

Working Paper  
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**Migration, Legal Status and Poverty:  
Evidence from Return to Ghana**

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## **Abstract**

In this paper we use both quantitative and qualitative data from Ghana to explore the relationship between migration, legal status and poverty reduction. Drawing on analysis of the experiences of return migrants to Ghana, we note that the 'legality' of migration is complex, as different types of formal documentation are required for different countries, and at different stages of the migration process. Using a probit model, we investigate the factors determining the acquiring of formal documentation at the time of departure, arguing that poverty is associated with an increased likelihood of irregular migration. We then use a multinomial logit model to gain some insights into changes in well-being during the period spent abroad. Although limited by the dataset available for the analysis of changes in subjective poverty status, we show that those who were able to travel with formal documents were more likely to have moved out of poverty by the time of their return. This suggests that international migration is unlikely to provide a secure route out of poverty for many Ghanaians within a restrictive immigration environment, as they become trapped in more vulnerable and less sustainable migration processes. Interpretation of the quantitative analysis is enriched by discussion of more qualitative data that explores what migrants understand by 'legal' migration, their chances of improving livelihoods whilst abroad, and the sustainability of return.

## **Migration, Development and Poverty**

The potential for positive linkages between migration and development has been increasingly recognised in recent years, with a spate of books, articles and international conferences focused on this theme. At a local level, across significant parts of South Asia and sub-Saharan Africa in particular, village studies have demonstrated the significance of migration as one of a limited number of livelihood strategies for the poor, which also has a significant impact on poverty (de Haan and Rogaly 2002). Similarly, at international level, the Global Commission on International Migration (GCIM), a UN commission which reported in 2005, drew attention to the important part that migration plays in alleviating poverty and unemployment in sending countries, as well as 'serving as conduits for new ideas and enriching understanding between countries of origin and destination' (GCIM 2005: 23). This theme has been taken forward in a 'High Level Dialogue on Migration and Development' as part of the meeting of the UN General Assembly in 2006. Furthermore, estimates from the World Bank suggest that an increase in temporary international mobility of the order of 3 percent of developed countries workforces could generate up to \$356bn in benefits annually, fairly evenly distributed between rich and poor countries (World Bank 2006).

Yet, in terms of international migration at least, the policy context for poor people to use migration as a route out of poverty often remains limited. In particular, although there has been an expansion of international migration into northern economies over the past decade, especially to the United States and European countries with relatively high economic growth rates, these countries have generally retained and sometimes strengthened already restrictive immigration rules. As a result, legal migration routes have been open primarily to more educated individuals and to special categories of migrants such as refugees. In turn, a significant proportion of migrants have been pushed towards more 'irregular' modes of entry into the north, as well as to some southern countries, with the result that they enter sectors of the labour market where jobs are less secure, wages and working conditions are generally poorer, and where there may be a constant threat of discovery and deportation. Needless to say, such circumstances are unlikely to offer a stable route out of poverty, although the extent to which many poor people are willing to travel illegally in search of work suggests that for some, at least, an opportunity for self-advancement does exist.

## *Does Legal Status Matter?*

The prevalence of poor people migrating irregularly suggests that the relationship between migrants' legal status and poverty should be a matter of some concern. Yet there remains a lack of comprehensive evidence both on what contributes to people moving on an 'irregular' or 'undocumented' basis, and on the extent to which legal status influences migration outcomes. One reason for this is the sheer variety of circumstances that 'illegal' or 'irregular' migrants find themselves in. First of all, there are significant variations between destination countries: whereas in some countries it has apparently been relatively straightforward in the past for illegal migrants to acquire a social-fiscal number and gain employment (c.f. Engbersen and van der Leun 2001 on the Netherlands), or such paperwork is in any case unnecessary due to the large size of the informal economy (c.f. Baganha 1998 on Portugal, or Reyneri 2004, on Italy), in other countries, the consequences of illegality have been greater in terms of marginalisation from 'mainstream' economic opportunities.

Second, public policy interventions have operated both, to further marginalise irregular migrants, and also, in some cases, to regularise their status. For example, Bauman (2004) argues that the increasingly selective and exclusionary policies of advanced welfare states have increased the problems faced by irregular migrants, with this process working both through enhanced border controls, and through more rigorous policing of 'internal borders' that control access to the welfare state and the labour market. The result is a growing labour market segment of undocumented workers, limited to unskilled jobs that are dangerous, dirty or demeaning, often employed on a casual basis, with little or no social protection. Yet states also periodically engage in regularisation campaigns that offer those working illegally the chance for a legal residence or work permit. For example, Papademetriou (2005) estimates that since 1981 the countries of the European Union have regularised more than six million irregular migrants.

A third complication is that routes to illegal residence and work for individuals are complex, defying simple analysis. For example, research in UK detention centres by Black et al. (2006) found many African 'irregular' migrants awaiting deportation had entered the UK legally, but then overstayed a tourist visa or permitted period of entry, worked without permission, and/or remained in the country illegally after the rejection of an asylum claim. As a result, it was rare to find individuals whose entire stay in the UK had been illegal – rather, most tended to move in and out of illegality. Meanwhile, other studies have found varied patterns of incorporation of irregular migrants into host societies, with some receiving substantial support from established transnational communities, others linking with local

ethnic minority communities, whilst still others remain highly dependent on smugglers for accommodation, work and/or protection (Pieke et al. 2004).

In this context, it is hard to hypothesise what the impact of irregular status is on migrants – even if there is some indication that the consequences are negative, not only for migrants themselves, but also for sending countries. One way to look at this is to consider the impact of migration as being mediated through the transfer of different types of capital – financial, human and social (Black and Ammassari 2001). Given that irregular migrants often occupy highly marginal positions in the labour market, it seems reasonable to assume that gains in financial capital, and indeed human capital in terms of formal education, might be more limited for irregular migrants than for ‘regular’ migrants – the certificates and language skills of qualified irregular migrants may be worthless in practice without a legal right to stay and work. In contrast, however, the acquisition of social capital might be expected to assume particular importance for irregular migrants, as this capital can immediately be mobilised to find employment or to move towards more regular status.

There are few studies that have sought to measure directly the impact of legal status on outcomes either for individual migrants, or for countries of origin, particularly as part of a multivariate analysis of migration outcomes. Pilot research with returning refugees in Bosnia and Kosovo found no correlation between legal status obtained abroad, and socio-economic outcomes on return, although this was based on a very small sample (Black et al. 2004).

### *Migration, Return and Development in Ghana*

We are interested here to interrogate the linkages between initial poverty, migration status (regular/irregular) and the level of ‘success’ of those who return to Ghana after a period abroad. As noted by Anarfi et al. (2003), international migration within West Africa has a long and established history, although up to the 1960s, Ghana was primarily a country of *immigration*, mainly as a result of its relative economic prosperity. Prior to the 1960s, emigration that did occur typically involved students and professionals moving to the UK and other English-speaking countries (Anarfi, et al. 2003). In 1965, large-scale emigration of Ghanaians began, coinciding with the beginning of a period of economic crisis in Ghana. This crisis, manifested in a balance of payments deficit, growing unemployment and social malaise, lasted well into the 1990s. Van Hear (1998) highlights this period as the point at which Ghanaian emigration began on a substantial scale. Peil (1995) argues that migration became a common household strategy in Ghana, and estimates that around 10-20 percent of Ghanaian nationals

were living abroad in the 1980s and early 1990. Many Ghanaians left the country in search of jobs, with a substantial number of professionals, such as teachers, lawyers and administrators leaving the country for a better life elsewhere. During the 1980s large-scale emigration of unskilled and semi-skilled Ghanaians to neighbouring countries characterised migration flows. Essentially migration became 'the basic survival strategy for individuals and families to enable them to cope with difficult economic conditions' (Anarfi et al. 2003: 6).

In this period, Ghana lost many of its trained professionals (for estimates of various professional migrant flows, see Anarfi et al. 2003). Distrust in the government, a deteriorating economy, together with regional policies to aid the movement of people, all exacerbated the out-migration of Ghanaians. Evidence of the large number of Ghanaians living abroad became obvious in the deportation of foreign nationals from Nigeria in 1983, when over one million Ghanians were returned to their country (Adeku 1995). Emigration continued through the 1990s and continues today to a range of countries, especially in Europe, North America and elsewhere in West Africa (Peil 1995; Manuh 2003; Henry and Mohan 2003).

Since the mid 1990s there has been some evidence of return migration to Ghana, with return migrants sometimes bringing significant sums in savings (Black et al. 2003). For example, a 1995 Ghana Migration Survey showed that approximately one third of return migrants interviewed had received some form of formal education abroad (Adeku 1995). The return of these migrants was seen as a potentially useful source of growth for the economy. In a more recent study of a sample of over 300 returnees conducted in 2001, Black et al. (2003) show that the employment status of migrants improves on return, whilst the types of business ventures that return migrants invest in are relatively diverse – that is, they are not dominated by investment in 'consumption' but also in 'development.' Meanwhile, detailed study of the experience of 'elite' returnees by Ammassari (2004) based on the same sample suggests that this group can have important wider impacts on the economy, especially in the context of liberalisation and growth.

However, these studies suffer from a drawback common to many migration surveys, in that they are based on a non-random, 'snowball' sample, from which it is difficult to draw meaningful generalisations. In the 2001 survey in particular, there is a bias towards more educated individuals living in urban areas, a limitation that may be less serious for 'elite' returnees, but which does not facilitate our understanding of the migration experiences of poorer people.

## Data Sources

Data for this paper comes from two separate sources. The first is a survey of 'Push and Pull Factors of International Migration', conducted by the Netherlands Interdisciplinary Demographic Institute (NIDI) for the European Commission. This survey was conducted by local teams in five sending countries in the South and East Mediterranean and Sub-Saharan Africa in 1997/98, and provides rich information about various individual, household and macro-level factors that influence people's decisions to migrate or not. The study includes a micro-level survey (household and individual data for migrants and non-migrants) and a macro-level survey (contextual data at the national, regional and community levels) in each of the selected countries. In this paper, we limit our sample to returnees in Ghana, who comprise 225 individuals from a total of 1,571 households interviewed in the country. The dataset classified individuals as migrants/non-migrants, current/return migrants and recent/non-recent migrants. A *migrant* refers to any individual born in the country where the survey took place and migrated from it to live abroad at least once, even if it was only for a short period. Among migrants, a *return migrant* is a migrant who lives in the country at the time of the survey. Finally, a *recent migrant* is a person who has migrated from the country of origin at least once within a period of ten years preceding the survey (the average period since migration is 7 years).

In addition, we draw on interviews conducted by the authors<sup>1</sup> in collaboration with the Institute for Statistical, Social and Economic Research (ISSER) at the University of Ghana, Legon, in May 2005. In-depth interviews were carried out with a total of 46 return migrants in three regions of Ghana (Ashanti, Greater Accra and Eastern Region), focusing on the returnees' livelihoods, whether they improved or deteriorated through the international migration and return experience, and the factors that influenced this. Topics discussed included poverty levels, the accumulation of assets, the reasons for return, the role of remittances and the legal status of the migrants whilst they were abroad. Only individuals who had returned within the last ten years were included in the sample<sup>2</sup>. An attempt was made to collect data from both urban and rural communities, although there is some bias towards the former, as returnees generally appear to have settled in cities or towns. Returnees were located in each community with the assistance of the District Assembly Member (AM), with whom discussions also took place on the migration and poverty status of the community as a whole. District Assembly Members had been elected in 2003 and were assumed to have good local knowledge.

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<sup>1</sup>Interviews were conducted in the field by Claudia Natali, under the guidance of Rachel Sabates-Wheeler.

<sup>2</sup> We also happened to talk to people who returned well before that date, which has helped inform our understanding of the sustainability of return.

The definition of poverty status used in this paper is subjective rather than absolute. The poverty indicator used from the NIDI data refers to subjective financial poverty status over time. The question posed to gain this variable was: 'Overall, is the financial situation of the household more than sufficient, sufficient, barely sufficient, or insufficient to buy all the basic needs?' The same question was also asked of the preceding year. We re-categorised this ranking into two categories for estimation purposes: poor (using insufficient and barely sufficient income) and non-poor (using sufficient and more than sufficient income). This allowed us to create dynamic categories: stayed poor, moved up, moved down, stayed non-poor. Findings from the qualitative survey resonate with this time-comparative poverty indicator: although Ghanaians appear to hold a consistent view of what constitutes 'basic needs' (respondents typically include food, shelter and clothes in their basket of necessities), individual returnees who were interviewed were extremely uncomfortable about using binary categories of poor/not-poor to explain whether and how their level of poverty changed as a result of migration. Instead, Ghanaians preferred to talk about comparative *changes* in the fulfilment of their basic needs, with movements along the continuum of 'worse off – better-off' seeming to better describe the impact of return migration on people's poverty status and wellbeing.

### **Poverty Status and Initial Migration**

In exploring the relationship between migration, legal status and poverty, a first question of interest is whether poor people are more or less likely to migrate with the required legal documents. A simple cross-tabulation of past poverty status and formal documentation in the NIDI survey shows that out of 123 returnees who considered themselves poor prior to migration, 53 percent did not travel with formal documents, whereas around 70 percent of non-poor migrants did obtain formal documents in order to migrate. This simple relationship provides a first indication that poverty/wealth status may influence the legality of the migration process. Meanwhile, other indicators of poverty, such as education levels and asset ownership, support the same story line. For example, 82 percent of those with higher education reported that they had obtained formal documentation prior to their most recent departure, compared to 47 percent of those with secondary schooling and just 32 percent of migrants who had completed only primary schooling. Similarly, out of 120 returnees who obtained documentation, some 90 percent had completed secondary education or higher.

To interrogate this question further, we estimate a probit model, the dependent variable being whether returnees possessed formal documents at the time of their last migration.<sup>3</sup> The results show that whether individuals obtained formal documentation as part of their international migration strategy depended on their poverty status, together with their gender, education, destination and social networks at origin (Table 1). As expected, returnees who were poor prior to migration were less likely to have documents, whilst those who had completed higher education were more likely to have documents. Migrants travelling to other countries in Africa were less likely to have obtained formal documents than migrants travelling to EU, perhaps reflecting the ability of Ghanaians to travel within the ECOWAS region for up to 90 days without requiring documentation. Perhaps less obviously, men were less likely to have obtained documents than women. Meanwhile, those migrants who had help at origin prior to migration were more likely to have obtained formal documents, whereas age, marital status, employment status and help at destination did not have a significant impact.

**Table 1: Probit Model Estimates on Legal Status at Time of Last Migration**

<b>Had Documents</b>	<b>Coef.</b>	<b>Std. Err.</b>	<b>Marginal effects</b>
Poor before	-0.413**	0.217	-0.158
Male	-0.564**	0.264	-0.204
Age	0.002	0.014	0.0008
Married before	0.409	0.254	0.157
Higher education	0.991**	0.273	0.350
Was Employer before	0.431	0.257	0.162
Africa	-1.334**	0.242	-0.486
Other countries	-0.027	0.435	-0.01
Help at origin	0.545**	0.250	0.203
Help at destination	-0.370	0.254	-0.144

Notes: White corrected standard errors in parentheses. Asterisks indicates significant at (\*) 10%, (\*\*) 5% and (\*\*\*) at 1% level.

Source: Authors' calculations from NIDI dataset

The final column of Table 1 indicates the marginal effects of a change in the independent variables on whether migrants obtained legal status prior to migration. So those people who were poor before migration were 15 percent less likely to obtain visas and/or work permits in order to migrate than those who were not poor. Similarly, finishing higher education implies a 35 percent higher chance of migrating with some form of legal documentation.

<sup>3</sup> A description of all the variables used in this and subsequent quantitative analysis is presented in Appendix 1.

Whilst the analysis above suggests that there is a relationship between poverty and the likelihood of 'irregular' migration, it does not tell us why this might be the case. For example, it may be due to poverty-specific constraints that limit poor people's access to documents (e.g. discrimination on the part of embassies and consulates); or it may reflect poverty-intensified constraints (e.g. the cost in terms of time or travel to obtain a visa, the cost of documents themselves, or problems with filling forms); or it may reflect the possibility that poorer people are less likely to 'demand' documents as they may have the perception that they are unlikely to be successful in their applications. Some help in disentangling these effects is provided by our qualitative data.

For example, a 'success' story is provided by Raphael,<sup>4</sup> a man who left for Italy because, although he could meet his basic needs, he wanted to achieve a better life. He knew many people from his hometown (Koforidua) who had left for Italy already, and so he had connections there. He left with a visa and he obtained his *Permesso di Soggiorno* (residence permit/work permit) a year after his arrival in Sicily. Raphael reported that not everybody managed to get documents so soon, and many migrants were not even aware they had to apply for a work permit. Raphael attributed his success to the fact that he had many friends with whom he was exchanging information about Italian immigration laws, so he was always up to date, although the fact that he arrived in 1998, a year in which the Italian government regularised the stay of all immigrants who applied for a permit was also clearly a relevant factor.

Not all the migrants interviewed were 'legal' at their place of destination. Many left Ghana with a valid, typically six-month, visa in their hand, but not a work permit. As a result, once this tourist visa had expired, or if they started working, many became 'illegal' at destination. Unless these migrants had obtained a work permit prior to migration it was usually extremely difficult to then obtain one at their destination, as they were considered 'unskilled' workers and there was little incentive for the employers at destination to regularise their status and consequently have to pay social insurance, tax, and minimum wages.

The educational level of the migrant goes some way in explaining why this happens. For example, John, a young man who lives with his parents in the Accra neighbourhood of Sakumono, reported that he moved to London with a six-month student visa. Once in the UK, he realized that because he did not have a good level of education, it would be very difficult for him to find a good job. He found a job – as a cleaner – but his employer was never interested in applying for a work permit for him as it would have

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<sup>4</sup> All names of interviewees have been changed to protect confidentiality.

meant paying money to legalize an unskilled employer who was easily replaceable with another irregular migrant. John *had* to accept the working conditions he was offered if he wanted to keep the job; he did not have any bargaining power with his employer who, taking advantage of the situation, was also able to pay him very low wages.

What is interesting here is that John, and a number of other migrants like him, had never really tried to apply for a work permit. This was not primarily because they personally could not afford to, or because it was legally impossible, although lack of money was a factor. It was more because they knew that their employers had no incentive either to go through the costly process of applying for a work permit for them, and they depended on their cooperation if they were to become 'legal'. Indeed, another more accessible route to regular employment for a number of migrants was to use other people's papers: as Arnold, an unemployed young man from Kumasi who worked for three years in the London Underground to sustain his wife and two children noted: 'In Europe if you don't have working permit, how can you work? When I went there I didn't use my name. They used a different name when they were preparing that work permit for me.'

Similarly, Will, a young man from Tema who migrated to London and did not have a work permit explained: 'These white people usually don't have a lot of idea about this immigration stuff. And they will never realize it [the work permit] is fake'.

In turn, some returnees we talked to made it clear that they did not have a valid visa to travel in the first place. This group were generally very poor before migrating and, on top of not having the economic means to pay for a visa, they also lacked the necessary social networks and information that help when it comes to applying for one. Indeed, some individuals had migrated without even having a passport. For example, Kwesi, a very poor farmer from Hwidiem, a poor rural village in the Ashanti Region, had never had the opportunity to go beyond primary education. When his family pushed him to migrate, not only did he not have the money to apply for a visa, but he did not even know that he needed one. Because of a lack of connections with people who had migration experience in the destination, he travelled without a passport, with the result that he was arrested and returned several times en route across the Sahara.

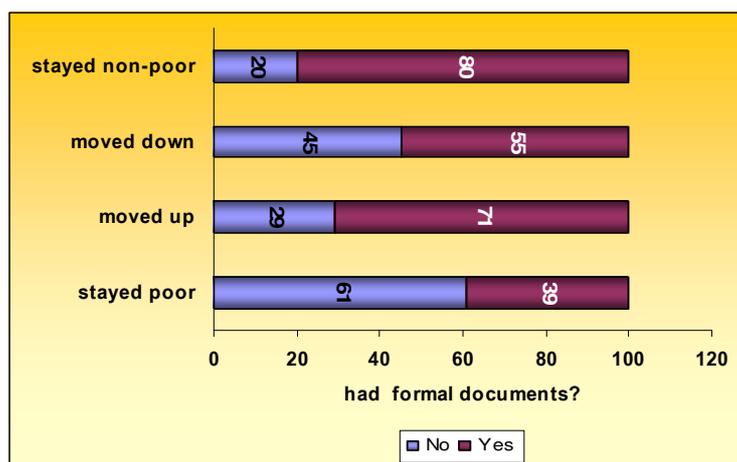
## Migration, Legal Status and Change in Poverty Status

Although it seems clear that within both the quantitative and qualitative surveys on which this paper is based, poor people are less likely to migrate in a ‘regular’ or ‘legal’ way, a second question remains as to whether the legal status of migrants influences the outcome of the migration process in terms of changed poverty status – in other words, are ‘documented’ migrants more likely to have become better off by the time they return than those who are ‘undocumented’?

### *Changes in Relative Poverty*

Looking first at changes in the subjective measurement of the household’s financial situation reported by returnees in the NIDI survey, we find that out of 215 returnees, 92 considered that they had not improved their financial situation (i.e. they stayed poor), 31 believed that they had moved out of poverty, 47 had moved into poverty and 45 felt that they had stayed well-off. Of those who stayed poor, 61 percent migrated *without* any formal documents, whereas 80 percent of those who stayed non-poor and 71 percent of those who moved out of poverty had migrated *with* formal documents (Figure 1). Once again, this *prima facie* evidence suggests that legal status, or the access of migrants to formal documentation, is likely to influence poverty outcomes.

Figure 1: Possession of Formal Documents by Changing Poverty Status of Migrants



Source: Authors calculations from NIDI dataset

To explore this question further, we use a multinomial logit model specification to gain insights into the effect of ‘legal status’ at the point of migration on poverty dynamics (pre and post migration poverty status). The multinomial logit enables us to compare different categories of perceived changes in

poverty status from before and after migration (Table 2). We categorise poverty status as ‘stayed poor’, ‘moved up’, ‘moved down’, ‘stayed non-poor.’ Our base category for comparison is returnees who remained poor – that is, those who identified themselves as poor prior to migration, and felt that they were still poor on returning. A striking result is that those returnees who felt that they had improved their status upon return and those who felt they had remained non-poor were significantly more likely to have migrated with formal documents than those migrants who reported that they had stayed poor. In contrast, there is no significant difference in terms of use of formal documents for migration between returnees who reported becoming worse off after migration, and those who remained poor.

**Table 2: Multinomial Logit Estimation for Changing Poverty Status**

	<i>Changing Poverty Status</i>					
	<i>Moved Up</i>		<i>Moved Down</i>		<i>Stayed non-poor</i>	
	Beta (s.e)	Beta (s.e)	Beta (s.e)	Beta (s.e)	Beta (s.e)	Beta(s.e)
Had formal documents	1.426** 0.615	1.583** 0.669	0.452 0.493	0.423 0.497	1.577** 0.636	1.223* 0.676
Age	-0.056* 0.031	-0.064** 0.031	0.056** 0.027	0.059** 0.028	-0.036 0.032	-0.025 0.031
Male	-0.491 0.638	-0.457 0.683	0.213 0.561	0.250 0.567	0.635 0.671	0.855 0.694
Married_n	0.962 0.668	1.000 0.675	-0.359 0.521	-0.349 0.531	0.592 0.624	0.679 0.679
Higher education	0.521 0.794	0.484 0.805	0.665 0.533	0.622 0.552	1.151* 0.639	1.008 0.628
Employer_n	0.356 0.658	0.502 0.646	0.517 0.488	0.572 0.494	-0.057 0.545	-0.107 0.579
Own business	1.519** 0.563	1.836** 0.589	0.435 0.474	0.529 0.505	0.962* 0.512	1.100** 0.547
Asset Index	0.440** 0.226	0.465** 0.227	-0.155 0.175	-0.212 0.184	0.368 0.209	0.272 0.208
Duration	0.411 0.538	0.341	0.022 0.463	0.032 0.474	1.085** 0.492	1.046** 0.523
Forced		-1.469 0.850		-0.167 0.610		0.206 0.808
Family		-0.634 0.656		-0.208 0.552		0.931 0.767
Brain Gain		-1.118 0.991		0.716 0.705		1.969** 0.894
_cons	-1.683 1.423	-1.133 1.482	-3.651 1.166	-3.899 1.319	-2.956 1.347	-4.199 1.527

Number of obs = 173; Wald chi2(27) = 65.09; Prob > chi2 = 0.0001  
Log pseudo-likelihood = -187.35995; Pseudo R2 = 0.1681

Source: Authors' calculations from NIDI dataset

The quantitative analysis presented in Table 2 also shows that in addition to being more likely to have formal documents at the time they last migrated, returnees who had remained non-poor were more likely to have completed higher education and to own their own businesses. Their migration experience was also typically longer than that for migrants who remained poor. Migrants who experienced a ‘move up’ were also likely to be younger, and were more likely to own their own businesses and have more assets than those migrants who remained poor. In contrast, migrants experiencing a decline in well-being on return were more likely to be older migrants.

### *Changes in Assets*

Whether migration is a sustainable strategy also depends on the type of assets that migrants are able to accumulate. When money is invested in productive assets, such as a business or an investment that returns an income, then it is likely that the positive effects of migration accrue over many years. The sustainable livelihoods literature predicts that asset accumulation is crucial in helping people out of poverty. On the other hand, literature from applied economics highlights the ways in which asset-poor people are more likely to become trapped in poverty than the asset-rich. Asset accumulation may be aided (or constrained) by migration. We might expect that without a work permit, migrants are less able to accumulate assets and are therefore worse off. On the other hand, having the right papers makes it easier for migrants to save, accumulate and invest.

The NIDI dataset includes information on a wide range of assets (such as animals, houses, land, radio, fridges, stoves, toilets). For the purposes of this paper we use principal component analysis to create an asset index using 12 assets. As can be seen from Table 3, the average number of assets reported by those who had migrated legally was consistently higher than those who had migrated illegally across all categories, regardless of the relative poverty outcome before and after migration.<sup>5</sup> This supports the idea that undocumented migration acts as a constraint to asset accumulation and poverty reduction. Unsurprisingly, those who stayed non-poor, or who improved their poverty status, were also likely to report more assets than those who had become or remained poor.

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<sup>5</sup> The asset index runs from -3.7 to +2.5, with lower numbers indicating smaller asset bundles.

**Table 3: Asset Stocks by Changing Poverty Status and Legal Status**

Poverty Dynamic	Legal Status	
	<i>Had Documents</i>	<i>No Documents</i>
<i>Stayed poor</i>	0.47	-1.08
<i>Moved down</i>	0.44	-1.27
<i>Moved up</i>	0.87	0.04
<i>Stayed non-poor</i>	0.94	0.55
	0.68 (120)	-0.86 (95)

*Source:* Authors' calculations from NIDI dataset

### *Personal Narratives*

Our qualitative interviews provide useful evidence as to how and why legal status makes a difference to poverty status and asset accumulation. At one level, the constraints placed on migration as a livelihood strategy when people move without documents is straightforward enough. For example, Ama, a young woman with a small business in Koforidua sold her car to gather the money to leave for London, yet despite her initial access to capital, she did not manage to accumulate anything while abroad and reported coming back worse off. Talking with Ama, it became clear that because she did not have a work permit (although she did have a visa) she was never able to get a job in the formal sector in London. Instead, she worked informally from home as a hair dresser, which paid a reasonable amount of money, but on a very unstable basis since demand was irregular and competition high. Ama lasted only a year and a half in London before accepting that she would never achieve anything without the proper papers, and deciding to go back to Ghana.

Similarly, Clement, a very poor and unemployed man from Hwidiem who went to Germany, was also hit hard by his lack of legal documents. Unlike Ama, Clement travelled without a visa, and sought political asylum, which was turned down. Clement managed to stay in Germany after his asylum was refused, even obtaining a 'formal' job in factory. Yet because he did not have a passport or a work permit, he was constantly hiding, and although he did manage to save some money, many of his assets were lost when he was eventually arrested and rapidly deported.

While some people decided to work without permits and ended up in the informal sector, others 'borrowed' documents from friends or colleagues in order to get formal employment. Yet this too is fraught with problems; for example, Kofi, a young man from Accra, reported that he 'borrowed' papers in order to work in a slaughterhouse in Germany: 'For everybody I was Peter. I was using his papers

and I had to give him 1/3 of my stipend every month'. However, because of the high cost of these 'borrowed' documents, Kofi did not succeed in saving any money while abroad. A similar story was told by others, who far from earning money whilst abroad, had become dependent again on their families since their return.

In contrast, migrants who obtained the correct documentation to support their migration found it much easier to accumulate assets through migration and once back home they were frequently better off than before leaving. Buying a plot of land and building a house is the first and most common investment that migrants make, with many migrants sending money home to start building a house while they are still abroad. Yet this success depends not only on legal status, but also on the way that this interacts with other factors. For example, those who are living and working abroad legally are generally able to stay abroad longer, allowing time to accumulate savings. They find it easier to send money or goods back home, whilst legal status may also entitle them to benefits such as pensions, unemployment benefit or health insurance, which may provide the security needed to embark on more risky investment ventures back home: a form of 'risk insurance'.

Thus Yao, a young man who worked for 15 years in a bicycle factory in Italy, bought a used car, but also the machines for a carpentry workshop, which he paid for in instalments – something he would never have been able to do as an irregular migrant. Yao shipped the goods to Ghana, and started a business in his home town, Koforidua. He was poor before migrating, but had definitely improved his living conditions, whilst also supporting his community:

I had to work hard (while abroad) to get the machines; fortunately, the guy who owned them was happy to sell them to me and made me a good price and I really wanted them as I knew their potential. Now they are giving me a lot of money in return, very good money as I have been able to pay my workers for five years now. And I pay 25 workers! But with the revenue I have also built 2 houses. And I have more plans. I am planning a big thing. I want to do reforestation. I have got a big land. The government has given me about 120 hectares of land.

Similarly, Kwabla, a middle-aged man from Bonwire, lived for 15 years in New York. He started working as a cleaner and then he found a post as an accountant. Kwabla always had his papers in order and this allowed him to invest money in the New York stock exchange and to save money:

I used to send money to my father to put up a house for me over there [Ghana]. I also invested in the *kente* [cloth] business and used some money to buy personal belongings. Finally I invested money in Wall Street. I have an account there and I can go and take the money with interest whenever I want.

Although some people did not come back with tangible assets, they had invested in education, allowing them to find stable and better paid jobs on return – again something that would have been much less achievable if they had travelled without documents. Victor, for instance, a journalist from a national newspaper in Accra, travelled with a student visa to complete an MA in UK. After a period working in the UK, he returned to a job in an Embassy in Accra. Meanwhile, John, the administrator of a nursery in Nungua-Accra, went to the UK to learn how nurseries worked there, gaining numerous ideas that he is now putting into practice back in Accra.

Obtaining documents for migration can also be a way of prolonging the benefits of migration through a second generation. For example, Abdullah, a man who migrated from Konongo to Italy to work in a dye factory, had returned six years prior to being interviewed. His migration and return was part of a family migration strategy: when he returned, it was his son's turn to leave. Abdullah's legal status whilst abroad played a crucial role in explaining his ability to sustain migration as a positive livelihood strategy: because Abdullah had been a legal worker in Italy, not only was he able to advise and help his son in obtaining all the necessary papers, but he also put him in contact with his Italian employer, who eventually allowed his son to replace him in the workplace. Abdullah describes himself as better off than before migrating, mainly due to the fact that his son is now working in Italy and is sending back remittances so that between them they have been able to sustain a flow of remittances over time.

While travelling without documents is not generally associated with positive migration experiences, there are sometimes exceptions where the individual or their family has migrated to the same country repeatedly in the past, and has built up social networks that enable them to circumvent visa or employment regulations. For example, Kweku, a 40-year old man from Koforidua, first migrated to London as a student (with the necessary papers), and whilst there, he worked and got to know people. As a result, on subsequent trips, although he was undocumented, he knew how the system worked and how to get a job. With his work in London he saved some money, using it to establish a small fast-food business in Koforidua in Ghana. Kweku was not poor when he left, but he certainly managed to improve his economic situation as a result of migration, even without documents.

## The Sustainability of Return

The previous section provides evidence that a number of factors relating to the migration experience – including legal status – may have an impact on the poverty and well-being of return migrants. However, it is also possible that the circumstances of return may influence poverty outcomes for returnees. There is a limited literature that theorises return migration, with much available material either quite small scale or anecdotal (King 2000). Thus King (2000, p7) laments that ‘return migration is the great unwritten chapter in the history of migration’, going on to say that ‘the historiography of migration studies has nearly always tended to imply that migration is a one-way process.’ There are some recent studies of return, notably focusing on the return of forced migrants (Black and Koser 1999; Long and Oxfeld 2004, Hammond 2004), but also dealing with return of labour migrants (see, for example, Ghosh 2000). Yet none of these studies provide a systematic basis on which to compare different categories of returnees that matches that of Cerase (1970, 1974), who divided patterns of return from the US to Italy into four categories:

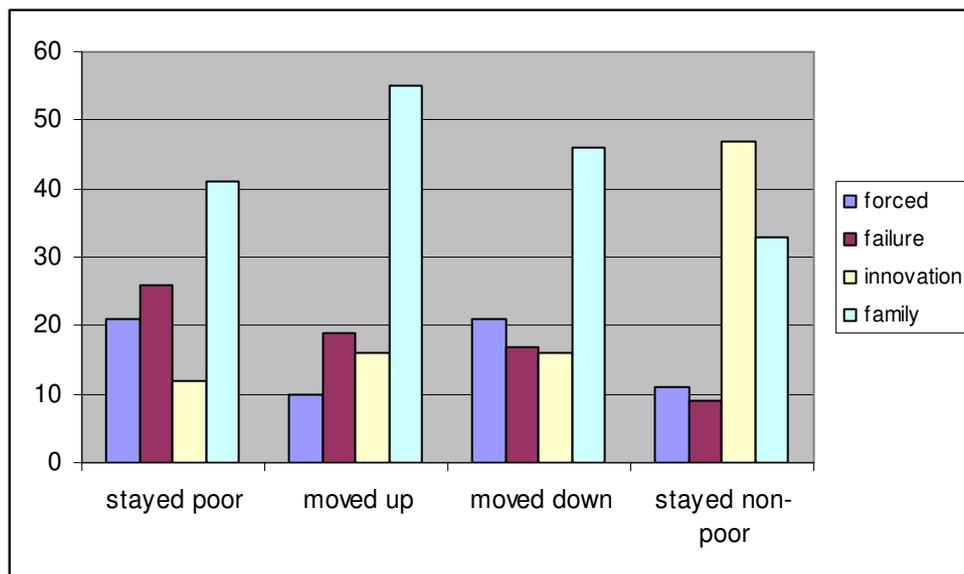
- *return of failure*, which refers to migrants who could not find a job or other means of survival;
- *return of conservatism/family*, which refers to migrants who realised early on that they could not thrive in a different culture, away from family and friends;
- *return of retirement*, an obvious reason for many migrants to return after a number of years of working in a host country; and
- *return of innovation* (or ‘brain gain’ as it is currently coined), a group who still wish to achieve an economic goal, but feel frustrated in the host country and decide to try their luck back home.

It is the latter group that is arguably most interesting to development practitioners, although these four types of return could also more simply be classified into two, the first two involving ‘failure’ of the migration project, and the latter two some form of ‘success’. At the same time, given current policies of many host nations to remove or deport ‘irregular’ migrants, we might also add a third category of ‘failure’, that of forced return.

Applying this adapted version of Cerase’s categories to the sample of return migrants interviewed by the NIDI study in Ghana, it is a ‘return of conservatism’ or for family reasons that appears to characterise the sample overall, with this group constituting the majority of all returnees who either stayed poor, became poor, or, surprisingly, who moved out of poverty (Figure 2). However, a different

pattern emerges for those who stayed non-poor, with 47 percent of this group classified as having returned to innovate. Indeed, the majority of those returning to innovate remained non-poor, whereas the majority – 53 percent – of forced returnees remained poor (n=38). When we include reasons for return as explanatory variables in the multinomial logit regression model (columns iii, v and vi of Table 2) we also see that returnees who stayed non-poor were more likely to report reasons for return related to ‘innovation’ than returnees who remained poor.

Figure 2: Changing Perceptions of Poverty by Reason for Return



Notes:

‘Failed’ = ‘Laid off’; ‘did not like job’; ‘low income’; ‘disliked it’; ‘bad health’; ‘homesick’; ‘no future here’.

‘Innovation’ = ‘returned to start business’; ‘completed education’; ‘saved enough money’

‘Family’ = ‘parents requested me back’; ‘marriage’; ‘accompany spouse’; ‘other family reasons’

‘Forced’ = ‘sent away by authorities’; ‘permit expired’; ‘fear of war/persecution’

None of those interviewed could be classified as having returned in order to retire.

Source: Authors’ calculations from NIDI dataset

These results give us some insight into the nature of poverty dynamics for different groups of return migrants. The quantitative data suggests that successful return (that is, an improvement in poverty status or remaining non-poor) depends on a range of factors including age, education, the duration of migration, and the reason for return, as well as the legal status of the migrants whilst away. Yet ‘successful’ return implies much more than a comparison between pre- and post-migration poverty status; it also encompasses the reasons why migrants returned in the first place, and the sustainability of this return in the longer-term. Moreover, changing wealth/poverty status encompasses much more than simply being ‘poor’ or ‘non-poor’. In the following section, we investigate these issues drawing again on our qualitative data.

### *What Makes a Successful Return?*

Looking at our categorisation of the reasons for return, it is perhaps inevitable that our qualitative interviews paint a much more nuanced picture of the reasons for return than Cerase's typology. First of all, although a majority of those in the NIDI study reported 'family' reasons for their return, this category encompasses a multitude of different circumstances. For example, Kweku, who now runs a fast food restaurant in Koforidua, decided to return in 2005 after visiting Ghana for his mother's funeral. Kweku had noticed that there were no fast food outlets in his home town, and decided to return in order to establish one. His restaurant is now the first fast-food outlet in the area and is doing well.

This mixture of family reasons (the death of a parent) and economic reasons (in this case to establish a business) is not uncommon. Thus Kwabla also came back for a family member's funeral, but explained:

When I came back I saw people who were putting up big buildings here so I decided not to stay there [in New York] anymore. When I stay there too long I will be old and these people will not expect me to return. That is why I came down to look after my kids and to put them in a good school so that they can stand on their own feet in the future.

Similarly, Emmanuel, a returnee who now runs a pharmacy<sup>6</sup> in Koforidua, came back from the US because of his father's funeral in 2000, but once he had returned he realized that his country was doing much better than when he left and that the political situation had changed. He therefore decided to stay and invest his savings.

There are also other ways in which this link between 'family' and 'business' reasons for return work. For example, Awula, a young woman who was living in London and who now lives with her family in Bantama-Kumasi, came back because she was sick. Yet once she was home, she reported that she realized that the country was going through an economic awakening and, as she had accumulated some money whilst abroad, she decided to be part of this process and settle down. A slightly different dynamic is illustrated by Yao, who as noted above, used money earned abroad to establish a carpentry business. Yao was poor before migrating, and had obviously done well from his migration experience. Yet the reason for his return was because he did not trust his family to run the business, which now employed 30 workers. Yao says: 'It was my cousins who were taking care of the joinery machines

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<sup>6</sup> A 'chemical shop'

[when he was in Italy] but they were not managing them well, so I was compelled to come back and take care of them myself.'

Similarly, Raphael, who as reported above had achieved success in Italy, returned to supervise a car tyre repair business in Koforidua, since he did not trust others to do a good job: 'After sending in the vulcanising machines I decided to set the company up with somebody managing it for me. Things were going on bad here so I decided to come back to look after the company myself.'

The latter stories are also interesting because they highlight how 'return of innovation' can be very helpful for the community as a whole, and not only for the individual and his household.

In contrast, discussions with some other returnees revealed that they came back because 'the work was too hard in Europe' or 'it was too cold'. Yet although these reasons for return seem to suggest a failure, these returnees were in many cases very successful. Indeed, some were very poor before leaving, but had managed to accumulate some money and, once back, this was invested in productive activities thereby improving their economic situation. For example, Ed, a retired man living in Koforidua, and Kojo, who had migrated to Italy in 1990 to find a way to support his large family, both reported that they came back from abroad because they could not bear the hard work and the cold weather any more. But both had accumulated enough money through migration, so that upon return Ed built a house to obtain rental income, while Kojo established a bicycle shop in Konongo. Similarly, Mark, a returnee living in Koforidua, had built up a transport business with money he accumulated while working in Italy with his wife. For him, return was both, evidence of his success, and also of the difficulties of living abroad: 'Someone else's country is not your country so you have to come back once you get what you were aiming for.'

Finally, analysis of quantitative data in the previous section also represents migrants as either 'staying the same', or moving into or out of poverty. However, what it does not do is account for changes in well-being within the categories of 'poor' and 'non-poor'; nor does it account for the long-term sustainability of improved poverty status. Yet, our qualitative interviews suggest that many of the 'non-poor' prior to migration not only retained their 'non-poor' status, but improved their position in both absolute and relative terms. Thus Kweku, who as noted earlier had established a fast food restaurant since his return, classified himself as 'non-poor' before migrating, but he reported that he is now much better off, even though he is still recuperating the costs of starting his business.

In contrast, Kwesi, who tried several times to get to Europe but never succeeded, reported that he came back poorer than before leaving. Similarly John, who as noted above had also migrated without documents, claimed that he never had any chance of accumulating enough to improve his living conditions. Most of the returnees interviewed in this category experienced lower living standards upon their return, whether they were initially poor or not; in turn, they generally attributed this deterioration to their migration experience.

## **Conclusion**

The central question of this paper is whether the legal status of migrants influences their livelihood trajectories. Evidence has been presented from both quantitative and qualitative sources that it does – those who migrate without formal documents are more likely to be poor, and to stay poor, although legal status interacts with a number of other factors to produce less good outcomes for undocumented migrants. In effect, a strong correlation between past and current poverty (i.e. the existence of a ‘poverty trap’) is exacerbated by legal restrictions on migration – thus poorer people face the dual burden of lingering poverty and a lower likelihood of obtaining the correct legal documents to support the kind of migration that might allow them to exit poverty.

The study does have a number of limitations, which urge some caution in the application of its conclusions. Most importantly, the quantitative survey used in this study measured the legal status of migrants by asking respondents if they had obtained a visa and/or work permit in order to enter the last country of destination. One limitation with using this variable is that it does not inform us as to whether the migrant applied for documentation and was subsequently denied documentation, or whether the migrant chose not to apply at all. Nor does it discriminate between travel (visa) and work documentation, even though our qualitative interviews suggest these two may have different effects. An improved model would be able to distinguish between these categories.

A second issue is that of selectivity and reverse causality that beset all quantitative analyses of the relationship between migration and poverty. One econometric estimation method that allows for both selectivity and reverse causality is a bivariate probit with instrumental variables. We ran this model, but the diagnostics indicated that there was no evidence of a correlation between the ‘legal status’ equation and the poverty equation. This indicates that there is no additional statistical benefit to be gained from running this model as opposed to separate models. This is why we have specified different models for the separate variables of interest.

Despite these caveats, the paper does provide quite strong evidence that migrants' legal status (and in particular, access to work permits) is a crucial factor in determining whether the migration experience is likely to be a success. Moreover, the qualitative work highlights that the process of becoming 'legal' is a real hurdle for poorer people: it is seen as complicated and inaccessible. Not only is it costly, but it also requires knowledge of process and logistics; resources that many poorer people cannot readily acquire. Information about migration procedures is not widely accessible, and if non-poor have relevant social networks that facilitate access to this information, poor people are marginalized and are just not well informed about how to enter the migration process properly. This is true not only before migrating, but also at destination.

These findings imply that international migration is not – at present – a particularly helpful way for poor Ghanaians to exit poverty. However, it could be – if more effort were focussed on enabling poorer people to migrate through regular channels. This would alleviate poverty-based constraints to migration becoming a successful livelihood strategy for poor people, and would fit with the objective – common amongst many governments – of combating 'illegal' migration. Yet in the face of public demands for tighter immigration rules in the north, it is likely to require strong lobbying from a country such as Ghana, and possibly linking with other issues, such as trade, on which Ghana is currently negotiating with richer countries.

An additional insight of this paper is that by combining qualitative and quantitative methods, we can gain a richer and much more nuanced understanding of migration and its relationship with poverty than by using just one methodology. In this case, evidence from the two sets of data reinforce and confirm each other: the very poor migrants interviewed were more likely to have migrated illegally as a coping mechanism, reflected in the fact that many of them returned because they 'failed' or were forced to return. In contrast, it is the non-poor migrants who are disproportionately represented in the 'success story' category – a situation that is likely to continue in a world of tight immigration controls.

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## Appendix: Description of the Variables Used in the Analysis

Variable name	Variable description	Units of measure	Mean*	Std. Dev
Poor now	The current poverty status of the household	=1 if the household is currently poor; =0 otherwise	0.655	0.477
Poor before	Denotes households that are moderately poor	=1 if the household was poor before the migration of the MMA; =0 otherwise	0.574	0.496
Formal Documentation	Does the migrant possess documents to support migration?	=1 if migrant possessed documents; =0 otherwise	0.558	0.498
Age	The age of the MMA/head of the household	Age in years	37.753	9.752
Male	The gender of the MMA/head of the household	=1 if the MMA is male; =0 otherwise	0.798	0.402
Married_now	The current marital status of the MMA/head of the household	=1 if the MMA was married just before migration; =0 otherwise	0.665	0.473
Married_before	The past marital status of the MMA/head of the household	=1 if the MMA was married just before migration; =0 otherwise	0.511	0.501
Higher	Indicates whether the MMA has obtained higher education	=1 if the MMA achieved any grade in higher/further education; = 0 otherwise.	0.318	0.467
Employer_now	Denotes MMAs that are currently employers	=1 if the MMA was an employer just before migration; = 0 otherwise.	0.529	0.500
Employer_before	Denotes MMAs that were employers prior to migration	=1 if the MMA was an employer just before migration; = 0 otherwise.	0.314	0.465
Duration	The length of time of last migration	=1 if MMA was away for over 5 years; =0 otherwise	0.582	0.495
Help at Origin	Indicates whether the MMA had help at origin prior to migration	=1 if MMA had help; =0 otherwise	0.331	0.471
Help at Destination	Indicates whether the MMA had help/contacts at destination prior to migration	=1 if MMA had help; =0 otherwise	0.373	0.484
Country of last migration:	Country of last migration	2 dummies; EU/USA is comparison category	0.441	0.498
Africa			0.105	0.307
Other				
Asset Index	An index that denotes the level of asset holdings of a household (derived using PC)	Continuous variable	0.000	1.601
Own Business	The MMA currently owns a business	=1 if MMA owns a business; =0 otherwise	0.439	0.497
Reasons for return	The stated reason for return	3 dummy variables; family is the comparison category	0.176	0.382
Failed			0.172	0.378
Forced			0.193	0.396
Brain Gain				