected by internal and external factors, such as instable political governments or Cold War interventions. Social unrest and ideological protests also became a common feature of the Italian society in that period. However, the sheer economic size reached by Italy since the end of World War II elevated the peninsula to the ninth-largest rank in the world and the fourth-largest in Europe, according to international statistics. The 2012 GDP composition by sector puts agriculture at 2 per cent, industry at 24.2 per and services at 73.8 per cent of the total. The main Italian industries are in the sectors of tourism, machinery, iron and steel, chemicals, food processing, textiles, motor vehicles, clothing, footwear and ceramics. Its main export destinations are within the EU (56 per cent), with

Germany (13 per cent), France (12) and Switzerland (6) among the most important export partners. The population's labour force of 25.65 million people is concentrated on the services (67.8 per cent), industry (28.3 per cent) and agriculture (3.9 per cent). The unemployment rate is as high as 10.6 per cent in 2012 (in 2014 it has overcome 13 per cent) and the government consumption against the GDP is at 20.5 per cent, a sign that the public sector is still absorbing a large share of the state expenditure. The country's public debt is at 127 per cent of the GDP (in 2014 it has grown to 130 per cent), meaning that in times of recession such as these the state cannot finance growth with more debt – as was the practice in the past – since it has to restrain public finances within limits fixed by the European Fiscal Compact.<sup>39</sup>

In economic terms, immigration can be interpreted as the result of the mechanism of capital outflow and labour inflow elaborated by the World System Theory, according to which at a flow of capitals from core countries corresponds a counter-flow of labour from the peripheries. Until the early 1970s this scheme worked perfectly between Western European ex-colonial countries (such as the UK, France, the Netherlands, and so forth) and the African ex colonies where most immigrants came from. The 1973 Oil Crisis caused an economic downturn and prompted all West-European receiving countries to restrict borders. Those labour flows were then diverted to Italy, which at the time enjoyed a flourishing economy, but had porous borders and an almost absent immigrant legislation. In the late 1980s the Communist bloc collapsed and borders to Eastern Europe were opened again, not only for people but also for investments. Italy took advantage of these openings and started a massive outflow of capitals towards countries where labour was cheap and taxes low, such as Romania, Albania, Poland and so forth. Soon a counter inflow of labour was put in motion and reached Italy in great waves, confirming once again the World System mechanism earlier mentioned.

Taiwan in the early and late 1970s was also affected by the Oil Shocks but only temporarily. Its economy had still lots of steam and state intervention helped overcome those setbacks. Political stability and social control were assured by the

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<sup>39</sup> The Fiscal Compact is a treaty signed on 2 March 2012 by all member states of the European Union, except the Czech Republic and the United Kingdom.

authoritarian regime of the KMT, which would not release its grip on power until the martial law lifting in 1987. Internationally, the diminished political status of Taiwan in favour of the PRC – with the loss of the permanent seat at the UNO Security Council in 1971, and the formal diplomatic relations established between China and the USA in 1979 – was widely compensated by the economic success of its manufacturing industries that exported worldwide. China's opening to the market economy constituted a formidable opportunity for Taiwanese industries, but its recovered global influence also brought up again the heated question of the return of the island to the mainland, leading to frequent frictions and tensions in the cross-strait relations. The 2012 GDP composition shows agriculture at 2 per cent, industry at 29.8 per cent and services at 68.2 per cent. The major industrial sectors of the island are (in order of importance) electronics, communications and information technology products, petroleum refining, armaments, chemicals, textiles, iron and steel, machinery, cement, food processing, vehicles, consumer products and pharmaceuticals. The 11.34 million labour force is occupied in services (58.8 per cent), industry (36.2 per cent) and agriculture (5 per cent). Major exporting countries, in percentages, are China (27.1), Hong Kong (13.2), USA (10.3), Japan (6.4), Europe (11), and ASEAN countries (12). The official unemployment rate is as low as 4.2 per cent, and the government consumption share is a modest 12.4 per cent of all the GDP. The island's public debt is just 35.9 per cent of the GDP, which allows the government to launch periodical initiatives to revitalise the economy in times of sluggish growth such as these, though the typical multi-year long infrastructural projects of the past will probably not be seen any longer. In all, the two economies are fully developed and, as a consequence of their success, have experienced a constant labour shortage for the low-skilled sectors, along the pattern of the dual labour market theory. The only difference is that in general terms Italy is well established among advanced countries while Taiwan is still lingering in its fully-developed status but not quite willing to propel itself towards the Japanese and Singaporean models, as is shown by its lower percentage in services in comparative terms.

Here too the World System model of capital outflow and labour inflow can help explain the first mass immigration into Taiwan. Since the early 1980s Taiwanese

capital investments in Southeast Asia intensified, and as a response the first labour inflow landed on the island, though mostly employed in the informal economy. In 1992 a general deregulation in the financial capital sector<sup>40</sup> allowed, for the first time, direct investment of Taiwanese capitals into the Chinese market, by-passing the usual back door of Hong Kong. As a consequence, the flow of capitals directed to the PRC grew enormously, especially in comparison with the one towards Southeast Asia; nevertheless the flow and counter-flow model was disrupted in this case, because Chinese labour was (and still is) barred from entering Taiwan. Therefore, the main workforce supply for Taiwan remains still today Southeast Asia.

#### **5.4 The Social Structure**

The over sixty million Italian inhabitants are mostly distributed in the central and northern part of the peninsula – with Rome and Milan among the most populous cities, while in the south the largest city remains Naples – resulting in 68 per cent of urbanized population. This distribution is also a reflection of the geographic shape of Italy, which has favoured settlements in the larger and more fertile plains of the north and centre, rather than in the narrower and more mountainous areas of the south, where important cities are mostly located on the coast. Today the Italian population – with a median age of 44.2 years – is aging quickly: over 20 per cent of it is at or above the 65 years of age, with a growing life expectancy, a result of better health care and living conditions, that averages 81.95 years for the total population (males: 79.32 and females: 84.73). At the same time the total fertility rate has plummeted to 1.41 children per woman, well below the replacement level of 2.1. As a consequence, the Italian population is increasing at a modest rate of 0.34 per cent annually, and recent estimates have projected that the population natural growing curve has already reached its top and is now on the decline side. The predicted drop in population will only be slowed down by new influxes of immigrants, who already contribute for most of the population growth and fertility rate in the peninsula.

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<sup>40</sup> Art. 35 of the *Act Governing Relations between Peoples of the Taiwan Area and the Mainland Area*.

Taiwan's population is one-third of the Italian, but lives in a territory that is almost ten times smaller than Italy, which makes it the second highest population density in the world, after Bangladesh. Typically for a crowded island, this is a major factor to be taken into account when forming immigration policies, and even more so for Taiwan, as will be clarified further. Unlike in the past, today most Taiwanese population is concentrated in the northern part of Taiwan, as an effect of the shift – intervened after 1980 – from a dual-pole regional economy centred in Taipei and Kaohsiung areas to a single-pole pattern, coinciding with the New Taipei regional district, where all the driving high-tech and manufacturing industries are located (Lin 2010: 11). The major cities – Taipei, Taichung, Tainan and Gaoxiang – are all lined along the border of the large and sloping plains of the western side. The Taiwanese population is relatively younger – the median age being 38.7 years – with only 11.6 per cent of it accounting for the 65-year-olds and above, and life expectancy is amongst the highest in Asia, at 79.71 years (males: 76.58 and females: 83.06). In 1984 the fertility rate, in constant decline for years, reached the 2.1 replacement level and today has dropped to 1.1, a figure lower than Italy's. Therefore the population growth rate at present is also very modest, 0.23 per cent annually, which apparently would be a good prospective for an overcrowded island, if it were not for the bad consequences in terms of worsened shortage of domestic workers in the low-skilled sectors.

In sum, both countries, Italy and Taiwan, are mostly surrounded by poorer, younger nations, with the highest fertility rates in the world and the lowest standards of living (North African countries and the Philippines, to name just a few), therefore it is just natural that a constant need of fresh labour force on one side is met by migration flows from the other side. Strangely enough, though, evidence shows that the scarcity of low-skilled and young workforce is more acute in Taiwan – where the population is relatively younger – than in Italy. This unexpected finding can be explained by many factors, such as the lower fertility rate in Taiwan, but an important determinant is certainly the different geographic location and international positioning of the two countries. Italy's land and sea borders have always been more porous to immigration, mitigating the stronger depopulation process of the peninsula; furthermore, being part of a supra-national

entity like the European Union makes it easier for other EU nationals to come and settle in Italy at their pleasure, balancing up the lower birth rate of Italian nationals. By contrast, Taiwan as an outlying oceanic island, with strict national security policies that have been put in place in order to safeguard its territorial integrity, is certainly hard to reach and settle in. In addition, the diplomatic international isolation and the cross-strait disputes exacerbate the problem of the necessary labour supply for Taiwan. This particular situation gives also rise to another marked difference with Italy that in normal condition would probably not be expected. Italy's language and culture are very different from those of its main immigration communities, but the debate on national identity is only a topic used by small extremist parties on the right during election times. On the contrary, the debate on national identity in Taiwan is very strong and lively, though the island shares a common language and culture with its closest neighbour, China, and a similar Asian way of life with its neighbouring countries. Obviously the distinction here serves to justify and support the separation claims at political and diplomatic level.

### **5.5 Origins and Development of Immigration Flows**

As explained in the early chapters of this study, Italy's first immigrants came mainly from the Mediterranean Basin, which is to be treated as a secondary reference bloc, according to the model adopted above. Countries such as Tunisia, Morocco and the Middle East region were the first to send migrants to a relatively more prosper and closer developed destination. Later also came workers from Central and West Africa, while those from East Africa (Eritrea, Somalia and Ethiopia) were mostly refugees and were granted special treatment for being from former Italian colonies. This pattern, which seemed to be well established and over time was bound to enlarge the already settled migrant communities in the peninsula, suddenly changed in the late 1980s with the end of the Cold War. The major migrant flows heading for Italy then started to come from the east not from the south: Albanians, Romanians and Ukrainians now replaced northern and central African workers in many sectors and occupations. The shift of labour source from the secondary to the primary reference block was dramatic and totally unexpected in its speed, so much so that the Italian foreign policy with the Mediterranean countries, traditionally based on bilateral friendly terms, took a

while to change and adapt. Eventually the change came, but it was so abrupt and ill-conceived that it caused more damages than anything else. While Italy became more integrated and conformant to the policy lines drawn by its primary reference block – the EU of “Fortress Europe” – distance and closure towards its secondary and more natural reference area grew larger. On the other hand, the migration flows coming from this area have treated Italy as a transit country, a passage through which to reach other final destinations.

Since the beginning, Taiwan’s main sources of foreign labour have been the Southeast Asian countries, because access of Chinese into the island was totally barred for obvious political reasons. This choice was also a natural consequence of the delocalization of many Taiwanese companies into that area, where they moved the most labour-intensive production while maintaining other manufacturing lines in Taiwan. Eventually they found it more convenient to move their own workers from Southeast Asian operations to Taiwan to fill in labour shortages in their home production. As was the case for Italy, Taiwan’s labour source also came originally from its secondary reference block, and so has remained to these days, with some telling changes. In 1990 the Council of Labour Affairs set national origin priorities for workers, naming Indonesia, the Philippines and Thailand as the most desirable countries, while Malaysia was added later (Selya 1992). The latter though was soon replaced by Vietnam, as Malaysia economy was performing better and showed the capacity of absorbing potential emigrants too. In addition, the presence of Thai workers has constantly decreased for many reasons: the great infrastructure projects – where most of them were employed – have been completed; the manufacturing industries have further relocated to countries with cheaper labour; the 2005 protest by Thai workers, which put a temporary stop in the recruitment of Thai workers, many of whom became disillusioned of the advantages of working in Taiwan. Today the average worker salary gap between Thailand and Taiwan is narrowing, and the general feeling among members of the Thai community I personally interviewed is that wages levels in Taiwan, though still competitive compared to the Thai ones, do not justify anymore the costs and inconveniences of migration. In this regard, many official figures have been released to compare an average Thai workers’ monthly pay in Thailand with the corresponding salary earned by them



in Taiwan, but none seemed conclusive. Therefore I conducted more field research in the Thai community of Taipei and found out that the average pay for a low-skilled Thai worker in Taiwan is around 25,000 NTD, while the same worker would get about 13,000 NTD for that same job in a big city like Bangkok.<sup>41</sup> Taking into consideration the higher standard of living in Taiwan, the difference is not that big though. If this process will continue and involve other Southeast Asian countries, the probability is that Taiwan will have to get its workforce supply either from very far (Myanmar, Sri Lanka) or from very close (China) sources. In the first instance, Taiwan will face competition from other migrant destinations in Asia where labourers are in great demand and average salaries for low-skilled workers are higher than on the island; the second alternative would be ideal in economic and logistic terms, but unfeasible for its political and security costs, unless a regime change would intervene on either side of the Taiwan Strait, on the scale of that occurred in Eastern Europe in the late 1980s. How likely it is that Taiwan in the future will get its badly needed labour supply from its primary reference block – in the same pattern as Italy experienced it – is hard to predict. If the pace of economic integration and dependence with China proceeds at this speed, it will only be just natural that at a flow of capitals in one direction sooner or later will correspond a flow of migrants from the opposite direction, along the lines of classical migration theories. The early preference given to Southeast Asian workers rather than those from the PRC was clearly intentional from Taiwan authorities, as a way to mark the physical and cultural differences with Taiwanese and perpetuate the foreign workers' isolation in the host society. Conversely, the importation of mainland workers would have hardly served the same purpose. As Tseng (2004, as cited in Lan 2006: 39) has remarked:

In most societies, the 'problem' is unsuccessful acculturation among immigrants, but in Taiwan, the attitude toward Chinese workers is quite the opposite: We are worried that it would happen too soon, too easy for them to become 'us', unlike foreigners who just come and leave.

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<sup>41</sup> The minimum wage in Thailand has been fixed at 300 Baht per day, but in big cities it can be double as much.

## 5.6 The Evolution of Legal Frameworks and Government Policies

It always takes time for governments and institutions to ascertain the dimensions of new social phenomena happening within the state borders and consequently choose the right measures to cope with them. In contrast, economic forces have constantly shown an uncanny ability to anticipate them with great foresight. This is certainly true of foreign labour migration, which has often been met with the same stepwise approach by nations at their early immigration experience: first, initial negation; then, partial admission, provided it is temporary; and finally, full acceptance as a necessary “evil” to sustain the national economy. Only frontier countries, such as the USA, Canada and Australia, were able to afford programmes to actively stimulate immigration in order to populate vast inhabited areas and consolidate their economies – not to say their mere existence as states. Italy and Taiwan share a lack of experience in modern-times immigration and their respective approaches seemed to follow the pattern just described above. Initially Italy tolerated the presence of undocumented foreigners as a consequence of its poor border controls and treated it as mere public order issue, negating it was a response to its economic and social restructuring. Taiwan on the other hand is an island and therefore access is restricted to ports and airports. For this reason it was unthinkable that someone could penetrate the heavily patrolled sea borders and land on the island illegally – the simple idea would challenge the authoritarian regime’s self-image of law and order. As a matter of fact, many foreigners became illegal just by overstaying their tourist or student visas, a practice well known since the 1960s, but shunned by the official statistics and police authorities as purely accidental, unable to tarnish the general orderly picture.

The early immigration laws that were later enacted by both countries seemed, at first, tentative solutions to contingent problems that afflicted the two economies at the time, with two important differences. Italy’s main purpose was to regularise the bulk of undocumented migrants that lived in its territory in order to rescue them from exploitation by organised crime and the informal sector, and in so doing – it was believed – definitely wipe out a problem that had accumulated over the years for sheer carelessness and inexperience from the authorities. To justify this first mass regularisation in the eyes of the public opinion, a law was

also passed that regulated entry and stay of foreign labour migrants, but it soon proved inadequate to respond to the country's actual economic needs. Taiwan's first legislation was more structured and planned in its intentions, because it responded to real urgencies, such as the completion of the infrastructural projects, which were experiencing delays. However, regularisation was not seen as an acceptable measure by public opinion at the time, so illegal migrants were asked by the authorities to give themselves in for deportation, with the promise of a tax amnesty and the right to return legally after a regular migration procedure (Liu 1996), which actually happened in most cases. Furthermore, it was believed that the unprecedented immigration wave was due to a combination of exceptional events, and would ebb away by itself as soon as the projects were completed, returning the labour market to its normal capacity.

While the second stage of policy-making had a more functionalist approach aimed at solving structural economic problems for both nations, the third stage involved a more complex elaboration of immigration policies that would take into consideration definition of national identity in relation to foreign migrants, human rights issues and eventual integration and assimilation programs. Italy's shift from a mere functionalist and legalitarian attitude to a more generous and inclusive policy was not particularly difficult and coincided with the first liberal governments that came to power, after the end of the long Cold War period enabled them to do so. At the same time the public opinion gradually came to accept the presence of large foreign communities as necessary and beneficial to the society. Furthermore, the examples of other European countries with a long tradition of immigration helped the Italian authorities to work out more realistic programs of quota-planning that would include patterns of integration and other measures towards a more open multicultural society. Unfortunately, this virtuous course was to be stopped, delayed and diverted several times with the enactments of new restrictive and repressive immigration laws by successive conservative governments that contradicted the initial spirit, with the aim to placate the deepest fears of their voters, who typically blamed foreign immigrants for the country's problems, such as crime, unemployment and so forth. Conversely, the economic forces that traditionally supported the conservative governments were the same which advocated for more generous and welcoming immigration laws, evidence

that labour migrants were seen as an important factor of the economy system which the country cannot do without.

Taiwan's step into the third stage was more controversial and problematic because it came a long way from the initial assumption of a zero-immigration country, a view shared with other nations such as Korea and Japan, where ethnic homogeneity was regarded as one of the pillars of nation's stability (Belanger *et al.* 2010). Furthermore, Taiwan and other recent Asian immigration countries wanted to avoid at all costs the conflict between indigenous population and foreign migrant communities – which had marred social harmony in many Western immigration countries – often sparked by competition for education, housing, health and social services. Therefore for Taiwan the transition into the third phase meant to depart considerably from its early legislation – inspired by the draconian immigration laws of Singapore and Hong Kong – at the base of which was the quasi-military control of foreign workforce and the absolute prohibition of settlement. Human rights considerations and protests from labour source countries persuaded the Taiwanese authorities to mitigate the harshest regulations, such as the ban to family reunion, the limit to the extension of work permits and the segregation of workers in factory compounds. This shift of policy was also part of the realization for Taiwan of two important points. First, Taiwan is a fully developed democracy with a multi-party system where majority and opposition parties alternate regularly in the rule of the country, according to ballots granted by voters in free political elections. This involves abiding to democratic principles and observing the respect of individuals' human rights. Secondly, unlike Singapore and Hong Kong – built-up as trade ports with limited inland, and always ruled like colonies even after the colonial rulers left – Taiwan is a nation in its own right with extended land and where authoritarian dominion by a military-bureaucratic elite have long been abandoned in favour of a democratic regime. For this reason the oddity of having a harsh colonial-style legislation in an elective state formation would soon inevitably stand out and later lead to emendation.

## CHAPTER SIX

### 6. Conclusions

#### 6.1 Drawing Lines

This work has provided a rather unique study comparing the immigration policy formation of Italy and Taiwan since the late 1980s to the present. The uniqueness of this study resides in the fact that this is a comparative analysis carried out between two nations belonging to regional and cultural areas as far apart as you can get, though surprisingly they do retain common features. First, the two countries have reached the highest economic development at the same time in the late 1980s; second, they have experienced a rapid economic restructuring as an effect of the globalisation and the penetration of world economic systems; third, they have both fallen victim of their own success by experiencing a rising domestic labour shortage in the low-skilled job sectors, along the pattern explained by the dual labour market theories; fourth, a low birth rate and a rapid aging population have exacerbated and perpetuated the divide between highly-skilled and well-paid jobs – to which a more educated population is attracted – and the low-skilled and low-paid 3D (dirty, demeaning and dangerous) occupations that domestic workers in both countries have taken to spurn consistently; fifth, Italy and Taiwan saw the first mass immigration inflows in the late 1980s and came up with the first comprehensive immigration policies only in the early 1990s, when the immigration phenomenon had already taken roots and the foreign workforce had become a stable component of their respective economies. So far the most important similarities that made such a comparative research an interesting endeavour.

As for the differences, the two nations could not be more distant. Geographically, one is a relatively large peninsula, whose shape has always constituted a sort of natural bridge between continental Europe and Africa and the Middle East, which can partially explain still today its vocation as a transit country for millions of migrants travelling from the South to the North of the world. Conversely, Taiwan is a small over-crowded island lying off the south-eastern coast of China, in an isolated though strategic position half-way between the Chinese, Japanese and

Southeast Asian regional systems, which had its own advantages in an ideologically divided world but has become a real burden in a less ideologically opposed and more economically united global arena. This could account for Taiwan's struggle to find a meaning in its geographical role without giving up its identity. Historically, Italy has been an emigration country for over a century – since it became an independent and unified nation in 1861 – during which time millions of nationals left the poorest regions in the south and northeast of the peninsula to reach destinations in Europe and overseas. This biblical exodus reached the peaks around the times of the two World Wars, when most migrants crossed the Atlantic to North and South America. By contrast, Taiwan had always been a natural frontier for new immigration from mainland China but historical events changed it to a secluded island where in- and out-migration were barred for almost a century, with the brief exception of the post-war period. There first came the Japanese in 1895, who transformed the island into an imperial colony, precluding all access from China though encouraging migrant inflows from Japan; then followed the Nationalists of Chiang Kai-Shek in 1945, who after completing the withdrawal into Taiwan shut its doors for the following four decades. Politically, Italy has been a multi-party democracy since the end of the war and its population enjoyed human rights and freedom of expression; while Taiwan was an autocracy ruled by Kuomintang under the martial law until the 1987.

In spite of differences, this research has found agreement with the extant literature on three main points. First, the main sources of labour in the world can be identified in the colonial and ex-colonial formations present in Asia, Africa and the Caribbean, but also in the Mediterranean basin; these sources happen to be located at the crossroads of important regional and continental formations where labour migration flows were first created and channelled by colonial powers to plantations or other production sites; today they serve the market forces of single states or multinational corporations. Second, in the long run the migration process between origin and destination countries has shown a natural tendency to transit from a mass labour migration phase to a permanent settlement, regardless of obstacles set by the single receiving and sending nations. Third, the state has played an important role in determining migration flows through complex processes of exclusion, inclusion and allocation of foreign manpower in

its domestic economic system. Such state power has been exercised with the enforcement of specific immigration policies created to meet the immediate needs of the national economy and legitimized by ideological views. In general, the views informing state policies on immigration aim at preserving a construct national image of uniformity and homogeneity through the exclusion of alien workers from the host nation-community in many forms: from the physical segregation to the denial of basic human rights, from the impediment of family reunion to the prohibition of permanent settlement.

Overall, this comparative study has made it emerge that both nations have undergone the same passage from ignorance to inclusion with regards to immigration through three main stages: initial negation, then partial admission (provided it was temporary), and finally full inclusion in the legislative system. The force and the determination of the respective governments have been quite different though. Italy's migration policies have been intermittent and inconsistent throughout the period started with the first mass migration of the late 1980s until the present day. Market forces and social changes within the country – coupled with inaction and ignorance at the level of central government – seem to be the most important determinants of the migrant population formation in Italy. Attempts to regulate and control foreign labour inflows through the creation of general policies had been made repeatedly, but the few good results obtained were soon undid by next political coalition ruling the country, which was too anxious to show its anti-immigration stance by promoting repressive border policies and by raising admission requirements to unrealistic levels. Nonetheless, since the economic and social motives that attracted foreign labour remained unchanged in Italy – if they did not increase at all – the frequent change of rules and regulations by Italian authorities were simply met with quick adjustment of strategies and new schemes by prospective migrants. Therefore it is little wonder that the largest part of the foreign migrant community legally settled in Italy is more the result of five successive massive amnesties – implemented over the years from the late 1980s to the early 2000s – than the outcome of planned migration policies from central governments. Today, the still unresolved economic crisis that envelops Italy makes the topic of immigration policy not a particular attractive one with ruling and opposition parties, both of which fear the

reaction of a disgruntled and disillusioned public opinion. All future planning and policy formation are now being shunned (immigration quotas have been drastically reduced or zeroed since the crisis started) and redirected to European authorities, which in turn refuse to take any responsibility for lack of a common agreement on non-EU migration issues among the member states. Now a new informal practice has emerged among the Italian authorities. Since most irregular migrants and refugees admittedly treat Italy as a transit area to reach other destinations in Europe – where they can rely on relatives, friends and other connections – these people are assisted when they arrive, but not checked or registered with police, nor are they arrested. They are simply set free to go wherever they want, with the result that they quickly head for the borders with neighbouring countries where other authorities will have to deal with them. This final image is consistent with a country where immigration policy has been more the result of a bottom-up action, due to the presence of a soft-centred power which always chose to delegate away responsibilities, first to local authorities and today to supranational formations.

Planning and overconfidence were the most important features of Taiwan's early immigration policies, as emerged from this research. Planning was the result of a strong-centred power dominated by the military and always concerned with national security. This attitude also emerged in the case of immigration, with the adoption of the *Guestworker* scheme, which had the advantage of allowing the access of temporary workers from abroad, with the option of sending them back as soon as economic conditions made them redundant and no longer needed. This policy clearly served two goals: supplementing the shortage of manpower in the low- and semi-skilled levels of Taiwan's labour market and preserving the ethnic and cultural homogeneity of its population. In practical terms this scheme would make it extremely difficult for guest workers to overstay their contracts or to settle down in the host country. In ideological terms, the notion of seeing the imported foreign labour as "desirable workers but unwanted citizens" was underscored by the distinction made by policy-makers between "foreign workers", as the ideal type, and "immigrant workers", whose final motivation was to settle in the new country with their families (Tseng and Komiya 2004: 104). The overconfidence aspect of Taiwan's top-down policy on immigration lied in the



belief that this scheme would work out smoothly in the long term, mostly on the assumption that the economic instances were isolated from the social context. Evidence showed that this was not the case, and some corrections to the immigration policy were later introduced towards a more welcoming attitude that in some cases also allowed settlement, family reunion, integration programs, and generally longer stay periods for the immigrant worker. (Nonetheless, the ‘sedentary bias’ still persists in the Taiwanese policy towards immigrant manpower, as evidenced by the main way of settlement used by foreigners, namely, through marriage with Taiwanese nationals.) Whether this perceived shift of policy is due more to humanitarian considerations from the authorities of a still democratic country or rather a practical response to the perpetuation of labour shortage in the domestic manufacturing and care sectors is hard to tell; however, economic and social factors signal that the need of foreign labour will grow in the future for the island. The only problem for Taiwan will be how to appeal to potential migrants. Low economic growth and lower wages in comparison to other Asian immigrant countries will make Taiwan a less attractive destination for migration flows, with the result that policy-makers will have to explore new avenues to find the necessary labour supply. One of these is to go towards a multicultural society by allowing even low-skilled and semi-skilled foreign workers to settle down in Taiwan and enjoy its high living standards and social benefits. The other is to agree with more formal ties with PRC and make use of its still huge labour surplus by relaxing regulations for the access of Mainlanders to the island. A good guess would be that Taiwan will follow a middle path whose width nobody knows yet, not even its policy-makers.

## 6.2 Predictions

Schematically we can sum up Italy’s attitude towards immigration policy as follows:

- EU-oriented
- Soft-centred
- Bottom-up (*illegal practices* from the periphery)
- Unplanned/Solidarist/Multiculturalis (*laissez faire*)
- Regularisation (as a main way of settlement)

While Taiwan's view is quite opposite:

- Self-oriented
- Strong-centred
- Top-down
- Planned/Functionalist/Security-related
- Marriage (as a main way of settlement)

Based on the above features elaborated in this study, we can attempt to draw a future scenario for both countries.

Italy's international labour migration is quickly turning into internal migration, since at present most foreign labour comes from Eastern European countries, which have recently joined EU or are in the process of doing so. The progressive reduction of non-EU labour is consistent with the end of immigrant legislation and regularisation on the domestic front; and with the erection of walls to exclude the access of migrants from Africa and Asia, along the "Fortress Europe" view worked out at political level, on the European front. The southern coasts of Italy now constitute a port of entry (less of a barrier) for the multitude of refugees fleeing from poverty- and war-ridden areas in the Middle East and Africa, whose number is growing due to the instability of the region.

Taiwan's traditional labour sources from Southeast Asia are drying up due to the combined effects of two events: first, the political decision to progressively limit exportation of labour on the part of sending countries (especially the Philippines and Indonesia) in order to sustain domestic growth; second, the constant erosion of wage differentials between Taiwan and the sending countries, which makes the island less economically attractive in the eyes of potential migrants. Now, solutions are many but uncertain. Taiwan's authorities could sign up bilateral agreements with culturally more distant countries in South Asia (India, Sri Lanka or Bangladesh) or with Burma, to remain in Southeast Asia. Another solution would be to retain its present labour sources by raising minimum wages and improving conditions (such as the lifting of the 'sedentary bias'). A final, daring option would be the opening of its borders to PRC workers, which probably could only happen in the presence of a massive political change across the Strait, of the same magnitude as the one occurred in Europe in the late 1980s.

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